



BROCHURE
on
Reservation for Scheduled Castes
and
Scheduled Tribes in Services

Sixth Edition

GOVERNMENT OF INDIA
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PREFACE TO THE SIXTH EDITION

The Fifth Edition of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes in the Services under the Central Government was brought out in February, 1978. There has been a growing demand for more copies of the Brochure. Since the publication of the last Brochure, some further instructions have been issued on reservations and concessions provided for these communities. The Brochure has now been brought uptodate and this edition incorporates all these instructions issued till June, 1982.

2. With a view to enhancing the usefulness of a compilation of this nature we have this time made some changes in the presentation of the matter in the Brochure. The orders and instructions relevant to a particular Chapter have now been given at the end of the Chapter itself in order to make it more convenient for the readers to make a quick reference to the original orders and instructions. An introductory Chapter has also been added to give a bird's eye view of the evolution of the reservation policy, the present scheme of reservation and the legal and constitutional position of the policy. To give a first hand idea of the process of recruitment, direct as well as promotion, we have included two flow charts which will serve as a guide to the appointing authorities. A statement has also been added which shows the various changes that have been made from time to time.

3. While every care has been taken to ensure that the running matter presented in the Brochure is strictly in accordance with the instructions issued on the subject, for the purpose of interpretation of these orders, the original Office Memoranda/Resolutions, rather than the paragraphs in the Brochure should form the basis. If any error or omission is noticed in this compilation, it may be brought to the notice of Estt. (SCT) Section, Deptt. of Personnel & A.R., Ministry of Home Affairs, Govt. of India, New Delhi

Sd/-

(S. Krishnan)

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Introductory

Definition of SC & ST.

Article 341 and 342 of the Constitution of India define as to who would be Scheduled Castes and Scheduled Tribes with respect to any State* or Union Territory. The relevant Constitutional articles are quoted below:—

“341..(1) The President may with respect to any State or Union Territory and where it is a State after consultation with the Governor thereof, by public notification specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory as the case may be.”

“341..(2) Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.”

“342..(1) The President may with respect to any State or Union territory, and where it is a State after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purpose of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.”

*The inter-state area restrictions have been imposed so that the people belonging to the specific community residing in a specific area, which has been assessed to qualify for the Scheduled Caste or Scheduled Tribes status, only benefit from the facilities provided for them. Since the people belonging to the same caste but living in different States/Union Territories may not necessarily suffer from the same disabilities, it is possible that two persons belonging to the same caste but residing in different States/U.Ts may not both be treated to belong to SC/ST or vice versa. Thus the residence of a particular person in a particular locality assumes a special significance. This residence has not to be understood in the literal or ordinary sense of the word. On the other hand it connotes the permanent residence of a person on the date of the notification of the Presidential Order scheduling his caste/tribe in relation to that locality.

"342..(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification."

In the Constitution (Scheduled Castes) Order, 1950 (as amended from time to time) it has been mentioned that no person professing a religion different from Hindu or Sikh religion can be deemed to be a member of Scheduled Caste. There is, however, no religious bar for being treated as Scheduled Tribe. Reservation, at present, is provided on the basis of caste and tribe only.

Constitutional safeguards.

2.1 The main objective for providing reservations for SC & ST in civil posts and services of the Government is not just to give jobs to some persons belonging to these communities and thereby increase their representation in the services (though that constituted an important, immediate aim) but to uplift these people socially and educationally and make some place for them in the society. This was the more important objective of 'reservations' which included reservation in legislatures also. With the same end in view, the Constitution envisaged in the Directive Principles of State Policy and elsewhere economic and educational development of the weaker sections, particularly the SC and ST.

Reservations in Services/posts.

3.1 The relevant Articles of the Constitution which govern the entire reservation set up are the following:

Article 16(4)

"Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State".

Article 46

"The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation".

Article 335

"The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration consistently with the maintenance of efficiency of administration in the making of appointments to services and posts in connection with the affairs of the Union or of a State".

3.2 Against this constitutional background the Central Government has provided for reservation only for members of the Scheduled Castes/Scheduled Tribes. Article 16(4) of the Constitution permits reservation in favour of backward classes of citizens and does not mention anything about Scheduled Castes and Scheduled Tribes specifically. The matter of reservation for Scheduled Castes/Scheduled Tribes to which there is a reference in Article 335 has to be considered with reference to Article 16(4) which should be read with Articles 16(1) and 16(2). Article 16(2) prohibits discrimination against any citizen in respect of any employment or office under the State on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them. Article 16 is placed under the heading of 'Right to Equality' of which Article 14 is the general Article which covers the concepts of 'equality before the law' and 'equal protection of the laws.' The two phrases permit the State to classify persons for some legitimate purposes. While reasonable classification is permissible, such classification must be based upon some real and substantial distinction bearing a reasonable and just relation to the object sought to be attained and the classification cannot be made arbitrarily without any substantial basis. In this field Supreme Court judgement in the case of *Chiranjit Lal Vs. Union of India* (1950) SCR 869, is relevant. A portion of the judgement is quoted below:

"The Legislature undoubtedly has a wide field of choice in determining and classifying the subject of its laws, and if the law deals alike with all of a certain class, it is normally not obnoxious to the charge of denial of equal protection; but the classification should never be arbitrary. It must always rest upon some real and substantial distinction bearing a reasonable and just relation to the things in respect of which the classification is made; and classification made without any substantial basis should be regarded as invalid."

Such reasonable classification has been upheld by Supreme Court in many cases. Thus, Article 14 prohibits 'class legislation' but not reasonable classification for the purposes of legislation. Thus, if the State takes care to reasonably classify persons and if it deals equally with all persons belonging to a 'well-defined' class, it is open to the charge of denial of equality before law or equal protection of law on the ground that the law does not apply to other persons.

3.3 It was contended before the Supreme Court as to whether SCs & STs can be classified as backward classes in order to entitle them to the benefits of reservation under Article 16(4) of the Constitution. The Supreme Court held that for the purposes of Article 16(4), SCs & STs form a class by themselves due to their social, educational and economic backwardness. Hence for the purpose of reservation classifying this group does not violate the tests of reasonable classification. Supreme Court said this in the case of *Triloki Nath Vs. State of Jammu & Kashmir* (1969) 1 SCR 103A 1960 SCI.

"Article 16 in the first instance by clause (2) prohibits discrimination on the ground, inter alia, of religion, race, caste, place of birth, residence and permits an exception to be made in the

matter of reservation in favour of backward classes of citizens. The expression "backward class" is not used as synonymous with "backward caste" or "backward community". The members of an entire caste or community may in the social, economic and educational scale of values at a given time be backward and may on that account be treated as a backward class, but that is not because they are members of a caste or community, but because they form a class. In its ordinary connotation the expression 'class' means a homogeneous section of the people grouped together because of certain likenesses or common traits, and who are identifiable by some common attributes such as status, rank, occupation, residence in a locality, race, religion and the like".

4. Important aspects of the scheme of reservation for Scheduled Castes and Scheduled Tribes:—

4.1 On the attainment of Independence, instructions were issued on 21-9-47 providing for reservation of 12/1-2 per cent of vacancies for SCs in respect of recruitment made by open competition. In case of recruitment otherwise than by open competition this percentage was fixed at 16-2/3 per cent. After the Constitution was promulgated, MHA, in its Resolution of 13-9-50, provided 5 per cent reservation of STs apart from the percentage fixed for SCs already in force. The 1951 Census showed that the percentage of SCs in the total population was 15.05 per cent and that of ST 6.31 per cent. The percentages were not revised at that time as a comprehensive bill revising the lists of SCs and STs was under consideration. The other reason for not revising the percentage was that reservation had already been provided for SCs in posts filled otherwise than by open competition to the extent of 16.66 per cent and instructions had also been issued for following a regional and local percentage for Class III and Class IV posts attracting candidates from a locality or a region. The 1961 Census revealed that the SC and ST population in proportion to the Indian population stood at 14.64 per cent and 6.80 per cent respectively. Accordingly, the percentage of reservation for SCs and STs was increased from 12/1-2 and 5 per cent to 15 per cent and 7/1-2 per cent respectively on 25-3-70.

Reservations have been extended to other modes of promotion in stages. In 1957, reservations were provided for SC & ST in departmental competitive examinations. Reservations in promotion by selection in Group C and Group D, were provided in 1963 and in the same year reservation in departmental competitive examination was limited to Class III and Class IV only. The position was slightly changed in 1968 when reservation in limited departmental examination to Class II, III and IV and promotion by selection to Class III and IV were subjected to a condition that element of direct recruitment should not exceed 50 per cent. Reservation in promotion by seniority subject to fitness came in 1972 subject to the condition that the element of direct recruitment does not exceed 50 per cent. In 1974, reservations in promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of

Group A were introduced provided the element of direct recruitment does not exceed 50 per cent. The limitation of the direct recruitment not exceeding 50 per cent was raised to 66-2/3 per cent in 1976.

4.2 The rule regarding carry forward has also undergone change in these years. In 1952, the unfilled reserved vacancies for SC/ST was required to be carried forward to one subsequent recruitment year, two subsequent recruitment year in 1955 and from 1970 unfilled reserved vacancies for SC/ST are to be carried forward to 3 subsequent recruitment years except in promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group A where the principle of carry forward does not apply. Along with the principle of carry forward, the provision regarding exchange of vacancies between SC and ST has also changed. The position in 1955 was that reserved vacancies between SC/ST were to be exchanged in the same year of recruitment. The position was rescinded in 1962 in pursuance of recommendations of Scheduled Areas and Scheduled Tribe Commission. From 1970 reserved vacancies can be exchanged between SC and ST in the third and final year of carry forward except in promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group A where such exchange is permitted in the same year of recruitment. The present percentages, which have crystallized after the passage of nearly 3 decades is given below:—

Present percentage fixed	SC	ST
(i) Direct recruitment on an all India basis :		
(a) by open competition (i. e. through the UPSC or by means of open competitive test held by any other authority.)	15%	7½%
(b) Otherwise than at (a) above.	16½%	7½%
(ii) Direct recruitment to Group C and Group D (Cl. III & IV) posts normally attracting candidates from a locality or a region.	In proportion to the population of SC & ST in the respective States/Territories.	
(iii) posts filled by promotion in grades or services in which the element of direct recruitment, if any, does not exceed 66-2/3%.		
(a) through limited departmental competitive examination in Groups B, C & D (Cl. II, III & IV).	15%	7½%
(b) by selection from Group B (Cl. II) to the lowest rung or category in Group A (Cl. I) and in Groups B, C & D (Cl. II, III and IV).	15%	7½%
(c) on the basis of seniority subject to fitness in Groups A, B, C & D (Cl. I, II, III & IV).	15%	7½%

(7) **Carrying forward of reservations and exchange of reservations between Scheduled Castes and Scheduled Tribes:** If sufficient number of Scheduled Caste/Tribe candidates fit for appointment against reserved vacancies are not available, the reserved vacancies can be dereserved after following the prescribed procedure but the reservations are to be carried forward to subsequent recruitment years. The period for carrying forward of reservations has been increased from 2 to 3 years vide instructions issued on 25th March, 1970. At the end of this period, vacancies reserved for Scheduled Castes could be utilised for Scheduled Tribes and vice-versa thus reducing the chances of lapsing of a reserved vacancy.

(8) **Carry forward of reserved vacancies exceeding the ceiling of 50 per cent:** By our order dated 27.12.77, we had permitted exceeding of the limit of 50 per cent of the vacancies in grades or services where the representation of SC/STs had not reached the prescribed percentage. But in the judgement of the supreme court in the Railway Ministry's case delivered on 14.11.80, all the three Judges, constituting a Division Bench, have separately expressed the opinion that the percentage of reservation, taking into account the fresh reservations and carry forward reservations, should not exceed 50 per cent of the total vacancies in a particular year. Justice Pathak, in a separate judgement has even said that exceeding of this 50 per cent limit will impair efficiency in administration, stipulated in Article 335 of the constitution, and will violate a constitutional provision. He has stated that the principle of 50 per cent ceiling laid down by the Supreme Court in Balaji's case and followed in Devadasan's case have not been overruled by the Supreme Court and are binding. Orders have now been issued limiting the total reservations to 50 per cent of the vacancies available.

(9) **Carry forward and reservation of a single vacancy arising in a recruitment year:** Reservations are subject to an overall condition that the number of reserved vacancies in a year including the carried forward reserved vacancies does not exceed 50 per cent of the vacancies filled in that year. The instructions also provided that if there be only one vacancy in any recruitment year, it should be treated as unreserved. As a result of a Supreme Court decision in a case in the Railway Ministry this matter has been considered and instructions have been issued on 29.4.75 providing that while in the initial recruitment year, a single vacancy falling against a reserved point in the roster should be treated as unreserved and filled accordingly, and the reservation carried forward to the subsequent years. In the first year of carry forward, a vacancy should be treated as reserved against the carried forward reservation even if it happens to be the only vacancy in that recruitment year also.

(10) **Further relaxation of standards in non-technical and quasi-technical Class III & IV posts:** Instructions have been issued on 24th September, 1968 that where requisite number of Scheduled Castes/Scheduled Tribes candidates fulfilling even the relaxed standards are not available to fill the vacancies reserved for them in non-technical and quasi-technical Class III & IV services/posts filled by direct recruitment otherwise than by written examination, the best among the available Scheduled Castes/Scheduled Tribes candidates who possess the minimum educational qualifications prescribed for such a service/post would be selected to the extent of the vacancies reserved for such categories. In order to bring such candidates

upto the minimum standard necessary for the maintenance of efficiency of administration, they would be given in-service training.

(II) Scientific and technical posts required for research upto the lowest rung of Class I brought within the purview of reservation orders: Prior to 1975, scientific and technical posts required 'for conducting research or for organising, guiding and directing research' were exempted from the purview of orders relating to reservation for Scheduled Castes and Scheduled Tribes. In 1975, however, the above orders were modified and it was decided that the scheme of reservations for Scheduled Castes and Scheduled Tribes should also cover appointments made to scientific and technical posts upto and including the lowest grade of Class I in the respective services, wherever they were exempt from the purview of the scheme of reservations. The amended orders were however not made applicable to Department of Space, Department of Electronics, and in regard to recruitment of trainees to the training school of the Department of Atomic Energy. In the case of these latter departments, the orders in force prior to 1975 continue to apply.

(III) Other Concessions in Posts filled by Promotion

(1) In promotion by selection to posts within Class I which carry an ultimate salary of Rs. 2000/- P.M. or less (Rs. 2250/- P.M. or less in the revised scale): The Scheduled Castes/Scheduled Tribes Officers who are senior enough in the zone of consideration so as to be within the number of vacancies for which the Select List is drawn, are to be included in the Select List provided they are not considered unfit for promotion.

(2) Relaxation of standards in Departmental Examination: Instructions have been issued on 23rd December, 1970 that in promotions made through departmental competitive examinations, the Scheduled Castes and Scheduled Tribes candidates who have not acquired the general qualifying standards in the examination could also be considered for promotion against the reserved vacancies provided they are not found unfit for such promotion. Similar relaxation has been provided for Scheduled Castes and Scheduled Tribes in departmental examinations prescribed for determining the suitability of candidates for confirmation and in departmental qualifying examinations for promotion.

Similar instructions have been issued for relaxing the qualifying standards in the case of Scheduled Castes/Scheduled Tribes candidates in departmental qualifying examination for promotion.

(3) Age Relaxation in Promotion Posts: The concession of relaxation of maximum age limit by 5 years in the case of Scheduled Caste/Scheduled Tribes candidates which was admissible in posts filled by direct recruitment has now been extended to posts filled by promotion. Orders have been issued on 8th December, 1971, that where an upper age limit not exceeding 50 years is prescribed for promotion to a service/post, it shall be relaxed by five years in favour of Scheduled Castes and Scheduled Tribes except in posts which have arduous field duties or are meant for operational safety or are in para-military organisations.

(4 Safeguard Against Supersession of Scheduled Castes and Scheduled Tribes in Promotion: In order to safeguard against the officers belonging to the Scheduled Castes and Scheduled Tribes being rejected for promotions to reserved vacancies despite their eligibility and availability, instructions have been issued that their cases may be submitted or reported to the Ministers/Deputy Ministers/Minister of States/Heads of Departments. Orders have now been issued that supersession of SC/ST employees even against unreserved vacancies should also be reported.

IV.A PROCEDURAL SAFEGUARDS: (1) Model rosters for reservation: Model rosters of 40 points each have been prescribed for giving effect to the reservations in posts filled by direct recruitment on an all India basis. Roster of 100 points each have been prescribed for reservations in local or regional recruitment to Class III & IV posts. The appointing authorities have to treat vacancies as reserved or unreserved according to the roster.

(2) Liaison Officers and Special Cells: Officers of the rank of Deputy Secretary have been nominated by the Ministries and Departments to work as Liaison Officers who are in overall charge of the work relating to special representation in their respective Ministries and attached and subordinate offices and are responsible for ensuring that the instruction in this behalf are strictly complied with. It has also been made the special responsibility of Liaison Officer to conduct annual inspection of rosters maintained in the offices under his charge, and also to scrutinise the proposals for de-reservation of reserved vacancies before they are sent to the Department of Personnel & A. R. A note has to be recorded on every proposal for de-reservation that it has been made with the full knowledge and concurrence of the Liaison Officer. The system of nominating Liaison Officers has also been extended to Heads of Departments under each Ministry/Department.

Ministries/Departments have also been asked in 1969 to set up a small Cell within the Ministry/Department under the direct control of the Liaison Officer. The function of the Cell is mainly to assist the Liaison Officer to discharge his duties effectively.

(3) Annual statements: Annual statements showing particulars of recruitment made such as the number of vacancies filled and the number of Scheduled Castes and Scheduled Tribes recruited have been prescribed for submission by the appointing authorities to the administrative Ministries.

(4) Prior approval for dereservation: Prior approval of the Department of Personnel in direct recruitment is required to be obtained by the appointing authorities whenever it becomes necessary to dereserve a reserved vacancy included in the roster for permanent and long term temporary appointments due to non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes. Power of dereservations in promotion, however, have been delegated to individual Ministries/Departments subject to the following conditions:—

(a) there is no eligible SC/ST candidates in the feeder cadre.

- (b) a copy each of the proposal is sent to the Commissioner for Scheduled Castes/Scheduled Tribes and Department of Personnel.
- (c) the proposal should be concurred in by the Liaison Officer of the Ministry.
- (d) dereservation should be accorded to at a level not lower than that of Joint Secretary to the Government of India.
- (e) in case of disagreement between Liaison Officer and appointing authority, advice of Department of Personnel should be sought for.

V.B. INSTITUTIONAL SAFEGUARDS:

(1) **Liaison Officers and Special Ceils:** Officers of the rank of Deputy Secretary have been nominated by the Ministries and Departments to work as Liaison Officers who are in overall charge of the work relating to special representation in their respective Ministries and attached and subordinate offices and are responsible for ensuring that the instructions in this behalf are strictly complied with. It has also been made the special responsibility of Liaison Officer to conduct annual inspection of rosters maintained in the Offices under his charge and also to scrutinise the proposals for dereservation of reserved vacancies before they are sent to the Department of Personnel & Administrative Reforms. A note has to be recorded on every proposal for dereservation that it has been made with the full knowledge and concurrence of the Liaison Officer. The system of nominating Liaison Officers has also been extended to Heads of Departments under each Ministry/Department.

(2) **High Power Committee:** A High Power Committee headed by the Prime Minister has been in existence since 1968. The Committee reviews the position in the matter of recruitment of Scheduled Castes/Scheduled Tribes in the services/posts in or under the Government of India, Union Territories and the Public Sector Undertakings under the control of the Government of India and issues necessary policy directions.

(3) **Commissioner for Scheduled Castes & Scheduled Tribes:** The Commissioner has been appointed in pursuance of provisions of Article 338 of the Constitution providing for the appointment of a special officer for Scheduled Castes/Scheduled Tribes etc. The Commissioner can call for the records/information regarding matters pertaining to the appointment/promotions etc. of Central Government employees. Instructions have been issued that a copy each of the proposals for dereservation of reserved vacancies must invariably be forwarded to the Commissioner for Scheduled Castes/Scheduled Tribes and the views, if any, expressed by the Commissioner on such proposals are taken into account before according approval to these proposals. The Commissioner also undertakes the inspection of rosters maintained by individual Ministries/Departments/Central Government offices etc. Instructions issued recently require the Ministries/Departments to send 'Action taken' reports on the suggestions/recommendations made by the Commissioner, as far as possible within six months.

(4) **Commission for Scheduled Castes/Scheduled Tribes:** Recently the Government of India have appointed a Commission to investigate all matters pertaining to Scheduled Castes and Scheduled Tribes. The Commissioner for Scheduled Castes and Scheduled Tribes is the Member Secretary of this Commission.

(5) **Committee of Parliament on Welfare of Scheduled Castes/Scheduled Tribes.** Besides the above mentioned Government bodies, there is also a Committee of Parliament on the Welfare of Scheduled Castes/Scheduled Tribes. The Committee *inter-alia* examines the position regarding representation of Scheduled Castes/Scheduled Tribes in the services under the various Ministries and other Government organisations and makes suitable recommendations for bringing about improvement therein or removing bottlenecks detected by it during the course of a study.

The Recruitment process:

It has been generally noticed that some of the appointing authorities do not follow the steps prescribed for making recruitment—either direct recruitment or promotion. The process of recruitment has been prescribed in Chapter 8 and 9 of this Brochure and Chapter 12 gives in detail the procedure to be followed in cases of promotion. The various relaxations and concessions have been given in Chapter 7. In order to help the appointing authorities in following the steps prescribed for netting SC/ST candidates, 2 flow charts have been included in this Brochure. The first one gives a 'bird's eye view' of the process to be followed in case of direct recruitment and the second one describes the procedure to be followed in case of promotion.

*Statement showing important developments of the scheme of reservation for Scheduled Castes/
Scheduled Tribes*

No.	Provision	Date of orders
PROMOTION		
1.	Reservation at the rate of 12½% and 5% for Scheduled Castes/Scheduled Tribes respectively in departmental competitive examination.	4-1-57
2.	Reservation in (a) promotion by selection in Class III and Class IV. (b) by departmental competitive examination in Class III and Class IV.	8-11-63
3.	Reservation in (a) Promotion by limited departmental competitive exam. to Class II, III & IV where element of direct recruitment does not exceed 50%. (b) Promotion by selection to Class III and IV where the element of direct recruitment does not exceed 50%.	11-7-68
4.	Reservation in all groups where promotion is on the basis of seniority subject to fitness provided the element of direct recruitment does not exceed 50%.	27-11-72
5.	Reservation in promotion by selection from Group C to Group B. within Group B and from Group B to the lowest rung of Group A provided the element of direct recruitment does not exceed 50%.	20-7-74
6.	Reservation for SC/ST in posts filled by promotion—applicability to grades or services in which the element of direct recruitment does not exceed 66-2/3%. (Increased from 50% to 66-2/3%).	25-2-76
CARRY FORWARD		
1.	Unfilled reserved vacancies for Scheduled Castes/Scheduled Tribes to be carried forward to one subsequent requirement years.	28-1-52
2.	Unfilled reserved vacancies for Scheduled Castes/Scheduled Tribes to be carried forward to two subsequent recruitment years.	1-7-55
3.	Unfilled reserved vacancies for Scheduled Castes and Scheduled Tribes to be carried forward to three subsequent recruitment years.	29-3-70
EXCHANGE OF VACANCIES BETWEEN SC AND ST		
1.	Exchange of reserved vacancies between Scheduled Castes and Scheduled Tribes in the same year of recruitment.	7-5-55
2.	Provision of Exchange of vacancies between SC/ST in the same year of recruitment provided in pursuance of recommendation of Scheduled Areas and Tribes Commission.	24-9-62
3.	Vacancies can be exchanged between SC & ST in the third subsequent year of recruitment.	23-3-70

No.	Provision	Date of orders
<i>PERCENTAGE</i>		
1.	Percentage of reservation for Scheduled Castes and Scheduled Tribes fixed at 12½% and 5% respectively.	[13-9-50]
2.	Percentage of reservation for Scheduled Castes and Scheduled Tribes increased from 12½% and 5% to 15% and 7½% respectively.	25-9-70]
<i>RELAXED STANDARDS IN COMPETITIVE EXAMINATIONS</i>		
1.	In direct recruitment.	25-7-70
2.	In departmental Competitive examination for promotion.	23-12-70
3.	Qualifying examination for promotion on the basis of seniority subject to fitness where fitness is determined by examination.	21-7-77
4.	Qualifying examination in promotion by selection] where merit is determined by examination.	19-4-79
<i>SINGLE VACANCY</i>		
1.	Single vacancy falling on a reserved point should to treated as unreserved and the reservation will be carried forward in accordance with the existing orders.	4-12-63 and 2-9-65
2.	Single vacancy in the initial recruitment year falling on a reserved point should be treated as unreserved and the reservation is to be carried forward to three subsequent recruitment years but if in the subsequent recruitment year also there is again a single vacancy, it should be reserved against the carry forward reservation. This will also apply to cases of promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group A.	29-4-75

PART I

CHAPTER 1

CONSTITUTIONAL PROVISIONS

Articles 335 and 16(4) of the Constitution provide as follows:—

335: "The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration consistently with the maintenance of efficiency of administration in the making of appointments to services and posts in connection with the affairs of the Union or of a State".

16(4): "Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State".

CHAPTER 2

PERCENTAGES OF RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

2.1 Subject to Exemptions and Exclusions referred in Chapter 3, the following reservations are in force in favour of the Scheduled Castes and Scheduled Tribes in filling vacancies in posts and services under the Government of India:—

		<i>Scheduled Castes</i>	<i>Scheduled Tribes</i>
M.H.A. Resolution No. 27/25/ 68-Est. (SCT)] dated 25-3-70. DP & AR O.M. No. 36011/ 33/81- Est. (SCT) dated 5-10-81. Deptt. of Personnel & A.R. O.M. No. 1/3/72 Est. (SCT) dated 12-3-1973 & No. 1/3/72 Est. (SCT) dated 15-5-1974 and No. 36011/3/79 Est. (SCT)] dated 18-5-79.	(i) Direct recruitment on an all-India basis:—		
	(a) By open competition (i.e. through the UPSC or by means of open competitive test held by any other authority)	15%	7½%
	(b) Otherwise than at (a) above	16½%	7½%
M.H.A. O.M. Nos. 1/12/67- Est. (C) dated 11-7-68 and 27/25/ 68-Est. (SCT) dt. 25-3-70 and Deptt. of Personnel & A.R. O.M. No. 10/41/73 Est. (SCT) dated 20-7-1974 and No. 36021/7/ 75 Est. (SCT) dated 25-2-1976.	(ii) Direct recruitment to Group C and Group D (Class III and Class IV) posts normally attracting candidates from a locality or a region	As Shown in Appendix 3 (Generally in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective States/Territories).	
	(iii) Posts filled by promotion:—		
	(a) Through limited departmental competitive examination, in Groups B, C and D (Class II, III IV), in grades or services in which the element of direct recruitment if any, does not exceed 66½ per cent	15%	7½%
(b) By Selection from Group B (Class II) to the lowest rung or category in Group A (Class I) and in Groups B, C and D (Class II, III and IV) posts, in grades or services in which the element of direct recruitment, if any, does not exceed 66½ per cent	15%	7½%	

(c) <i>On the basis of seniority subject to fitness, in Groups A, B, C and D (Class I, II, III and IV), posts, in grades or services in which the element of direct recruitment, if any, does not exceed 66½ per cent</i>	15%	7½%	Deptt. of Personnel O.M. No. 27/2/71 Est. (SCT) dated 27-11-72 and No. 36021/71 75 Est. (SCT) dated 25-2-1976.
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Note (1) The appointment of a person, who holds a post which is exempted from the above reservation, to a post which is not so exempt shall, for the purpose of the maintenance of the roster as described in Chapter 4 of this Brochure be treated as appointment by direct recruitment.

- (2) If a post is to be filled by direct recruitment, the reservation orders will apply even if a person already serving under Government is appointed to that post for which he has applied and has been selected as a direct recruit.

Rule VIII of Appendix 'A' to MHA O.M. No. 42/21/49-NGS, dated 28-1-52 MHA O.M. No. 8/4/68 Est. (C) dated 8-2-68.

2.2 The expression 'by open competition' occurring in the above paragraph would mean all recruitment by U.P.S.C. whether through written examination or by interview for both and recruitment made by other authorities including Staff Selection Commission or any other appointing authority through written competitive examination or tests (but not by interview alone). Any recruitment not made by the U.P.S.C. or not made through written competitive test held by any other authority would mean direct recruitment otherwise than by open competition.

DP & AR O.M. No. 36011/33/81- Est. (SCT) dated 5-10-81.

Para 4(2)
of MHA
Reso-
lution No.
42/21/49-
NGS.
dated
13-9-50
MHA OM
No. 1/1/70
Est.
(SCT)
dated
25-7-70.

2.3. Appointments to reserved vacancies will be subject to the overall condition that candidates belonging to the Scheduled Castes/Scheduled Tribes possessing the prescribed qualifications and fit for the appointment to the post/posts in question are forth-coming in sufficient numbers for the vacancies reserved for them. In case Scheduled Caste/Scheduled Tribe candidates fit for appointment to the vacancies reserved for them are not available, such vacancies may be filled by general candidates by getting the reserved vacancies dereserved after following the procedure prescribed in Chapter 10 and the reservations should be carried forward to subsequent three recruitment years.

Para 6 of
MHA OM
No.
42/21/
49-NGS.
dated
28-1-1952,
and MHA
O.M. No.
31/10/63-
SCT(1)
dated
27-3-63.

2.4. The reservations will be applied to each grade or post separately but isolated posts will be grouped as provided in Chapter 6. The reservations will apply to (i) permanent appointments and temporary appointments likely to become permanent or continue indefinitely and (ii) purely temporary appointments, in each such grade or post or group separately.

Deptt. of
Personnel
OM. No.
27/2/71-
Est.
(SCT)
dated
28-10-1972.

2.5 If according to the relevant Services Rules of a newly constituted Service, appointments at the initial constitution of the Service are to be made only from out of the departmental candidates who might have been holding posts which are now incorporated in the new Service, reservation for Scheduled Castes and Scheduled Tribes would not apply to such appointments. However, where such initial constitution of a Service also makes a provision for recruitment from outside sources, i.e., other than the incumbents of the service which is reconstituted or of the posts which are encadred in one form or another in the new service, the recruitment from outside sources would be akin to direct recruitment and would, therefore, attract the orders providing for reservation for Scheduled Castes and Scheduled Tribes in respect of such recruitment. Accordingly, each case of initial constitution of a service should be considered separately on its merits with a view to determine whether the reservation for Scheduled Castes and Scheduled Tribes would apply where any of the posts included at the initial constitution stage are proposed to be filled up from outside sources. Whenever it is proposed to constitute a new All India or Central Service under the control of a Ministry/Department, the question of applicability of the orders regarding reservations for Scheduled Castes and Scheduled Tribes at the initial constitution of that service should be considered in consultation with the Department of Personnel and Administrative Reforms.

2.6 Posts of Industrial workers in Industrial establishments of the Government

The industrial establishments of the Government of India and the posts and grades in such establishments, whether they have been classified as Group A, B, C and D (Class I, II, III and IV) or not, are also covered by the scheme of reservations for Scheduled Castes and Scheduled Tribes.

Deptt. of
Personnel
& A.R. O.M.
No. 8/7/74-
Est (SCT)
dated
22-8-1975.

2.7 Work-charged posts

The principle of reservation for Scheduled Castes and Scheduled Tribes, should generally be suitably applied to the extent possible, to work-charged posts also except those required for emergencies like flood relief work, accident restoration and relief etc. The percentages of reservation in such appointments may correspond to what is applicable to Group C and Group D (Class III and Class IV) posts.

Deptt. of
Personnel &
A.R. O.M.
No. 36021/
9/76-Est
(SCT)
dated
10-2-1977.

2.8 Daily rated staff

It has been now decided that while it may not be practicable to apply the reservation orders *in toto* in respect of daily rated staff, it should be ensured that persons belonging to Scheduled Castes and Scheduled Tribes are recruited in such a manner as their overall representation does not go below the prescribed percentages for Scheduled Castes and Scheduled Tribes respectively. For this purpose no model roster need be maintained as there are no vacancies for daily wages as such but the number is determined depending upon the exigencies of work to be executed. For example if a particular organisation, engages about 100 daily wagers, it should be ensured that Scheduled Castes and Scheduled Tribes are employed in accordance with percentages fixed for them at the Centre or for local and regional recruitments.

DOP&A.R.
O.M. No.
36011/18/
81-Estt.
(SCT)
dated
16-7-81.

COPIES OF OFFICE MEMORANDA ETC

ON

CHAPTER 2

Resolution No. 42/21/49-NGS	13-9-50
O.M. No. 42/21/49-NGS	28-1-52 (after chapter 4)
O.M. No. 2/11/55-RPS	7-5-55 (after chapter 4)
O.M. No. 7/2/55-SCT	14-10-55 (after chapter 4)
O.M. No. 1/7/62-SCT(I)	24-9-62 (after chapter 11)
O.M. No. 31/10/63-SCT(I)	27-3-63 (after chapter 4)
O.M. No. 8/4/68-Estt. (C)	8-2-68
M. No. 1/12/67-Estt.(C)	11-7-68 (after chapter 12)
Reso. No. 27/23/53-Estt.(SCT)	25-3-70
O.M. No. 27/25/68-Estt.(SCT)	25-3-70
O.M. No. 1/1/70-Estt.(SCT)	25-7-70 (after chapter 7)
O.M. No. 1/11/63-Estt.(SCT)	28-9-70 (after chapter 4)
O.M. No. 27/2/71-Estt.(SCT)	28-10-72
O.M. No. 27/2/71-Estt.(SCT)	27-11-72 (after chapter 12)
O.M. No. 1/3/72-Estt.(SCT)	12-3-73 (after chapter 4)
O.M. No. 1/3/72-Estt.(SCT)	15-5-74 (after chapter 4)
O.M. No. 10/41/73-Estt. (SCT)	20-7-74 (after chapter 12)
O.M. No. 8/7/74-Estt. (SCT)	22-8-75 (after chapter 12)
O.M. No. 36021/7/75-Estt.(SCT)	25-2-76 (after chapter 12)
O.M. No. 36021/9/76-Estt.(SCT)	10-2-77
O.M. No. 36011/3/79-Estt.(SCT)	18-5-79 (after chapter 4)
O.M. No. 36011/18/81-Estt.(SCT)	16-7-81
O.M. No. 36011/33/81-Estt.(SCT)	5-10-81

Ministry of Home Affairs Resolution No. 42/21/49 NGS dated 13th September, 1950

No. 42/21/49-NGS.—The policy of the Government of India in regard to communal representation in the Services immediately before the coming into force of the new Constitution was that in appointments made by open competition 12½% of the vacancies filled by direct recruitment were reserved for candidates belonging to the Scheduled Castes while in regard to posts and services for which recruitment was made otherwise than by competition the principal communities in the country were given appointments in proportion to their population. Certain reservations were also made for Anglo-Indians in services with which they had special past association.

2. The Government of India have now reviewed their policy in this regard in the light of the provisions of the Constitution of India which lay down *inter alia* that with certain exceptions no discrimination shall be made in the matter of appointments to the Services under the State on grounds of race, religion, caste, etc. The exceptions are that special provision shall be made for Scheduled Castes and Scheduled Tribes in all Services and for Anglo-Indians in those services in which they had special reservations on the 14th August, 1947. Pending the determination of the figures of population at the Census of 1951 the Government of India have decided to make the following reservations in recruitment to posts and services under them:

- (a) *Scheduled Castes*—The existing reservation of 12½% of vacancies filled by direct recruitment in favour of the Scheduled Castes will continue in the case of recruitment of posts and services made, on an all-India basis, by open competition, *i.e.*, through the Union Public Service Commission or by means of open competitive tests held by any other authority. Where recruitment is made otherwise than by open competition the reservation for Scheduled Castes will be 16½% as at present.
- (b) *Scheduled Tribes*—Both in recruitment by open competition and in recruitment made otherwise than by open competition there will be a reservation in favour of members of Scheduled Tribes of 5% of the vacancies filled by direct recruitment.
- (c) *Anglo-Indians*—The reservations which were in force in favour of Anglo-Indians in the Railway Services, the Posts and Telegraphs Department and the Customs Department on the 14th August, 1947, will be continued subject to the provisions of Article 336 of the Constitution.

3. The reservations prescribed in the previous paragraph will apply in the case of recruitment made on an all-India basis. Under the Constitution all citizens of India are eligible for consideration for appointment to posts and services under the Central Government irrespective of their domicile or place of birth and there can be no recruitment to any Central Service which is confined by rule to the inhabitants of any specified area. In practice however recruitment to Class I and Class II services and posts is likely to attract candidates from all over India and will be on a truly all-India basis, while for the majority of Class III services and posts which are filled otherwise than through the Union Public Service Commission only those residing in the area or locality in which the Office is located are likely to apply. In the latter class of cases the percentages of reservations for Scheduled Castes and Scheduled Tribes will be fixed by Government taking into account the population of the Scheduled Castes and Scheduled Tribes in that area.

4. (1) The orders regarding reservation of vacancies in favour of the various communities will not apply to recruitment by promotion which will continue to be made as heretofore irrespective of communal considerations and on the basis of seniority and/or merit as the case may be.

(2) In all cases a minimum standard of qualifications will be prescribed and the reservations will be subject to the overall condition that candidates of the requisite communities possessing the prescribed qualifications and suitable in all respects for the appointment in question, are forthcoming in sufficient numbers for the vacancies reserved for them.

(3) The maximum age limits prescribed for appointment to a service or post will be increased by three years in case of candidates belonging to the Scheduled Castes and Scheduled Tribes and the fees prescribed for admission to any examination or selection will be reduced to one-fourth in their case.

(4) For the purposes of these orders, a person shall be held to be a member of the Scheduled Castes or the Scheduled Tribes, as the case may be, if he belongs to a caste or a tribe which under the Constitution (Scheduled Castes) Order, 1950, or under the Constitution (Scheduled Tribes) Order, 1950, has been declared to be a Scheduled Caste or a Scheduled Tribe for the area in which he and/or his family ordinarily reside(s). Separate instructions will issue declaring the Castes and Tribes which should be considered as Scheduled Castes and Scheduled Tribes for the purpose of these orders in Part C States and Part D Territories.

(5) These orders are applicable to all services under the control of the Government of India including posts and services in States in Part C of the First Schedule to the Constitution and will be deemed to have come into effect on the 26th January, 1950.

5. The orders contained in the Ministry of Home Affairs Resolution No. 16/10/47-Estt., dated the 21st August, 1947, Office Memorandum No. 31/93/47-Estt., dated the 22nd August, 1947 and other orders issued on the basis of those orders are hereby cancelled.

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Ministry of Home Affairs Resolution No. 27/25/68-Est (SCT), dated the 25th March, 1970

The policy of the Government of India in regard to reservations for Scheduled Castes and Scheduled Tribes in posts and services under the Government of India was laid down in the Ministry of Home Affairs Resolution No. 42/21/49-NGS dated 13th September, 1950. The question of revising the percentages of reservation for Scheduled Castes and Scheduled Tribes in posts and services under the Government of India in the light of the population of these communities as shown in the 1961 Census has been under the consideration of the Government for some time. It has now been decided in modification of the decisions contained in paras 2 and 4(1) of the Resolution dated 13th September, 1950 that the following reservations will hereafter be made for Scheduled Castes and Scheduled Tribes in posts and services under the Government of India which are filled by direct recruitment:—

Scheduled Castes: Instead of the existing reservation of 12½% there will be a reservation of 15% of the vacancies in favour of Scheduled Castes in posts filled by direct recruitment on an all India basis by open competition i.e. through the Union Public Service Commission or by means of open competitive tests held by any other authority. Where recruitment is made otherwise than by open competition, the existing reservation at 16 2/3% of the vacancies in favour of Scheduled Castes will continue.

Scheduled Tribes: Both in recruitment by open competition and in recruitment made otherwise than by open competition to posts filled by direct recruitment on an all India basis, the reservation in favour of Scheduled Tribes will be 7½% as against the existing reservation of 5%.

2. In posts and services recruitment to which is made on a local or regional basis, the percentages of reservation for Scheduled Castes and Scheduled Tribes shall be revised wherever necessary after taking into account the percentages of population of Scheduled Castes and Scheduled Tribes in the various States and Union Territories according to the 1961 Census.

3. The Government of India have also decided that in vacancies in posts filled by promotion in which reservations have been provided *vide* Ministry of Home Affairs

Office Memorandum No. 1/12/67-Est(C) dated 11th July, 1968, the percentages of reservation for Scheduled Castes and Scheduled Tribes in such posts shall also be raised from 12½% to 15% in favour of Scheduled Castes and from 5 per cent to 7½ per cent in favour of Scheduled Tribes.

4. These orders shall take effect from the date of issue of this Resolution, except where rules for a competitive examination have already been published or where selections for posts to be filled by direct recruitment or for posts to be filled by promotion have already been made prior to the issue of these orders.

Department of Personnel O.M. No. 27/2/71-Estt (SCT), dated 28th October, 1972 to all Ministries etc.

Subject:—Creation of new All India and Central Services—Question regarding reservation for Scheduled Castes and Scheduled Tribes in appointments at the initial constitution of.

As the Ministry of Finance etc. are aware, reservation has been provided for Scheduled Castes and Scheduled Tribes in vacancies in posts filled by direct recruitment and in vacancies in posts filled by promotion to the extent prescribed in the Ministry of Home Affairs O.M. No. 1/12/67-Est(C) dated 11-7-1968 read with O.M. No. 27/25/68-Est(SCT) dated 25-3-1970. There is, however, no reservation for members of these communities in vacancies in posts filled by deputation or transfer method vide Ministry of Home Affairs O.M. No. 16/2/67-Est(C) dated 27-9-1967. When new services are constituted, vacancies at the initial constitution are generally filled by departmental candidates and not by making direct recruitment. The question whether the orders regarding reservation for Scheduled Castes and Scheduled Tribes would apply to the appointments at the initial constitution of the Services has been considered. Appointments at the initial constitution of a Service are made in accordance with the rules of the Service concerned. If according to the relevant Service Rules of a newly constituted Service, appointments at the initial constitution of the Service are to be made only from out of the departmental candidates who might have been holding posts which are now incorporated in the new Service, reservation for Scheduled Castes and Scheduled Tribes would not apply to such appointments. However, where such initial constitution of a Service also makes a provision for recruitment from outside sources, i.e., other than the incumbents of the service which is reconstituted or of the posts which are encadred in one form or another in the new service, the recruitment from outside sources would be akin to direct recruitment and would, therefore, attract the orders providing for reservation for Scheduled Castes and Scheduled Tribes in respect of such recruitment. It has accordingly been decided that each case of initial constitution of a service should be considered separately on its merits with a view to determining whether the reservation for Scheduled Castes and Scheduled Tribes would apply where any of the posts included at the initial constitution stage are proposed to be filled up from outside sources. Ministry of Finance etc. are therefore requested that whenever they propose to constitute a new All India or Central Service under their control, the question of applicability of the orders regarding reservations for Scheduled Castes and Scheduled Tribes at the initial constitution of that service should be considered in consultation with this Department.

Department of Personnel and Administrative Reforms O.M. No. 36021/9/76-Est(SCT), dated 10th February, 1977 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in work-charged establishments/daily-rated staff.

The undersigned is directed to refer to the instructions contained in para 4(b) of the Ministry of Home Affairs Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952, according to which purely temporary establishments such as work-charged staff including the daily rated and the monthly rated staff, were excluded from the scope of the orders regarding representation of Scheduled Castes and Scheduled Tribes in services.

The question of reservations for Scheduled Castes and Scheduled Tribes in work-charged establishments came up for consideration before the High Power Committee set up under the Chairmanship of the Prime Minister to review the representation of Scheduled Castes and Scheduled Tribes in services, at its meeting held on 12th November, 1976.

The Committee noted that the major Departments employing work-charged staff viz., C.P.W.D., Railways, Min. of Defence and Posts and Telegraphs Department were already observing a procedure for ensuring representation of Scheduled Castes and Scheduled Tribes while recruiting persons on their work-charged establishments, and considered that a similar procedure may be adopted by other Departments also which employ work-charged staff.

It has now been decided that the principle of reservation for Scheduled Castes and Scheduled Tribes should generally be suitably applied to the extent possible to work-charged posts also except those required for emergencies like flood relief work, accident restoration and relief etc.

Ministry of Finance etc. are therefore, requested to keep the above decision in view while making recruitments against the work-charged posts in the establishments under their control so that suitable reservations for Scheduled Castes and Scheduled Tribes are made while making such appointments. The percentage of reservation in such appointments may correspond to what is applicable to Group C and Group D posts.

Department of Personnel and A.R. O.M. No. 36011/18/81-Estt (SCT) dated
16th July, 1981

Office Memorandum

Subject:—Applicability of reservation orders in respect of daily rated staff

Attention is invited to Department of Personnel's O.M. No. 36021/9/76-Estt(SCT) dated 10-2-1977 according to which the principle of reservations for Scheduled Castes and Scheduled Tribes should generally be suitably applied to the extent possible, to work charged posts also except, those required for emergencies like flood relief work, accident restoration and relief etc.

(2) It has been now decided that while it may not be practicable to apply the reservation orders *in toto* in respect of daily rated staff, it should be ensured that persons belonging to Scheduled Castes and Scheduled Tribes are recruited in such a manner as their overall representation does not go below the prescribed percentages for Scheduled Castes and Scheduled Tribes respectively. For this purpose no model roster need be maintained as there are no vacancies for daily wages as such but the number is determined depending upon the exigencies of work to be executed. For example if a particular organisation, engages about 100 daily wagers, it should be ensured that Scheduled Castes and Scheduled Tribes are employed in accordance with percentages fixed for them at the Centre or for local and regional recruitments.

(3) Ministry of Finance, etc. are requested to bring the contents of this Office Memorandum to the notice of all its attached and subordinate offices.

Deptt. of Personnel and A.R. O.M. No. 36011/33/81-Estt (SCT) dated 5-10-81

*Subject:—*Application of two 40-point rosters for recruitment on all India basis by open competition and otherwise than open competition clarification regarding—

The undersigned is directed to say that the Commissioner for SCs & STs has expressed a doubt about the maintenance and application by the Ministries and Departments of the 40-point rosters contained in Appendices I & II in the Brochure on Reservation for SCs. & STs. in services (1978 ed.). The existing position in the Brochure is given below:

<i>Method of recruitment</i>	<i>Roster to be followed</i>
Direct recruitment made on all-India basis by open competition, i.e., through the UPSC or by means of open competitive test held by any other authority.	40-point roster as given in Appendix I for reservation @ 15% for SCs and @ 7½% for STs.
Direct recruitment made on all-India basis otherwise than by open competition.	40-point roster as given in Appendix 2 for reservation @ 16⅔% for SCs and 7½% for STs.
Direct recruitment to Group C & D posts normally attracting candidates from a locality or a region.	100-point roster as given in Appendix 3 for percentages of reservation based on the population of SCs/STs in these areas/regions.

2. The expression 'by open competition' occurring in the above paragraph would mean all recruitment by U.P.S.C. whether through written examination or by interview or both and recruitment made by other authorities including Staff Selection Commission or any other appointment authority through written competitive examination or tests (but not by interview alone). Any recruitment not made by the U.P.S.C. or not made through written competitive tests held by any other authority would mean direct recruitment otherwise than by open competition.

3. Ministry of Finance, etc. may kindly see for their future guidance and bring the contents of this Office Memorandum to the notice of all the attached and subordinate offices under their control.

CHAPTER 3

EXEMPTION AND EXCLUSIONS

MHA O.M. No. 27/4/68-Est (C) dated 12-3-68. 3.1 Reservations for Scheduled Castes and Scheduled Tribes should invariably be made in all posts filled by direct recruitment and in posts filled by promotion to the extent indicated in para 2.1(iii) unless any posts are exempted by special or general instructions issued by the Department of Personnel and Administrative Reforms.

MHA OM No. 16/2/67-Est (C) dated 27-9-67 and MHA OM No. 27/4/67- (II) Est (SCT) dated 24-9-68. Deptt. of Personnel & A.R.O.M. No. 36021/9/76-Est. (SCT) dated 10-2-1977. 3.2 Reservations do not apply to:—
(i) vacancies filled by transfer or deputation;
(ii) vacancies filled by promotion in posts other than those covered by para 2.1(iii);
(iii) temporary appointments of less than 45 days duration;
(iv) those work-charged posts which are required for emergencies like flood relief work, accident restoration and relief etc.

Deptt. of Personnel & A.R.O.M. No. 9/2/73-Est. (SCT) dated 23-6-1975. 3.3 *Scientific and technical posts required for research etc.,*
The reservations for Scheduled Castes and Scheduled Tribes apply also to appointments made to "scientific and technical" posts upto and including the lowest grade of Group A (Class I) in the respective services and such posts are not exempt from the purview of the reservation orders.

Only such 'scientific and technical' posts as satisfy all the following conditions can be exempted from the purview of the reservation orders by the Ministries/Departments:—

- (i) The posts should be in grades above the lowest grade in Group A (Class I) of the service concerned.

- (ii) They should be classified as 'scientific or technical' in terms of Cabinet Secretariat (Department of Cabinet Affairs) O.M. No. 85/11/CF-61(1) dated 28-12-1961; and
- (iii) They should be posts 'for conducting research' or 'for organising, guiding and directing research'.

Orders of the Minister concerned should be obtained before exempting any posts satisfying the above conditions from the purview of the scheme of reservations.

3.4 In the case of scientific and technical posts required for research upto and inclusive of lowest grade of Group A (Class I) of a service, which are *not* exempt from the purview of reservation orders, reservations should be provided for Scheduled Castes and Scheduled Tribes as per the scheme of reservations, except that:—

- (i) reserved vacancies in such posts need be advertised only once and not twice as provided in para 9.1.
- (ii) in the event of non-availability of candidates belonging to Scheduled Castes and Scheduled Tribes, vacancies in such posts may be treated as dereserved by the administrative Ministry/Department concerned and prior approval of the Department of Personnel and Administrative Reforms will not be necessary for such dereservation. However, the Commissioner for Scheduled Castes and Scheduled Tribes and the Department of Personnel and Administrative Reforms should be kept informed about the dereservation together with the details and reasons necessitating the dereservation.

3.5 Deputation

Reservations do not apply to posts filled by deputation, but whenever a Ministry/Department etc. propose to depute in the public interest officers serving in or under them to a post in or under another Ministry/Department etc. the Scheduled Caste/Scheduled Tribes employees serving in or under the Ministry/Department concerned, who are eligible to be sent on deputation, should also be considered along with other eligible employees, for such deputation.

3.6 The Ministries/Departments under whose control the posts to be filled by deputation or transfer arise should also, in turn, while selecting persons for such post(s) to be filled by deputation or transfer, duly consider the cases of eligible Scheduled Caste and Scheduled Tribe employees whose names have been forwarded by other Ministries/Departments along with the other eligible employees, for appointment on deputation or transfer to those posts. Where the number of posts to be filled on deputation by any employing Ministry or Office is fairly substantial, the employing Ministries/Heads of Offices concerned should endeavour to see that a fair proportion of

MHA OM
No. 16/2/
67-Est (C).
dated
27-9-67
and Deptt.
of Person-
nel & A.R.
O.M. No.
36021/6/75
Est. (SCT)
dated
9-10-1975
Deptt. of
Personnel &
A.R. O.M.
No. 36012/
7/77 Est.
(SCT)
dated 21-1-
1978

Concerned should endeavour to see that a fair proportion of such posts are filled by employees belonging to Scheduled Castes/Scheduled Tribes, subject of course, to availability from the feeder categories of qualified persons belonging to these communities.

3.7 Ministries/Departments should also furnish to the Department of Personnel & Administrative Reforms by 30th April every year and annual statement in the proforma in Appendix 19 showing the number of Scheduled Castes/Scheduled Tribes appointed in posts filled by deputation in pursuance of the above instructions. Ministries/Departments are further requested to send only one consolidated statement in respect of the Ministry/Department including all its attached and subordinate etc. offices.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 3

O.M. No.42/21/49-NGS	28-1-52,After Chapter 4
O.M. No. 9/2/63-SCT(I)	2-11-63
O.M. No. 9/2/63-SCT(I)	17-7-64
O.M. No. 16/1(3)/65-Estt.(C)	20-9-65
O.M. No. 16/2/67-Estt.(C)	27-9-67
O.M. No. 27/4/68-Estt.(C)	12-3-68
O.M. No. 27-4-67 (II)-Estt.(SCT)	24-9-68
O.M. No. 9/4/69-Estt.(SCT)	6-10-69
Cabinet Sectt. ((Deptt. of Cabi- Net Affairs) O.M. No. 85/11/CF-61(I) CF-61(I)	28-12-61
O.M. No. 9/2/73-Estt.(SCT)	23-6-75
O.M. No. 36021/-75-Estt. (SCT)	9-10-75
O.M. No. 36012/7/77-Estt. (SCT)	21-1-78

Ministry of Home Affairs O.M. No. 9/2/63-SCT(I), dated 2nd November, 1963
to all Ministries etc.

*Subject:—Reservation in Services for Scheduled Castes and Scheduled Tribes—
Exemption of Scientific posts.*

Under the present orders, reservation for Scheduled Castes and Scheduled Tribes are to be made in respect of direct recruitment to all posts and services under the Government of India. The question whether reservations should continue to be made in scientific services and posts has been examined. In appointments for conducting research or organising, guiding and directing research there may be a great deal of difference between the best person available and the one who only possesses the prescribed minimum qualifications. It is, therefore, desirable to look for persons with the highest talents and accomplishments rather than be content with those who may be just adequate. The number of such posts is not so large as to affect the interests of a considerable number of persons belonging to the Scheduled Castes and Scheduled Tribes. On the other hand, the nature of the work is such that if it is done conspicuously well, scientific progress and development of the country will be accelerated.

2. Taking all these circumstances into account, the Government of India have decided that reservation orders in favour of Scheduled Castes and Scheduled Tribes will not apply in the case of appointments to posts for conducting research, or for organizing, guiding and directing research.

3. It is requested that the Ministries may review the list of technical and scientific posts under their control with a view to decide which posts should be exempted from the scope of the reservation orders as a result of the present decision. A statement may also be sent to the Ministry of Home Affairs by 31st March every year giving information as to the posts which have been so exempted during the previous year together with details of the scale of pay, the qualifications laid down and the duties attached to the post.

Ministry of Home Affairs O.M. No. 9/2/63-SCT(I), dated 17th July, 1964 to
all Ministries etc.

*Subject:—Reservation in services for Scheduled Castes and Scheduled Tribes—
Exemption of scientific and technical posts.*

In connection with the orders issued in this Ministry's Office Memorandum No. 9/2/63-SCT(I), dated 2nd November, 1963 regarding exemption of posts for conducting research or for organising, guiding and directing research from the scope of the orders relating to reservations in favour of Scheduled Castes and Scheduled Tribes, it is hereby clarified that for being exempted from the reservation orders under that Office Memorandum a post must satisfy the following two conditions:—

- (1) It should be a post classified as 'scientific or technical' in terms of Cabinet Secretariat (Department of Cabinet Affairs) Office Memorandum No. 85/11/CF-61(I), dated 28-12-1961 (copy enclosed); and
- (2) It must be a post for conducting research or for organising, guiding and directing research.

2. Non-gazetted posts generally do not satisfy condition (2) above and should not, therefore, be exempted from the reservation orders. However, if for any particular non-gazetted post, a Ministry/Department considers exemption necessary on the ground that the incumbent not merely assists in the conduct of research but has himself to conduct research, this Ministry may be consulted before exemption is granted.

The above clarification may be kept in view while considering exemption of technical and non-technical posts from the purview of the orders relating to reservations for Scheduled Castes and Scheduled Tribes. Orders already issued in regard to reservation of particular posts may also be reviewed in the light of above clarification.

Ministry of Home Affairs O.M. No. 16/1(3)/65-EST(C), dated 20th September, 1965 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in services—Appointments to ex-cadre posts—Recommendations of the Commissioner for Scheduled Castes and Scheduled Tribes regarding—

According to para 6(i) of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(1) dated 27th April, 1962, orders regarding reservations for Scheduled Castes and Scheduled Tribes do not apply to vacancies filled by officers from other cadres except to the extent provided in para 3 and the notes thereunder. In view of this, the reservation orders do not apply to ex-cadre posts which are filled by officers from other cadres for specified periods. In his Report for the years 1962-63, the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation regarding—

Recommendation No. 217

"Since ex-cadre posts are filled by appointment of persons from other cadres, it follows that these appointments must be treated as direct recruitment, and made in accordance with the provisions of the reservation orders. To do otherwise, would be to circumvent the reservation orders, thus depriving the Scheduled Castes and Scheduled Tribes of their legitimate chances of appointment to these posts, the number of which is very large and which also carry higher status and emoluments. Immediate action should be taken by the Ministry of Home Affairs to review these appointments and ensure an adequate representation of the Scheduled Castes and the Scheduled Tribes to these posts".

This Ministry has carefully considered the above recommendation made by the Commissioner for Scheduled Castes and Scheduled Tribes. Ex-cadre posts which are filled by officers from other cadres for specified periods cannot be treated as posts filled by direct recruitment and therefore the reservation orders do not apply to such posts. In view of this and also taking into account the provisions of the Brochure referred to in para 1 above, it has been decided that the orders regarding reservation for Scheduled Castes and Scheduled Tribes cannot be applied to ex-cadre posts. It is, however, felt that in case of ex-cadre posts, which have been in existence for a long period, the question of adding them to the cadre list should be considered on the merits of each case. When such posts are encadred in a particular service or cadre, the element of reservation for Scheduled Castes and Scheduled Tribes will be available in posts filled by direct recruitment as provided in the orders issued by this Ministry from time to time and also in appointments filled by officers from other cadres to the extent indicated in this Ministry's Office Memorandum No. 1/10/61-D) dated 8th November, 1963.

Ministries etc. may kindly take note of the recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes as extracted in para 1 above and advise this Ministry on that recommendation as set out in para 2 above, for appropriate action.

Ministry of Home Affairs O.M. No. 16/2/67-EST(C), dated 27th September, 1967 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in Services—Appointments to posts filled by deputation—recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes regarding.

The Ministry of Finance etc. are aware, there is reservation for Scheduled Castes and Scheduled Tribes in vacancies in posts filled by direct recruitment and vacancies in posts filled by deputation. 1 of HA—2

in posts filled by promotion to the extent prescribed in this Ministry's Office Memorandum No. 1/10/61-Estt.(D) dated 8-11-1963. There is, however, no reservation for members of these communities in vacancies in posts filled by deputation or transfer method.

2. In recommendation No. 160 in his report for the year 1964-65, the Commissioner for Scheduled Castes and Scheduled Tribes has observed that reservations for Scheduled Castes and Scheduled Tribes be made also in posts filled on deputation basis. While no reservations are made in such deputations, it is suggested that whenever a Ministry/Department etc. proposes to depute in the public interest an Officer serving in or under them to a post in or under another Ministry/Department etc., Scheduled Caste/Scheduled Tribe employees serving in or under the Ministry/Department concerned, who are eligible to be sent on deputation are also considered along with other eligible employees, for such deputation.

Ministry of Home Affairs O.M. No. 27/4/68-Estt(C), dated 12th March, 1968, to all Ministries etc.

Subject:—Reservation of vacancies for Scheduled Castes and Scheduled Tribes. Recommendation No. 16 of the Working Group set up under the Chairmanship of Shri M. R. Yardi, Additional Secretary, Ministry of Home Affairs to study progress of measures for land allotment to Scheduled Castes and their representation in services.

The undersigned is directed to say that a Working Group was set up under the Chairmanship of Shri M. R. Yardi, Additional Secretary, Ministry of Home Affairs to study the progress of measures for land allotment to Scheduled Castes and representation in Services. One of the recommendations made by the Group under:—

Recommendation No. 16

"There are certain categories of posts in which rules of reservation are not mentioned because of the absence of any specific decision about the class to which these posts belong. It should be pointed out to all the recruiting authorities that orders regarding reservation are to be implemented as a rule and unless exemption has been specifically allowed it should be taken for granted that the same rule govern recruitment to such posts".

2. As Ministry of Finance etc. are aware, reservations are to be made for Scheduled Castes and Scheduled Tribes in vacancies filled by direct recruitment in posts in posts filled by promotion to the extent provided in M.H.A. Office Memorandum No. 1/10/61-Estt.(D) dated 8th November, 1963. Only scientific and technical posts can be exempted from the purview of reservations for Scheduled Castes and Scheduled Tribe vide M.H.A. O.M. No. 9/2/63-SCT(1), dated 2nd November, 1963 and 17th July, 1964, according to which only those scientific or technical posts can be exempted from the purview of reservation orders which satisfy the following criteria:—

- (i) they should be classified as scientific or technical in terms of the Secretariat (Department of Cabinet Affairs O.M. No. 85/11/CF-4 dated 28th December, 1961; and
- (ii) they must be posts for conducting research or for organising and directing research.

While in the case of gazetted posts, powers have been delegated to administrative Ministries/Departments to exempt from the purview of reservation orders gazetted scientific or technical posts which satisfy the above criteria, in the case of non-gazetted posts; Ministries/Departments are required to consult the Ministry of Home Affairs before exempting any non-gazetted scientific or technical posts from the purview of the reservation orders.

3. In view of the recommendation of the Working Group mentioned above, the position set out in the preceding paragraph is again brought specifically to the

of the Ministries/Departments. It should be ensured that reservations for Scheduled Castes and Scheduled Tribes are invariably made in all posts to which the orders about the reservation apply, unless specifically exempted.

Ministry of Home Affairs O.M. No. 27/4/67(II)-Estt.(STC), dated 24th September, 1968 to all Ministries etc.

Subject:—Recommendation No. 18 of the Working Group to study the progress of measures for land allotment to Scheduled Castes and their representation in Services—Reservation in temporary appointments.

The Working Group under the Chairmanship of Shri M. R. Yardi, Additional Secretary, Ministry of Home Affairs to study the progress of measures for land allotment to Scheduled Castes and their representation in services has *inter-alia* made the following recommendation:—

Recommendation No. 18

"Rules of reservations should also be extended to purely temporary posts. This would give an opportunity to Scheduled Caste applicants appointed against short term vacancies to gain experience which will facilitate their absorption later in regular vacancies."

2. According to the existing orders, reservations are made for Scheduled Castes and Scheduled Tribes in all temporary appointments except those which are to last for less than 3 months. The recommendation of the Working Group has been considered and it has been decided that the aforesaid reservation orders should in future apply to all temporary appointments which are to last for 45 days or more. Accordingly, with effect from the date of issue of this O.M. reservation for Scheduled Castes and Scheduled Tribes should be made in all temporary appointments except appointments which are to last for less than 45 days.

3. Ministry of Finance etc. are requested to bring these instructions to the notice of all authorities under them.

4. This issues with the concurrence of the Comptroller and Auditor General of India in so far as persons serving under him are concerned.

Ministry of Home Affairs O.M. No. 9/4/69-Estt.(SCT), dated 6th October, 1969 to all Ministries etc.

Subject:—Reservation in vacancies for Scheduled Castes and Scheduled Tribes—Exemption of scientific and technical posts.

Under this Ministry's O.M. No. 9/2/63-SCT(I), dated 2nd November, 1963, and No. 9/2/63-SCT(1), dated the 17th July, 1964, scientific and technical posts for conducting research or for organising, guiding and directing research which satisfy the conditions laid down therein, can be exempted from the scope of the orders relating to reservation for Scheduled Castes and Scheduled Tribes. Under the above orders, exemption in respect of gazetted posts which fulfil the conditions laid down in the O.Ms. referred to above, can be given by the Ministries/Departments themselves whereas in respect of non-gazetted posts of similar nature the Ministry of Home Affairs is to be consulted before exemption is granted. It has now been decided that the orders of the Minister concerned should be obtained by the Ministry/Department before exempting any gazetted scientific and technical post of the type mentioned above from the purview of the reservation orders. For exemption of a similar non-gazetted scientific and technical post, a reference should be made to this Ministry as heretofore

Office Memorandum No. 85/11/CF-61(1), dated the 23rd December, 1961, from Government of India, Cabinet Secretariat (Department of Cabinet Affairs), addressed to Secretaries to the Ministries of W.H. & S/I. & P. Deptt. of Mines and Fuel/ I. & B./Commerce and Industry/Health/SR & CA/Department of CC., & A. Deptt. of Agriculture/Education/SR/Labour and Employment/Deptt. of Food and Deptt. of Economic Affairs etc.

Subject:—Classification of posts as 'scientific or technical' for the purposes of granting extensions of service beyond the prescribed age of retirement.

The undersigned is directed to invite a reference to the Joint Secretary to the Cabinet letter No. 164/CF/59-60, dated December 29, 1960 on the above subject. It was stated in that letter that at the meeting of the Committee of Secretaries held on December 20, 1960, it has been decided that for the purposes of granting extensions of service beyond the prescribed age of retirement, the posts which should be classified as 'scientific or technical' should be those, the incumbents of which have to use a knowledge of the exact/natural sciences or of technology, in the discharge of their duties and are engaged in or in charge of research, development, designing, construction, production, inspection, survey, testing or teaching. The Ministries/Departments were requested to prepare or revise the already prepared lists of posts and services under their administrative control in the light of the above decision and to forward them to this Secretariat for examination by the Committee of Secretaries.

2. On receipt of the revised lists from some of the Ministries/Departments, the matter was re-examined by the Committee of Secretaries. Having regard to the present overall shortage of scientific and technical personnel of all descriptions in the country, it was decided that the definition of 'scientific or technical' posts evolved by the Committee at its meeting held on December 20, 1960, should be liberalised so as to include all posts for which qualifications in the natural/exact sciences, or applied sciences or in technology are prescribed and the incumbents of which have to use that knowledge in the discharge of their duties. The lists of posts received from the Ministries/Departments, so far, have been examined by the Committee in the light of the revised definition and the decision taken has been notified to the concerned Ministries/Departments, with copies to the Ministries of Home Affairs and Finance.

3. If the Ministries/Departments have any further posts and services under their administrative control which they wish to recommend for being classified as 'scientific or technical' in the light of the revised definition, it is suggested that supplementary lists of those posts may be prepared in the attached proforma, and 10 copies of the list forwarded to this Secretariat for examination by the Committee of Secretaries.

The lists of posts which may be ready by now on the basis of the previous definition need not be held over pending re-examination. It is requested that those lists may be sent to this Secretariat for examination by the Committee of Secretaries.

Department of Personnel & A.R. O.M. No. 9/2/73-Estt(SCT), dated the 23rd June, 1975 to all Ministries etc.

Subjects:—Reservation in services for Scheduled Castes and Scheduled Tribes—
Exemption of scientific and technical posts.

According to the Ministry of Home Affairs O.M. No. 9/2/63-SCT(1), dated 2nd November, 1963 and No. 9/2/63-SCT(1), dated 17th July, 1964 read with O.M. No. 9/4/69-Estt.(SCT), dated 6th October, 1969, 'scientific and technical' posts which satisfy the conditions laid down therein, can be exempted from the purview of the orders relating to reservations for Scheduled Castes and Scheduled Tribes. Under the above orders, exemption in respect of gazetted posts which fulfil conditions laid down in the O.M. referred to above, can be given by the Ministries/Departments themselves after obtaining the orders of the Minister concerned whereas in respect of non-gazetted posts of similar nature, the Department of Personnel & Administrative Reforms is to be consulted before exemption is granted. The question whether reservations should be introduced in respect of scientific and technical posts which are so exempt from the purview of the reservations for Scheduled Castes and Scheduled Tribes under the existing orders has been referred to above, it has now been decided that the same scheme of reservations for Scheduled Castes and Scheduled Tribes should cover appointments made to scientific

and technical posts up to and including the lowest grade of Class I in the respective services wherever they have been hitherto exempt from the purview of the scheme of reservations so far on the ground that the posts were intended for conducting/directing, guiding research work. It has also been decided that the reserved vacancies in scientific and technical posts which would thus be brought within the purview of the scheme of reservations for candidates from Scheduled Castes and Scheduled Tribes need be advertised only once, instead of twice, as prescribed in Ministry of Home Affairs O.M. No. 1/1/70-Estt.(SCT), dated 31-7-70. In the event of non-availability of candidates belonging to the reserved communities, the reserved vacancies may be treated as dereserved by the administrative Ministry/Department concerned without obtaining the approval of the Department of Personnel & Administrative Reforms.

2. To give effect to the decisions mentioned in para 1 above, Ministries/Departments are requested to review the lists of scientific and technical posts under their control which are at present exempt from the purview of the orders relating to reservations for Scheduled Castes and Scheduled Tribes. Only such of the scientific and technical posts as satisfy all the following conditions should hereafter be exempted from the purview of the reservation orders:—

- (i) The posts should be in grades above the lowest grade in Class I of the Service concerned;
- (ii) They should be classified as 'scientific or technical' in terms of Cabinet Secretariat (Department of Cabinet Affairs) O.M. No. 85/11/CF-61(1), dated 28-12-1961; and
- (iii) There should be posts for conducting research or for organising, guiding and directing research'.

Orders of the Minister concerned should be obtained before exempting any post satisfying the above conditions from the purview of the scheme of reservations.

3. Exemption, if any, in operation at present, from the purview of the reservation orders in respect of the scientific and technical posts up to and inclusive of the lowest grade of Class I of a service should be treated as cancelled with immediate effect and reservations should be provided for Scheduled Castes and Scheduled Tribes candidates in such posts also with immediate effect. Reserved vacancies in such posts need be advertised only once and not twice as provided in this Department's O.M. No. 1/1/70-Estt.(SCT), dated 31-7-70. In the event of non-availability of candidates belonging to reserved communities, vacancies in such posts may be treated as dereserved by the administrative Ministry/Department concerned and prior approval of this Department will not be necessary for such dereservation. However, the Commissioner for Scheduled Castes and Scheduled Tribes and this Department should be informed about the dereservation made together with the details and reasons necessitating the dereservation.

4. The decisions mentioned in para 1-3 above will not however apply to posts in the Department of Space and in the Department of Electronics and in regard to the recruitment of trainees to the training school under the Department of Atomic Energy. In these Departments, scientific and technical posts for research will continue to be exempt from the purview of the orders regarding reservations for Scheduled Castes and Scheduled Tribes under the orders contained in MHA OM, dated 2-11-1963, 17-7-1964 and 6-10-1959.

5. Ministry of Finance etc. are requested to bring the above decision to the notice of all authorities under them for appropriate action.

Department of Personnel & A.R.O. M. No: F: 36021/6/75-Estt.(SCT), dated the 9th October, 1975

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in posts filled by deputation/transfer.

The undersigned is directed to invite attention of the Ministry of Finance etc. to the instructions contained in the Ministry of Home Affairs Office Memorandum No. 16/2/67-Estt.(C), dated the 27th September, 1967 (copy enclosed) which provides that whenever a Ministry/Department etc. proposes to depute in the public

interest an officer serving in or under them to a post in or under another Ministry/Departments etc., the Scheduled Caste/Scheduled Tribe employees serving in or under the Ministry/Department concerned, who are eligible to be sent on deputations should also be considered, along with other eligible employees, for such deputation. This matter came up for discussion before the High Power Committee set up under the Chairmanship of the Prime Minister, to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in the services, at its meeting held on 17th September, 1975 when the Committee observed that the above instructions should again be brought to the notice of the Ministries/Departments etc. Accordingly, the instructions contained in the aforesaid Office Memorandum of 27th September, 1967, are once again brought to the notice of the Ministries/Departments etc., with the request that it may be ensured that the cases of Scheduled Castes and Scheduled Tribes officers eligible for deputation are duly considered.

Department of Personnel & A.R. O.M. No. 36012/7/77-Estt.(SCT), dated 21-1-78
to all Ministries/Departments etc.

*Subject:—Representation of Scheduled Castes and Scheduled Tribes in services—
Appointments to posts filled by deputation or transfer.*

The undersigned is directed to invite attention of the Ministry of Finance etc., to the instructions contained in the Ministry of Home Affairs O.M. No. 16/2/67-Estt.(C), dated the 27th September, 1967 according to which while no reservations are made for Scheduled Castes and Scheduled Tribes in posts filled by deputation or transfer, whenever a Ministry/Department etc. proposes to depute in the public interests, an officer serving in or under them to a post in or under another Ministry/Department etc., the Scheduled Castes/Scheduled Tribes employees serving in or under the former Ministry/Department who are eligible to be sent on deputation should also be duly considered along with other eligible employees for such deputation. These instructions were again brought to the notice of the Ministries/Departments etc., vide this Department's O.M. No. 36021/6/75-Estt.(SCT), dated 9-10-1975.

In continuation of these instructions, the Ministries/Departments under whose control the posts to be filled by deputation or transfer arise, are advised that they should also, in turn, while selecting persons for such post(s) to be filled by deputation or transfer, duly consider the cases of eligible Scheduled Caste and Scheduled Tribe employees whose names have been forwarded by other Ministries/Departments along with the other eligible employees, for appointment on deputation or transfer to those posts. Where the number of posts to be filled on deputation by any employing Ministry or Office is fairly substantial, the employing Ministries/Heads of Offices concerned should endeavour to see that a fair proportion of such posts are filled by employees belonging to Scheduled Castes/Scheduled Tribes, subject of course, to availability from the feeder categories of qualified persons belonging to these communities.

2. Ministries/Department are also requested to furnish to this Department an annual statement (for each calendar year) in the attached proforma showing the number of Scheduled Castes/Scheduled Tribes appointed in posts filled by deputation in pursuance of the instructions. Ministries/Departments are further requested to send only one consolidated statement in respect of the Ministry/Department and all its attached and subordinate etc. offices. These statements may be made available to this Department by 30th April of each year in respect of the preceding calendar year.

Statement showing number of posts filled by deputation and the number of Scheduled Castes and Scheduled Tribes candidates—appointed against such posts (for the period 1st January to 31st December).

Ministry/Department.....(including all the Attached/Subordinate etc. offices).

Group/Class of service	Total number of posts filled by deputation	Number of eligible persons belonging to SC/ST if any whose names were forwarded along with others for such deputation	Number of persons in posts		SC/ST appointed	Remarks
			Sch. Castes	Sch. Tribes		
1	2	3	4	5	6	
i . . .						
II . . .						
III . . .						
IV . . .						

CHAPTER 4

ROSTERS

4.1 Model rosters

To give proper effect to the reservations prescribed, every appointing authority should treat vacancies as 'reserved' or 'unreserved' according to a model roster each of 40/100 points, as described below:—

(i) Direct recruitment made on an all-India basis:

(a) by open competition i.e. through the UPSC or by means of open competitive test held by any other authority—as in the roster consisting of 40 points as given in Appendix 1. (For reservation of 15 per cent for SC and 7½ per cent for S.T.)

(b) otherwise than by open competition—as in roster consisting of 40 points as given in Appendix 2. (For reservation of 16/2/3 per cent for SC and 7½ per cent for S.T.)

(ii) Direct recruitment to Group C & D (Class III & IV) posts normally attracting candidates from a locality or a region—according to a roster consisting of 100 points as given in Appendix 3. (For percentages of reservation fixed generally in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective States/Union Territories)

(iii) Promotions to which reservations apply—[para 2.1 (iii)] according to a *separate* roster on the same pattern as in Appendix 1. (For reservation of 15 per cent for SC and 7½ per cent for S.T.) (For percentages of reservation fixed generally in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective States/Union Territories).

4.2 The actual number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in any recruitment

MHA O
No. 1/1
69-Est-
(SCT),
22-4-70,
Deptt.
Person-
nel & Al
O.M.S.
No.
1/3/72.
Est-
(SCT)
dated
12-3-1972
and
No.
1/3/72.
Est-
(SCT)
dated
15-5-72

Deptt
Pers
nel &

O.M.
16/3/

Est-
(SCT)
dated
27-12-
1977.
Superce-
ded by
DOP&AR,
M. No.
36012/
3/78-
Est-
(SCT)
dated
9-2-82

should be determined on the basis of the points in the roster and also taking into account the reservations brought forward from the previous year the total number of reservations should not exceed 50 per cent of the total number of vacancies filled in that year.

MHA O.M. No. 4.3 *Maintenance of rosters*

31/10/
63-SCT
(1), dated
27-3-63
and 2-5-63.

The rosters for posts filled by direct recruitment will be maintained as follows:—

- (i) A common roster should be maintained for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely.
- (ii) A separate roster should be maintained for purely temporary appointments of 45 days or more but which have no chance whatever of becoming permanent or continuing indefinitely.
- (iii) A temporary post included in the roster at the time of initial appointment when converted into a permanent post later will not after such conversion, be shown again in that roster but will be treated as reserved or unreserved according to the point at which it fell when it was initially filled.
- (iv) Permanent vacancies which occur due to death, retirement, resignation or for any other reason and which are also physical vacancies will be shown in the roster at (i) above and reservation determined accordingly.

Department
of Per-
sonnel
O.M. No.
8/8/71-Est.
(SCT)
dated
22-4-71.

4.4 The roster will be maintained in a register* in the form given in Appendix 4. Detailed instructions for maintenance of roster are given in Appendix 5. A hypothetical illustration of a roster is given in Appendix 6.

4.5 The Liaison Officers nominated in the Ministries Departments and in offices under the Heads of Department will conduct annual inspection of rosters in the respective offices under their charge. The proforma for inspection of

*for details please see appendices 4, 5, 6, and 7 of the Brochure.

rosters is given in Appendix 7. (The duties of Liaison Officers are given in detail in Chapter 15).

4.6 Inspection by the Liaison Officer of the rosters etc. should be done annually and a record of the inspections made and of the inspection reports should be properly kept.

Deptt. of
Person-
nel &
A.R. O.M.
No.
36011/
1/76 -Est
(SCT)
dated
6-3-1976.

4.7 Separate Rosters should be maintained for determining the number of reservations in appointments made by direct recruitment and promotion (with separate rosters for each mode of promotion viz. limited competitive examinations, selections, seniority-cum-fitness etc.).

MHA O.M.
No.
1/11/69-
Est
(SCT)
dated
22-4-1970.

4.8 The rosters are intended to be an aid to determining the number of vacancies to be reserved and are not meant to be used for determining the order of appointment or seniority.

Deptt. of
Person-
nel &
A.R. O.M.
No.
10/52/
73-Est
(SCT)
dated
24-5-1974.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 4

O.M. No. 42/21/49-NGS	28-1-52
O.M. No. 2/11/55-RPS	7-5-55
O.M. No. 7/2/55-SCT	14-10-55
O.M.No. 31/10/63-SCT(I)	27-3-63
O.M.No. 31/10/63-SCT(I)	2-5-63
O.M.No. 1/13/63-SCT(I)	21-12-63
O.M.No. 1/11/69-Estt.(SCT)	22-4-70
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O.M.No. 8/8/71-Estt. (SCT)	22-4-71
O.M.No. 1/3/72-Estt.(SCT)	12-3-73
O.M.No. 1/3/72-Estt.(SCT)	15-5-74
O.M.No. 10/52/73-Estt.(SCT)	24-5-74
O.M. No. 36011/1/76-Estt. (SCT)	6-3-76
O.M. No. 36011/11/75-Estt. SCT	30-5-77
O.M. No. 16/3/73-Estt. (SCT)	27-12-77
O.M. No. 36011/3/79-Fstt. (SCT)	18-5-79

{ Superseded by DPAR
{ O.M. No. 36012/3/78-
{ Estt.(SCT) dated 9-2-82

Ministry of Home Affairs O.M. No. 42/21/49-NGS dated 28th January, 1950
to all Ministries etc.

Subject:—Supplementary instructions connected with the orders on communal representation in the services.

The undersigned is directed to refer to the Ministry of Home Affairs Resolution No. 42/21/49-NGS, dated the 13th September, 1950, and to say that the instructions given below will govern the application of the orders on communal representation in the services.

2. *Recruitment by open competition:*

(a) If the candidates of Scheduled Castes, Scheduled Tribes and the Indian community obtain by competition less vacancies than are reserved for them, the difference will be made up by the nomination of duly qualified candidates of these castes, tribes and communities *i.e.*, candidates of these communities etc. who have qualified in the test, selection etc. for the purpose, but have secured ranks lower than the candidates of other communities for whom no reservation have been made.

(b) A roster of 40 vacancies will be necessary to give effect properly to the reservations for Scheduled Castes and Scheduled Tribes and the roster given below should be adopted as a model roster for the services in which there are no reservations for Anglo-Indians:—

1	Scheduled Castes.	21	Scheduled Tribes
2	Scheduled Castes	22—24	Unreserved
3—8	Unreserved	25	Scheduled Castes
9	Scheduled Tribes	26—32	Unreserved
10—17	Unreserved	33	Scheduled Castes
17	Scheduled Castes	34—40	Unreserved
18—20	Unreserved		

In the case of recruitment to services in which vacancies are reserved for members of the Anglo-Indian Community, rosters should be drawn up by the Ministries concerned in consultation with the Ministry of Home Affairs.

(c) Instructions for the maintenance of the rosters are given in Appendix A & B.

3. *Recruitment otherwise than by open competition:*

(i) The following roster should be followed for services to which recruitment is made on an all-India basis otherwise than by open competition:

1	Scheduled Tribes	21	Scheduled Tribes
2	Scheduled Castes	22—24	Unreserved
3—6	Unreserved	25	Scheduled Castes
7	Scheduled Castes	26—30	Unreserved
8—12	Unreserved	31	Scheduled Castes
13	Scheduled Castes	32—36	Unreserved
14—18	Unreserved	37	Scheduled Castes
19	Scheduled Castes	38—40	Unreserved
20	Unreserved		

Note:—In every third cycle of the above roster, the 37th point will be treated as unreserved.

- (ii) Instructions for the maintenance of the roster are given in Appendices A & B.

Local Recruitment:

- (a) If the candidates of Scheduled Castes, Scheduled Tribes from the neighbouring areas are likely to be available, the percentages of reservations will be prescribed by the Ministries concerned in consultation with the Ministry of Home Affairs. Pending the results of the 1951 Census, the percentages of reservations will be based on the population figures given in the 1941 Census Report. Proposals in this regard should be sent to the Ministry of Home Affairs as soon as possible and pending a decision on the percentages to be fixed, the reservations prescribed for recruitment on an all-India basis should be followed.
- (b) The purely temporary establishments such as work charge staff including the daily rated and the monthly rated staff, shall be excluded from the scope of the orders regarding communal representation in services.

General:

- (1) It has been decided as a rule not to grant any exemption from the scope of these orders in respect of posts and services, but exceptional cases should be referred to the Ministry of Home Affairs, for a decision.
- (2) The communal representation orders are applicable separately
- (a) to permanent vacancies and
- (b) to temporary vacancies lasting three months or longer whether in permanent or in temporary posts.
- (3) If a sufficient number of candidates of the communities for whom the reservation are made, who are eligible for appointment to the posts in question and are considered by the recruiting authorities as suitable in all respects for appointment to the reserved quota of vacancies, are not available, the vacancies that remain unfilled will be treated as unreserved and filled by the best available candidates; but a corresponding number of vacancies will be reserved in the following years for the communities whose vacancies are thus filled up in addition to such number as would ordinarily be reserved for them under the orders contained in the Resolution. (For further clarification please see Rule III in Appendix 'A').
- (4) If suitably qualified candidates of the communities for whom the reservations have been made are again not available to fill the vacancies carried forward from the previous year under clause (3) above the vacancies not filled by them will be treated as unreserved and the reservations made in those vacancies will lapse.
- (5) A vacancy caused by the termination of the services of a probationer should not be treated as a fresh vacancy, but should be treated as (a) unreserved or (b) reserved for (i) Scheduled Castes or (ii) Scheduled Tribes or (iii) Anglo-Indians according as the vacancy was originally treated as unreserved or reserved.
- (6) In order to justify a statement that a sufficient number of suitable candidates of a community are not available and the vacancy should, therefore, be treated as unreserved, it is essential that adequate steps should be taken to bring the existence of the vacancies to the notice of candidates of those communities. For this purpose, it is necessary to advertise the vacancies in newspapers and also to consult the agencies which may be in a position to assist in the matter. The instructions in the preceding sub-paragraphs should be carefully followed in this connection:--
- (a) All vacancies in services and posts recruitment to which is made on an all-India basis should, until further orders, be advertised in the newspapers indicated below:--

1. Madras . . . The Mail, Madras.
The Hindu, Madras.

	The Indian Express, Madras.
2. Bombay	The Times of India, Bombay. The Free Press Journal, Bombay. The Bombay Chronicle, Bombay. The Bharat, Bombay.
3. West Bengal	The Hindustan Standard, Calcutta. The Statesman, Calcutta. The Amrit Bazar Patrika, Calcutta.
4. Uttar Pradesh	The Amrit Bazar Patrika, Allahabad. The Pioneer, Lucknow. The National Herald, Lucknow. The Frontier Mail, Dehra Dun.
5. Orissa	The New Orissa, Cuttack.
6. Assam	The Assam Tribune, Gauhati.
7. Bihar	The Indian Nation, Patna.
8. Madhya Pradesh	The Hitavada, Nagpur. The Nagpur Times, Nagpur.
9. Punjab	The Tribune, Ambala.
10. Delhi	The Statesman, Delhi. The Hindustan Times, Delhi.

NOTE:—The above list is provisional and is subject to amendment.

In the case of local recruitment [c.f. para 4(a)] the local Head of the Department may decide the newspapers in which advertisements regarding vacancies in his office should be published.

- (b) In all cases, where experience has shown that a sufficient number of suitably qualified candidates of a particular community will not be forthcoming by advertisement for vacancies reserved for them, the local Head of a Department should consult the organisations mentioned in Appendix 'C' and such other organisations as are recognised by the Government of India from time to time as representative of the communities for whom the reservations are made. Detailed instructions, giving the addresses of the branches of these organisations in the various States, will issue separately.

It should, however, be made clear to these organisations that their functions are limited:—

- (i) to bring to the notice of suitable candidates any examinations for recruitment to services for which they could usefully enter and any advertisements of appointments to be made by selection.
 - (ii) to advise the candidates about the examinations for recruitment to services for which they should apply, and
 - (iii) to advise candidates on any matter which might be of assistance to them in preparing for, or applying for admission to examinations held for recruitment to the services; and that it will not be for them to press the claim of any individual candidates, who should submit their applications direct to the appointing authorities.
- (c) Copies of the advertisements should be sent to the Regional or Local Employment Exchange. Where the Local Employment Exchange is unable to provide suitable candidates, a reference will be made by it to the Directorate General of Resettlement and Employment, which maintains

an all-India list of members of the Scheduled Castes, who have registered themselves with the Employment Exchanges for appointment to posts under the Government of India. The candidates recommended by the Employment Exchange/Directorate General of Resettlement and Employment, should be considered along with those who apply direct in response to the advertisement, or at the instance of the organisations referred to in Appendix 'C'.

(7) The claims of candidates for employment to be treated as Scheduled Castes or Scheduled Tribes will ordinarily be verified by the appointing authorities through the District Magistrates of the place where such persons and/or their families ordinarily reside. At the discretion of the Selecting/Appointing authorities, the following may also be accepted as sufficient proof of the claims.

- (a) Matriculation or School Leaving Certificates or birth certificates giving the caste or community of the candidates and place of residence in original or copies thereof duly attested by a Gazetted Officer of the Central or State Government.
- (b) Certificates issued by Gazetted Officers of the Central or of a State Government countersigned by the District Magistrate of the District to which the candidates belong.

These certificates should be in the form given in Appendix 'D'.

(8) (a) For purpose of these orders an 'Anglo-Indian' means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is domiciled within the territory of India and is or was born within such territory of parents habitually resident therein and not established there for temporary purposes only.

(b) The procedure to be followed in verifying the claims of persons as belonging to the Anglo-Indian community will be as follows:—

- (i) A candidate's own claim to be an Anglo-Indian should be accepted unless there is any reason to doubt it.
- (ii) As regards doubtful cases, a reference may be made to the nearest branch of the All-India Anglo-Indian Association and the candidates may be asked to furnish documentary evidence such as birth certificates, school leaving certificates and certificate from persons of responsibility and repute who are themselves Anglo-Indians. On the basis of the evidence thus obtained the appointing authority will decide whether the claims should be accepted.

6. *Grouping of Posts:* When applied to individual posts or to cadres consisting of a few posts only, the orders regarding communal representation in the services take long to produce the results aimed at, since an isolated post can be held only by a member of one community at a time and, in the case of small cadres, vacancies may not occur with sufficient frequency to enable for the Scheduled Castes etc., to secure adequate representation. To overcome this difficulty, it is necessary to group posts of similar status and salary, and to apply these orders to the groups so formed. Instructions relating to grouping of posts are given in Appendix 'E'.

7. *Communal Returns:* The reservations provided for in the Resolution are based on provisions in the Constitution of India and it is therefore absolutely necessary that they should be strictly followed. In order to enable the Government of India to watch the observance of these orders, the Ministries should submit to the Ministry of Home Affairs 'Communal Returns' in the forms attached (Appendices G & H). Appendix 'F' contains the instructions which will govern in submission of these returns.

8. The communal returns submitted by the Ministries will show only whether the percentages of reservations prescribed for the various castes, tribes, etc. were followed during the year to which the returns relate and there is no provision in these returns to indicate the point in the communal roster (of paragraphs 2. and 3

above) at which recruitment began during the year in each grade, service or group. For this purpose, the appointing authorities will maintain communal registers in the form and according to instructions given in Appendices A and B and maintain a record of the appointments made annually.

9. These instructions apply *mutatis mutandis* to all Part C States as well. Such States should, also therefore, observe these instructions and submit their returns to the Ministry of Home Affairs.

10. The orders contained in the Resolution of the 13th September, 1950 and in the Office Memorandum should be deemed to have come into force on the 26th January, 1950, and further recruitment to grades and services in which vacancies had been filled on or after the 26th January and before the issue of these orders should, where necessary, be suitably readjusted, with a view to protecting the interests of Scheduled Castes, Scheduled Tribes and Anglo-Indians in the matter of appointment to posts under the Central Government.

APPENDIX 'A'

N.B.:—Before making an appointment by direct recruitment the appointing authority should ascertain, by consulting the Communal register, whether the vacancy is reserved or unreserved; and if it is reserved, for which community it is reserved. Immediately after appointment has been made, the particulars should be entered in the register and the entry signed by the appointing authority.

RULES TO BE OBSERVED IN MAINTAINING THE ROSTER

I. Separate rosters should be maintained for vacancies filled by open competition and those filled otherwise, within the above two categories separate rosters should be maintained for permanent and temporary appointments.

II. The roster is running account from year to year and must be maintained accordingly. For example if recruitment in a year stops at point 6 of the cycle, recruitment in the following year will begin at point 7.

III. No gap should be left in the roster in filling vacancies and if a reserved vacancy (at, say the 25th point of the roster) has, for want of a suitable Scheduled Caste candidate, to be treated as unreserved, the candidate appointed should be shown against that point; but if a Scheduled Caste candidate cannot be recruited against an unreserved vacancy later in the year, the reservations should be carried forward to the following year and after the Scheduled Castes quota for the latter year has been filled, the first unreserved vacancy in that year (say, the 32nd point) should be treated as reserved for Scheduled Castes.

IV. Temporary appointments of less than three months duration should not be shown in the roster.

V. The appointment made by promotion or transfer should not be shown in the roster unless the promotion or transfer is treated as 'direct recruitment' (e.g. the appointment of a clerk as stenographer.)

VI. The appointment of a temporary employee to a new temporary vacancy is a new appointment and should be accounted for again in the roster.

VII. The appointment of a temporary employee in a permanent capacity is a fresh appointment and should be made according to the roster for permanent appointments.

VIII. The appointment of a person holding a post to which the rules do not apply to a post to which they do apply should be made according to the roster for the latter.

IX. Vacancies due to whatever cause, except termination of service during probation or trial should be treated as fresh vacancies.

X. In column (3), persons belonging to communities other than Scheduled Castes, Scheduled Tribes and Anglo-Indians (in the case of recruitment to Railways, Telegraphs and Customs Services in which they are provided with reservations) should be shown as belonging to 'other communities'.

XI. These forms should not be kept as 'loose sheets' but should be bound into register of 20, 30 or 50 sheets. When printed registers become available, suitable instructions indicating the source from which these registers can be obtained will be issued.

APPENDIX 'B'

A. No. of reserved vacancies carried forwarded from previous year.

Scheduled Castes
 Scheduled Tribes
 Anglo-Indians

Service, grade or group of posts Statement of Recruitment made by open competition.*

Reservation :
 Scheduled Castes %
 Scheduled Tribes %
 Anglo-Indians %
 Otherwise than by open competition in the Department/
 Office of
 during the year 19 .

B. Point of roster at which recruitment began in the year

Prescribed Communal Roster	Name of candidate appointed	Community of candidate appointed	Date of appointment	If a candidate of the right community was not appointed to a reserved vacancy, reasons for not doing so	Remarks	Signature of the appointing authority
1	2	3	4	5	6	7

APPENDIX 'C'

Organisations, Associations, etc., recognised as representative of Scheduled Castes for purposes of orders relating to communal representation in the services under the Government of India.

- (a) The All India Scheduled Castes Federation, 207, Ghorpade Peth, Poona-2.
 - (b) The All-India States Subjects Scheduled Castes Federation, United Mansions, Secunderabad (Deccan).
 - (c) The Bengal Scheduled Castes Federation, 1/2, Sitaram Ghose Street, Calcutta.
 - (d) The United Provinces Scheduled Castes Federation, Permat, Kanpur (U.P.).
 - (e) The All-India Depressed Classes League, and all its branches.
-

APPENDIX 'D'

Certificate to be produced by Scheduled Castes and Scheduled Tribes candidates applying for appointment to posts under the Government of India.

This is to certify that.....

son of.....of village.....
 District/Division.....in the.....
 State.....belongs to the.....
 community which is recognised as a Scheduled Caste/Tribe under the Constitution (Scheduled Castes) Order, 1950/the Constitution (Scheduled Tribes) Order, 1950/the Constitution (Scheduled Castes) (Part C States Order, 1951)/the Constitution (Scheduled Tribes) (Part C States) Order, 1951. Shri.....
 and/or his family ordinarily reside(s) in the.....
 District/Division of the.....State.

*District Magistrate
 Deputy Commissioner*

Dated:

Seal.

.....State

N.B.: (a) The term 'ordinarily reside' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

(b) Where the certificates are issued by Gazetted Officers of the Union Government or State Governments, they should be in the same form but countersigned by the District Magistrate or Deputy Commissioner (Certificates issued by Gazetted Officer and attested by District Magistrate/Deputy Commissioner are not sufficient).

APPENDIX 'E'

Communal representation in the services—Grouping of posts—Instructions relating to.

(1) Whenever a cadre or a grade or division of a service to which direct recruitment (by open competition or otherwise) is made, consists of less than twenty posts, steps should be taken to group these posts with similar posts in the Service, Ministry or Office which are filled by direct recruitment.

(2) In forming groups, posts in different classes of service should not ordinarily be placed together (e.g. posts belonging to Central Services, Class I, should not ordinarily be grouped with posts belonging to Central Services Class II).

(3) A group should not ordinarily consist of less than 25 posts.

(4) Normally, posts should be grouped mainly according to status and salary. The qualifications prescribed for direct recruitment may also be taken into consideration.

(5) It is not intended that an isolated post should be grouped together only with other isolated posts. Subject to the other conditions in these instructions, there is no objection to the grouping of any isolated post with a cadre, grade or division of service containing more than 20 posts.

(6) After a group has been formed, all vacancies, in that group meant for direct recruits will be filled in accordance with the applicable communal roster irrespective of the actual posts in which the vacancies occur, but subject to duly qualified and suitable candidates being available.

(7) Proposals for grouping of isolated posts will require the previous approval of the Ministry of Home Affairs, and for this purpose the Ministries and the Chief Commissioners should report to that Ministry the designation, and number of all isolated posts in the Ministry that require to be grouped together in pursuance of these instructions, the scale of pay attached to the posts, the nature of duties and the qualifications prescribed for direct recruits and also suggest methods for conveniently grouping them.

APPENDIX 'F'

*Communal representation in the Services—Submission of annual communal returns—
Instructions relating to.***A. Instructions which apply to both the Statements (I and II)**

1. The returns must reach the Ministry of Home Affairs by the 1st March without fail (1st June in the case of the Ministry of Railways) of the year following that to which they relate.

2. The attached and subordinate offices of the Ministries should submit their returns to the Ministry concerned, and the Ministries will send all these returns to the Ministry of Home Affairs in one batch and not individually. The Ministries should also send a consolidated statement I and a consolidated statement II for the Ministry proper, its attached and subordinate offices giving separate figures for the services of the various classes (*viz.* Class I, Class II and Class III/Subordinate Services) under its control.

3. The statements (including the consolidated statements) should show permanent and temporary employees separately.

4. Information relating to services or posts exempted from the scope of the orders should be furnished in a separate return (*i.e.*, on a separate sheet) and should not be included in the consolidated returns.

5. The total of the columns should be given, and the percentages based on the totals should be calculated to the first place of decimals. Separate totals should be given for the permanent and temporary staff and for both combined (Grand Total).

6. If any abbreviations are used, they should be explained. It is preferable not to use any abbreviations.

7. The errors, discrepancies etc. noticed in the returns will be brought to the notice of the Ministry concerned and they will be expected to offer explanations therefor.

8. Since checking the returns of all the Ministries and attached and subordinate offices of the Government of India in details is an elaborate task, the Ministries are expected to prepare these returns with care and will be held responsible for the accuracy in both form and substance of their own returns and those of their attached and subordinate offices.

B. Instructions which apply to statement I only

1. The communities of persons shown under 'other communities' in Statement I need not be specified.

2. Person appointed to a grade in vacancies likely to become permanent and treated as such for purpose of the communal roster, should be shown along with permanent employees, and suitable remarks in this respect should be given in the remarks column.

3. A person on deputation retaining an active lien in the parent office or service should be included in figures relating to the permanent establishment of the parent office, service or Ministry with an appropriate entry in the remarks column, and also in the temporary establishment of the borrowing service, Ministry or Office but if his lien in the parent service, Ministry or office has been suspended, he should be shown in the temporary establishment of the borrowing service, Ministry or Office only with suitable remarks in the remarks column.

4. Persons provisionally permanent in a grade or service should be included only in the temporary establishment, with suitable remarks in the remarks column, unless they are likely to become permanent, in which case they should be included in the permanent establishment.

5. Since only those persons who are temporary are eligible to be declared 'quasi permanent' under the Central Civil Service (Temporary Service) Rules, 1949, such persons should be included only in the temporary establishment.

6. Persons officiating or holding temporary posts in higher grades should not be shown against their officiating or temporary appointments. They should be shown only against the grades in which they are permanent. If, however, the temporary appointment is treated as direct recruitment for purposes of communal representation (e.g. the appointment of a clerk as a stenographer) they should be shown only against the grades in which they are officiating or holding temporary appointments.

7. These returns relate primarily to persons and not posts. It is not, therefore, necessary to give such information as number of posts vacant, number of persons retired, resigned, etc.

C. Instructions which apply to statement II only

1. Vacancies filled by promotion or transfer should not be included, unless any appointments made by promotion or transfer are treated 'as direct recruitment' for purposes of communal representation.

2. If a post has been held by more than one person during the course of one year, only the person in employment on the date given in the report should be taken into account, though particulars about the other incumbents should be given in the remarks column.

3. Appointments for periods less than three months need not be included in the statements unless there is a subsequent extension of more than three months.

4. A vacancy released by a person on probation should be treated as having occurred in the year in which he was appointed on probation and not in the year in which he is confirmed.

5. Appointments made to replace persons whose services were terminated during probation should not be taken into account for the purposes of these returns.

6. In the remarks column of Statement II the number of reservations, if any, carried forward from the previous year and the number of reservations, if any, which lapsed during the course of the year should be indicated.

7. To enable the Ministry of Home Affairs to check whether the orders have been properly observed during the year under review, Ministries and Offices should specify in the remarks column of Statement II in respect of each service, grade or division, the point in the roster (1st, 5th or 7th or whatever it may be) at which recruitment started that year.

8. In cases in which the standard rosters prescribed are not followed (e.g. services to which recruitment is made locally) the communal proportions prescribed should be indicated at the head of Statement II.

APPENDIX 'G'

STATEMENT I

Statement showing the communal composition of the Ministry/Office.....on the 1st January, 19 .

Name of the Service etc.	Total Strength	Scheduled Castes		Scheduled Tribes		Other Communities		Remarks
		No.	%	No.	%	No.	%	
1	2	3	4	5	6	7	8	9
PERMANENT								
I. Central Services								
Class I								
(a) Ministry proper								
(b) Attached offices								
(i)								
(ii)								
etc.								
(c) Subordinate offices								
(i)								
(ii)								
etc.								
Total								
II. Central Services								
Class II								
(As under Central Services Class I)								
III. Central Services								
Class III								
(Subordinate Services) (As under Central Services Class I)								

1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---

TEMPORARY

Same as above .

Signature

Designation

*In the case of Railways, Customs and Posts and Telegraphs Services, wherein reservations have been provided for members of the Anglo-Indian Community, their number and percentage to the Total Strength of the establishment should be given here.

APPENDIX 'H'
STATEMENT II

Reservations : Scheduled Castes
Scheduled Tribes
*Anglo-Indians

*Statement showing the distribution of vacancies filled by direct recruitment in the Ministry/Office.....
during the period 1st January, 19 to 31st December, 19 .*

Name of Service etc.	Total No. of vacancies filled	Scheduled Castes		Scheduled Tribes		*Anglo-Indians		Whether by open competition or otherwise	Remarks
		No.	%	No.	%	No.	%		
1	2	3	4	5	6	7	8	9	10

PERMANENT

- I. *Central Services*
Class I
(a) Ministry proper
(b) Attached Offices
 (i)
 (ii)
 etc.
(c) Subordinate Offices
 (i)
 (ii)
 etc.
TOTAL

*Not for services or grades where reservations have not been provided for members of the Anglo-Indian community.

1

2

3

4

5

6

7

8

II. *Central Services*
Class II

(As under Central Services Class I)

III. *Central Services*
Class III

Subordinate Services
(as above)

TEMPORARY

(Same as above)

Signature

Designation

APPENDIX I

Posts to which reservation orders are not applicable

- (i) Comptroller, President's Household
- (ii) Surgeon to the President
- (iii) Private Secretary to the Prime Minister
- (iv) Assistant Private Secretary to the Prime Minister
- (v) Personal Assistant to the Prime Minister
- (vi) Private Secretary to the Principal Secretary to the Prime Minister
- (vii) Private Secretary to the Special Assistant to the Prime Minister
- (viii) Personal Assistant to the Special Assistant to the Prime Minister
- (ix) Confidential Assistant (Gazetted)
- (x) Confidential Assistant (Non-Gazetted)
- (xi) Private Secretary to the Minister/Deputy Minister
- (xii) Assistant Private Secretary to the Minister/Deputy Minister
- (xiii) Assistant Bullion Keeper in various Mints of the Government of India
- (xiv) Ministry of Law:
 1. Secretary
 2. Joint Secretary
 3. Deputy Secretary
 4. Joint Secretary & Draftsman
 5. Additional Draftsman
 6. Draftsman
 7. Solicitor
 8. Second Solicitor
 9. Assistant Solicitor
 10. Government Agent
 11. Deputy Government Agent
 12. Asstt. Government Agent
 13. Legal Adviser
 14. Legal Officer, Heads Organisation
 15. Private Secretary to the Hon'ble Minister
 16. Council Reporters
- (xv) *Planning Commission*:
 1. Deputy Chairman
 2. Member
 3. Adviser
 4. Chief of Division
 5. Member Secretary Research Programme Committee
 6. Officer on Special Duty

7. Private Secretary to Chairman
8. Private Secretary to Dy. Chairman
9. Private Secretary to Member
10. Asstt. Private Secretary to the Deputy Chairman/Minister
11. Special Assistant to Minister

(xvi) *Ministry of Defence:*

1. Pandits/Maulvis/Padris (School Instructors)

(xvii) *Ministry of Finance:*

1. Gurkha Guards in the Government of India Mints of Alipore, Bombay and Hyderabad.

The above mentioned posts were exempted from the operation of the reservation orders because of the exceptional circumstances and the special nature thereof in consultation with the Ministry of Home Affairs as required in para 5(1) of O.M. No. 42/21/49-NGS, dated 28th January, 1952.

[Ministries are requested to intimate to this Ministry any other posts under them which have been excluded from the operation of the reservation orders in consultation with the Ministry of Home Affairs].

Ministry of Home Affairs O.M. No. 2/11/55-RPS, dated 7th May, 1955. (As amended by the Office Memorandum of even Nos. dated 1st July, 1955 and 6th July, 1956) to all Ministries, etc.

Subject:—Measures for securing increased representation of Scheduled Castes and Scheduled Tribes in the Central Services.

The undersigned is directed to convey the following decisions on the proposals referred to Ministries in the Office Memorandum No. 5/1/54-SCT dated the 17th April, 1954, from the Ministry of Home Affairs. In taking these decisions the comments received from individual Ministries have been carefully considered.

I. Relaxation of standards:

(a) Direct recruitment by examination:

It has been decided that no useful purpose will be served by holding separate examinations for Scheduled Castes and Scheduled Tribes candidates. Entry into public services should be through a common door, otherwise, there is a danger of the candidates belonging to the Scheduled Castes and Scheduled Tribes being branded as inferior. The Union Public Service Commission or other recruiting authority will, however, have full discretion to recommend Scheduled Castes and Scheduled Tribes candidates who may obtain a low place in the examinations except where such authority considers that the minimum standard necessary for the maintenance of efficiency of the administration has not been reached. Whenever, candidates are selected in this manner, the appointing authorities will make necessary arrangements to give additional training and coaching to the recruits so that they might come up to the standard of other recruits appointed along with them.

(b) Direct recruitment otherwise than by examination:

Where recruitment is made otherwise than by examination, the appointing authorities will have discretion to select candidates from the Scheduled Castes and Scheduled Tribes fulfilling a lower standard of suitability than from other communities, so long as the candidates have the prescribed minimum educational and technical qualifications and the appointing authorities are satisfied that the lowering of standards will not unduly affect the maintenance of the efficiency of administration.

II. Filling up of reserved vacancies for which suitable Scheduled Castes and Scheduled Tribes candidates are not available for appointment.

Sub-para (3) and (4) of paragraph 5 in this Ministry's Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952, which deal with this question should be substituted by the following:

"(3) (a) If a sufficient number of candidates considered suitable by the recruiting authorities, are not available from the communities for whom the reservations are made in a particular year, the unfilled vacancies should be treated as unreserved and filled by the best available candidates. The number of reserved vacancies thus treated as unreserved will be added to the normal number of reserved vacancies in that year. The as an additional quota to the number that would be reserved in the following year in the normal course; and to the extent to which approved candidates are not available in that year against this additional quota, corresponding addition should be made to the number of reserved vacancies in the second following year.

"Thus the number of reserved vacancies of 1954 which were treated as unreserved for want of suitable candidates in that year will be added to the normal number of reserved vacancies in 1955. Any recruitment quota carried forward from 1954, if however, suitable candidates are not accordingly as 'unreserved' in that year, the total number of vacancies are treated as reserved in 1956 will be the unreserved balance of the quota carried forward from 1954 and 1955, plus the normal percentage of vacancies

to be reserved in 1956. The unutilised quota will not, however, be carried forward in this manner for more than two years.

"An annual Report of reserved vacancies which were treated as unreserved for want of suitable candidates from Scheduled Castes or Scheduled Tribes as the case may, should be forwarded to the Ministry of Home Affairs in the form enclosed as Annexure alongwith the annual communal returns already prescribed. In addition Ministries themselves will take adequate steps to ensure that any lapse on the part of subordinate authorities in observing the reservation rules cannot go unnoticed by a reviewing authority within the Ministry itself at a sufficiently early date.

"(b) In the event of a suitable Scheduled Caste candidate not being available, a Scheduled Tribe candidate can be appointed to the reserved vacancy and *vice versa* subject to adjustment in the subsequent points of the roster. (For further clarification please see Rule III in Appendix 'A')."

III. Notification of vacancies to Employment Exchanges:

The form prescribed for notification of vacancies to the Employment Exchange should be revised as in the Annexure II to this letter.

The following should be inserted after para 5(6) (c) in this Ministry's Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952:—

"(d) If the Employment Exchange/Directorate General of Resettlement and Employment have reasons to feel that vacancies are not being reserved for Scheduled Caste/Scheduled Tribe candidates in the manner in which they should be, they may at their discretion seek clarification from the recruiting authorities or send a report to the Ministry of Home Affairs."

IV. Promotion:

There will be no reservations for Scheduled Castes and Scheduled Tribes in regard to vacancies filled by promotion. Where however, the passing of tests or examinations have been laid down as a condition, the authority prescribing the rules for the tests or examinations may issue suitable instructions to ensure that the standard of qualification in respect of members of Scheduled Castes and Scheduled Tribes is not unduly high.

Where promotions are made on the basis of seniority subject to fitness, cases of persons belonging to Scheduled Castes and Scheduled Tribes should be judged in a sympathetic manner without applying too rigid a standard. Cases of supersession for promotion of officers belonging to Scheduled Castes and Scheduled Tribes should be reviewed at a high level. It has been suggested that the prior orders of the Minister or Deputy Minister should be taken in such cases, if the supersession is in respect of appointments to Class I and Class II posts and that a report should be sent to the Minister or Deputy Minister concerned within a month of the decision if the supersession relates to Class III and Class IV posts; Ministries may, however, modify this procedure to suit their requirements with the approval of the Minister-in-charge.

ANNEXURE I

(To be sent in Triplicate)

Statement of reserved vacancies treated as un-reserved in the year 19 . . .
 Ministry/Department/Office.

1. Service or category of post.
2. Class of post.
3. Total number of vacancies filled during the year.
4. No. of reserved vacancies treated as un-reserved.

S.Cs./S.Ts.

5. Reference to Requisitions sent to the Employment Exchanges and the reply or replies received from them.

Reference to correspondence with the U.P.S.C.

6. Remarks.

Ministry of Home Affairs O.M. No. 7/2/55-SCT, dated 14th October, 1955 to Ministries etc.

With reference to para 3 of the Ministry of Home Affairs Resolution No. 42/21/49-NGS, dated the 13th September, 1950, the following decisions have been taken regarding the reservation for Scheduled Castes and Scheduled Tribes in local regional recruitment to Class III and Class IV services and posts made otherwise than through the Union Public Service Commission:—

- (1) Except in Delhi, where the percentages of reservation prescribed in recruitment on an all-India basis should be followed, the reservation should be based generally on the proportion of the population of Scheduled Castes and Scheduled Tribes in the State. A statement indicating the number of posts to be reserved in each model roster of 40 vacancies is attached.
- (2) Where recruitment is made for circles or regions consisting of more than one State, the percentages will be fixed taking into account the proportion of the population of Scheduled Castes and Scheduled Tribes in the entire circle or region. In calculating the number of vacancies to be reserved in each model roster of 40, fraction below 0.3 will be ignored and fractions of 0.3 or over will be rounded to the next higher integer. Thus if the population of Scheduled Castes in a region is 17% of the total population the number of vacancies to be reserved in a roster of 40 will be 7 (6.8 being rounded to 7).
- (3) Irrespective of the proportion of Scheduled Tribes in the population of a State or circle or region, Scheduled Tribes should be given a minimum reservation of 5% or two vacancies in each roster of 40. If sufficient number of candidates belonging to the Scheduled Tribes are not forthcoming for vacancies reserved for them, the vacancies should be filled by candidates belonging to Scheduled Castes in accordance with the Ministry of Home Affairs Office Memorandum No. 42/32/53-NGS, (SC) dated the 7th December, 1954.

2. The model communal rosters prescribed in the Office Memorandum No. 21/49-NGS dated the 28th January, 1952 should be modified, where necessary in the light of the instructions contained in para 1 above. The points for Scheduled Castes and Scheduled Tribes should be evenly distributed in the roster and should not in any case be relegated to a position which would delay the recruitment of Scheduled Castes and Scheduled Tribes.

RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN
VACANCIES FILLED ON A LOCAL OR REGIONAL BASIS

Sl. No.	Name of State	Percentage of population		Reservation to be made in a 40 point roster	
		Scheduled Castes	Scheduled Tribes	Scheduled Castes	Scheduled Tribes
1	2	3	4	5	6
1	Andhra	13.2	2.5	5	2
2	Assam	4.7	19.2	2	8
3	Bihar	12.6	10.1	5	4
4	Bombay	8.4	9.8	4	4
5	Madhya Pradesh	13.6	11.7	6	5
6	Madras	15.9	0.4	7	2
7	Orissa	18.0	20.3	7	8
8	Punjab	18.9	0.02	8	2
9	Uttar Pradesh	18.8	..	8	2
10	West Bengal	18.9	4.7	8	2
11	Hyderabad	16.6	1.9	7	2
12	Madhya Bharat	16.6	13.3	7	2
13	Mysore	17.8	0.16	7	
14	Rajastha	9.9	2.1	4	
15	Saurashtra	6.6	0.9	3	2
16	Pepsu	19.4	..	8	2
17	Travancore Cochin	9.4	0.3	4	2
18	Ajmer	11.7	1.4	5	2
19	Bhopal	15.5	7.1	6	3
20	Coorg	11.2	9.2	5	4
21	Delhi	15.4	..	Same as for recruitment on an all-India basis.	
22	Himachal Pradesh (including Bilaspur).	22.2	..	9	2
23	Kutch	1.3	3.0	1	2
24	Manipur . . . . .	..	33.6	..	8*
25	Tripura	7.8	30.1	3	12
26	Vindhya Pradesh	13.3	11.7	6	5

*Combined reservation for Scheduled Castes and Scheduled Tribes.

Ministry of Home Affairs O.M. No. 31/10/63-SCT(I), dated 27th March, 1963
to all Ministries etc.

Subject:—Maintenance of Rosters for giving effect to reservations provided for Scheduled Castes and Scheduled Tribes in Central Government services.

According to para 9 read with Appendix 7 of the Brochure issued *vide* the Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27th April, 1962 separate rosters are to be maintained for permanent and temporary appointments within each category of posts, to give effect to the reservations prescribed for Scheduled Castes and Scheduled Tribes. Experience has shown that a number of temporary posts are continued from year to year and are converted into permanent posts after a few years. It has, therefore, been decided that, hereafter, the rosters, within each category of posts or group of posts etc., should be maintained as follows:—

- (i) A common roster should be maintained for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely. Temporary posts likely to become permanent or continue indefinitely included in this roster, will be treated as reserved or unreserved according to the points at which they fall in the roster when they are initially filled. While advertising such posts falling on reserve points, it should be clearly stated that the posts are likely to become permanent or to continue indefinitely. Whenever, owing to continuing non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes, it becomes necessary to de-reserve a post included in this roster a reference should be made to this Ministry indicating the steps taken to secure Scheduled Caste and Scheduled Tribe candidate and its prior approval obtained for de-reservation.
- (ii) A separate roster may be maintained for purely temporary appointments which have no chance whatever of becoming permanent or continuing indefinitely. Reserved posts included in this category can be treated as de-reserved by the Ministries themselves after ensuring that the steps prescribed in para 16 of the Brochure have been duly taken to secure suitable Scheduled Caste and Scheduled Tribe candidates and such candidates are still not available.

2. Ministries etc. may kindly bring the above decisions to the notice of appointing authorities under them.

Ministry of Home Affairs O.M. No. 31/10/63-SCT(I), dated 2nd May, 1963
to all Ministries etc.

Subject:—Maintenance of Rosters for giving effect to reservations provided for Scheduled Castes and Scheduled Tribes in Central Government services.

In connection with the orders issued *vide* this Ministry's O.M. No. 31/10/63-SCT(I), dated the 27th March, 1963, references have been received enquiring about the date from which the new rosters as prescribed in that O.M. are to be introduced, the manner in which reservations treated as unreserved in the old roster are to be accounted for, and whether temporary vacancies after being converted into permanent, are to be shown again in the new roster. The position in regard to these points is clarified as follows:—

- (a) The new rosters prescribed in this Ministry's O.M. of 27-3-63 referred to above should start from 27-3-63, the date of issue of that O.M. and the old rosters should be closed from that date.
- (b) Reservations treated as unreserved in the old rosters should be brought forward in the new rosters.
- (c) A post which is first temporary and is later converted into permanent, whether initially filled before or after introduction of the new rosters, should be treated as reserved or unreserved according to the point at which it fell when it was initially filled. In other words, a temporary post later converted into permanent, should not, after such conversion, be shown again in the roster.

2. The above clarifications may kindly be brought to the notice of all appointing authorities.

Ministry of Home Affairs O.M. No. 1/13/63-SCT(I), dated 21st December, 1963
to all Ministries etc.

Subject:—Model roster for recruitment of Scheduled Castes and Scheduled Tribes—
Revision in pursuance of the decision regarding 'carry forward' of vacancies. (*Vide* O.M. No. 2/24/63-Estt. (D) of the Ministry of Home Affairs, dated 4th December, 1963).

In the model rosters of recruitment as prescribed in Appendices 3, 4 and 5 of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT (I), dated 27th April, 1962, consecutive points are sometimes reserved for Scheduled Castes and Scheduled Tribes. When only two or three vacancies are filled and two of them fall at consecutive reserved points, actual reservation for Scheduled Castes and Scheduled Tribes together may exceed 50% which has to be avoided. The rosters prescribed in Appendices 3, 4 and 5 have therefore been revised. Copies of the revised rosters are annexed. These may kindly be brought to the notice of appointing authorities for being adopted with immediate effect.

2. It may also be noted that if there are only two vacancies to be filled on a particular occasion, not more than one may be treated as reserved and if there be one vacancy, it should be treated as unreserved. If, on this account, a reserved point is treated as unreserved the reservation may be carried forward to the subsequent two recruitment years.

ANNEXURE I

Model Roster for posts filled by direct recruitment on all India basis by open competition.

Point in the Roster	Whether unreserved or reserved for	Point in the Roster	Whether unreserved or reserved for
1.	Scheduled Castes	21.	Scheduled Tribes
2.	Unreserved	22.	Unreserved
3.	Unreserved	23.	Unreserved
4.	Scheduled Tribes	24.	Unreserved
5.	Unreserved	25.	Scheduled Castes
6.	Unreserved	26.	Unreserved
7.	Unreserved	27.	Unreserved
8.	Unreserved	28.	Unreserved
9.	Scheduled Castes	29.	Unreserved
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	Unreserved
12.	Unreserved	32.	Unreserved
13.	Unreserved	33.	Scheduled Castes
14.	Unreserved	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	Unreserved
17.	Scheduled Castes	37.	Unreserved
18.	Unreserved	38.	Unreserved
19.	Unreserved	39.	Unreserved
20.	Unreserved	40.	Unreserved

NOTE.— If there are only two vacancies to be filled on a particular occasion, no more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If, on this account a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent two recruitment years.

ANNEXURE II

Model Roster for posts filled by direct recruitment on all India basis otherwise than by open competition.

Points on the roster	Whether Unreserved or Reserved for	Points in the Roster	Whether Unreserved or Reserved for
1.	Scheduled Tribes	21.	Unreserved
2.	Unreserved	22.	Scheduled Tribes
3.	Unreserved	23.	Unreserved
4.	Scheduled Castes	24.	Unreserved
5.	Unreserved	25.	Scheduled Castes
6.	Unreserved	26.	Unreserved
7.	Scheduled Castes	27.	Unreserved
8.	Unreserved	28.	Unreserved
9.	Unreserved	29.	Unreserved
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	Scheduled Castes
12.	Unreserved	32.	Unreserved
13.	Scheduled Castes	33.	Unreserved
14.	Unreserved	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	Unreserved
17.	Unreserved	37.	Scheduled Castes
18.	Unreserved	38.	Unreserved
19.	Scheduled Castes	39.	Unreserved
20.	Unreserved	40.	Unreserved

NOTE :- 1. In every third cycle of the above roster the 37th point will be treated as unreserved.

2. If there are only two vacancies to be filled on a particular occasion, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If, on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent two recruitment years.

ANNEXURE III

Statement showing the actual points to be reserved for Scheduled Castes and Scheduled Tribes in a 40 point roster where recruitment is made on a local or regional basis

Sl. No.	Name of State/ Union Territory	Actual points to be reserved in a 40 point roster	
		Scheduled Castes	Scheduled Tribes
1.	Andhra Pradesh	1, 8, 15, 24, 29, 36	4, 21
2.	Assam	4, 19,	1, 7, 11, 15, 22, 26, 36
3.	Bihar	1, 9, 17, 25, 33	4, 12, 22, 30
4.	Gujarat	4, 15, 28	1, 9, 19, 25, 33
5.	Kerala	1, 11, 25, 32,	4, 21,
6.	Madhya Pradesh	4, 10, 16, 25, 31, 38	1, 7, 13, 19, 22, 28, 34, 36
7.	Madras	1, 7, 13, 19, 25, 31, 37	4, 22
8.	Maharashtra	1, 9, 17, 25, 33	4, 21
9.	Mysore	1, 8, 15, 24, 29, 36,	4, 21
10.	Orissa	4, 8, 14, 19, 25, 33, 38	1, 6, 11, 16, 21, 27, 30, 36
11.	Punjab	1, 7, 10, 13, 16, 24, 28, 33, 37	4, 20
12.	Rajasthan	1, 7, 15, 22, 29, 36	4, 10, 18, 26, 34
13.	Uttar Pradesh	1, 7, 11, 16, 22, 26, 31, 36	4, 19
14.	West Bengal	1, 7, 11, 19, 25, 31, 37	4, 15, 28
15.	Jammu & Kashmir	1, 16	4, 31
16.	Andaman & Nicobar Islands.	—	1, 3, 6, 8, 10, 12, 14, 16, 18, 21, 23, 26, 28, 31, 33, 36, 3
17.	Himachal Pradesh	1, 7, 10, 14, 18, 24, 27, 31, 36	4, 21
18.	Laccadive, Minicoy & Amindivi Islands	—	1, 3, 5, 7, 9, 11, 13, 17, 19, 21, 24, 28, 30, 32, 35, 39
19.	Manipur	21	1, 4, 8, 11, 15, 18, 26, 28, 31, 34, 3
20.	Tripura	4, 13, 28	1, 6, 8, 11, 15, 18, 25, 31, 33, 36,
21.	Delhi	Same as for recruitment on an all India basis	

Note :- If there are only two vacancies to be filled in any recruitment year, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If, on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent recruitment years.

Ministry of Home Affairs O.M. No. 1/11/69-Est(SCT), dated 22nd April, 1970 to all Ministries etc.

Subject:—Model rosters to give effect to the reservations for Scheduled Castes and Scheduled Tribes in Services—Revision in pursuance of the enhanced percentage of reservation.

The undersigned is directed to refer to para 1 of this Ministry's Resolution No. 17/25/68-Est.(SCT), dated the 25th March, 1970, in which the percentages of reservation for Scheduled Castes and Scheduled Tribes in direct recruitment to posts filled on an all-India basis have been enhanced. The model rosters prescribed in Annexure I and II to this Ministry's O.M. No. 1/13/63-SCT(I), dated the 21st December, 1963, have now been revised to give effect to the increased percentages of reservation. Copies of the revised rosters are enclosed (Annexures I and II).

2. In posts filled by promotion where reservations have been provided for Scheduled Castes and Scheduled Tribes, a separate roster on the lines of the roster prescribed in Annexure I to this Ministry's O.M. dated the 21st December, 1963, is required to be followed *vide* para 3(3) of this Ministry's O.M. No. 1/12/67-Est. (C), dated the 11th July, 1968. Pursuant to the decision in para 3 of this Ministry's Resolution dated 25th March, 1970 enhancing the percentages of reservation in such posts filled by promotion, the roster prescribed in Annexure I to this O.M. is also to be followed for reservations in such posts filled by promotion.

3. Vacancies filled on or after 25th March, 1970 should be shown in the rosters to be opened in the forms now prescribed unless rules for a competitive examination for filling such vacancies were notified or selections for filling such vacancies were made prior to 25-3-1970. The old rosters should be deemed to have been discontinued from that date. The unfilled reservations, if any, in the old rosters should be carried over to the new rosters.

ANNEXURE I

Model Roster for posts filled by Direct Recruitment on all India basis by open competition

Point in the Roster	Whether unreserved or reserved	Point in the Roster	Whether unreserved or reserved
1.	Scheduled Caste	21.	Unreserved
2.	Unreserved	22.	Scheduled caste
3.	Unreserved	23.	Unreserved
4.	Scheduled Tribe	24.	Unreserved
5.	Unreserved	25.	Unreserved
6.	Unreserved	26.	Unreserved
7.	Unreserved	27.	Unreserved
8.	Scheduled Caste	28.	Scheduled Caste
9.	Unreserved	29.	Unreserved
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	Scheduled Tribe
12.	Unreserved	32.	Unreserved
13.	Unreserved	33.	Unreserved
14.	Scheduled Caste	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	Scheduled Caste
17.	Scheduled Tribe	37.	Unreserved
18.	Unreserved	38.	Unreserved
19.	Unreserved	39.	Unreserved
20.	Unreserved	40.	Unreserved

NOTE :—If there are only two vacancies to be filled in a particular year, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If, on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent three recruitment years.

ANNEXURE II

Model Roster for Posts filled by direct recruitment on all India basis otherwise than by open competition

Point in the Roster	Whether unreserved or reserved	Point in the Roster	Whether unreserved or reserved
1.	Scheduled Caste	21.	Unreserved
2.	Unreserved	22.	Unreserved
3.	Unreserved	23.	Unreserved
4.	Scheduled Tribe	24.	Unreserved
5.	Unreserved	25.	Scheduled Caste
6.	Unreserved	26.	Unreserved
7.	Scheduled Caste	27.	Unreserved
8.	Unreserved	28.	Unreserved
9.	Unreserved	29.	Scheduled Tribe
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	Unreserved
12.	Unreserved	32.	Scheduled Caste
13.	Scheduled Caste	33.	Unreserved
14.	Unreserved	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	Unreserved
17.	Scheduled Tribe	37.	Scheduled Caste
18.	Unreserved	38.	Unreserved
19.	Unreserved	39.	Unreserved
20.	Scheduled Caste	40.	Unreserved

- NOTE :- 1. In every third cycle of the above roster the 37th point will be treated as unreserved.
2. If there are only two vacancies to be filled in a particular year not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent three recruitment years.

Department of Personnel O.M. No. 1/11/69-Est.(SCT), dated 28th September, 1970 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in recruitment on local or regional basis—Model roster to give effect to revised percentages of reservation.

The undersigned is directed to refer to para 2 of the Ministry of Home Affairs Resolution No. 27/25/68-Est. (SCT) dated 25th March, 1970 in which it has been stated that the percentages of reservation for Scheduled Castes and Scheduled Tribes in posts and services, recruitment to which is made on local or regional basis, shall be revised wherever necessary after taking into account the percentages of population of Scheduled Castes and Scheduled Tribes in the various States and Union Territories according to the 1961 Census. The percentages of reservation for Scheduled Castes and Scheduled Tribes in local or regional recruitment have now been revised as indicated in columns 3 and 5 of the Annexure to this O.M.

2. It has also been decided to prescribe a 100 point roster to give effect to the percentages of reservation mentioned in paragraph 1 above. The points to be reserved for Scheduled Castes and Scheduled Tribes in the roster are shown in columns 4 and 6 respectively of the Annexure to this O.M.

3. Vacancies filled on or after the date of issue of this O.M. should be shown in the rosters to be opened in the form now prescribed unless selections for filling such vacancies were made prior to the date of issue of this O.M. The old roster shall be deemed to have been closed from this date and the new rosters will operate from point No. 1. The reservations which had to be carried forward in the old roster should be carried over to the new roster as well.

ANNEXURE

Statement showing the points to be reserved for Scheduled Castes and Scheduled Tribes in a 100 point roster where recruitment is made on a local or regional basis

Sl. No.	Name of State Union Territory	Scheduled Castes		Scheduled Tribes	
		Percent- age of reserva- tion	Actual points to be reserved in a 100 point roster	Percent- age of reserva- tion	Actual points to be reserved in a 100 point roster.
1	2	3	4	5	6
1.	Andhra Pradesh	14	1,8,15,22,29,36,43,50, 57,64,71,78,85,92	5	4, 24, 45, 66, 87
2.	Assam	6	4,19,38,54,73,89	18	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86
3.	Bihar	14	1,8,15,22,29,36,43,50, 57,64,71,78,85,92	9	4, 17, 26, 38,48 59, 69, 81, 94
4.	Gujarat	7	4,18,32,46,60,74,88	14	1,8,15,22,29, 36, 43, 50,57,64,71,78,85,92
5.	Kerala	9	1,12,23,34,45,56,67, 78, 89	5	4,25,43,64,84
6.	Jammu & Kashmir	8	1,14,27,40,53,66,79, 92	5	4,24,44,64,84
7.	Madhya Pradesh	13	4,13,18,24,33,38,48, 53,59,68,74,83,88	21	1, 6, 11, 16, 21, 26, 31,36,41, 46, 51, 56, 61, 66, 71, 78, 81, 86, 91, 96, 99
8.	Maharashtra	6	1,18,35,52,69,86	6	4,21,38,55,72,89
9.	Mysore	13	1,9,17,25,33,41,49, 57,65,73,81,89,97	5	4,22,44,63,84
10.	Orissa	16	4,11,15,23,27,35,39, 47, 51,59,63,71,75, 83, 87, 95	24	1,6,9,13,17,21,25,29, 33,37,41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81,85,89,93
11.	Punjab	23	1,6,9,13,17,21,25,29, 33,37,41,45,49,53, 57, 61, 65, 69, 73, 77, 81, 85, 89	5	4, 23, 43, 63, 83
12.	Haryana	30	1,6,9,12,15,18,21,22, 26,29,32,35,38,41, 46,49,52,55,58,61, 66,69,72,75,78,81, 86,89,92,95	5	4, 24, 44, 64,84

ANNEXURE—contd.

1	2	3	4	5	6
13. Rajasthan . . .		17	1,7,13,19,25,31,37, 43,49,55,61,67,73, 79,85,91,97	12	4, 11, 21, 28,35, 45 52,59,69,76,83,93
14. Tamil Nadu . . .		18	1,6,11,16,21,26,31, 36,41,46,51,56,61, 66,71,76,81,86	5	4, 24, 44, 64, 84
15. Uttar Pradesh . . .		21	1,6,11,16,21,26,31, 36,41,46,51,56,61, 66,71,76,81,86,91,96 99	5	4,24,44,64,84
16. West Bengal . . .		20	1,6,11,16,21,26,31, 36,41,46,51,56,61, 66,71,76,81,86,91, 96	6	4,23,38,54,73,89
17. Nagaland	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
18. L.M. & A.D. Islands	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
19. N.E.F.A.	45	Do.
20. A. & N. Islands . . .		-	-	22	1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85
21. Manipur		2	4, 54	32	1, 7, 8, 10, 13, 16, 19, 22, 25, 28, 31, 34, 37, 40, 43, 46, 49, 52, 56, 58, 61, 64, 67, 70, 73, 76, 79, 82, 85, 88, 91, 94

ANNEXURE—contd.

1	2	3	4	5	6
22. Tripura	11	4, 12, 22, 31, 40, 49, 58, 67, 76, 85, 94		32	1, 6, 8, 10, 14, 17, 20, 24, 26, 29, 33, 35, 38, 42, 44, 47, 51, 53, 56, 60, 62, 65, 69, 71, 74, 78, 80, 83, 87, 89, 92, 96
23. Dadra & Nagar Haveli	2	4, 54		43	1, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 51, 57, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 95, 98
24. Pondicherry	16	1, 7, 13, 20, 26, 32, 38, 45, 50, 56, 62, 68, 74, 80, 86, 92		5	4, 24, 43, 64, 84
25. Chandigarh	12	1, 10, 19, 28, 37, 46, 55, 65, 73, 82, 91, 99		5	4, 24, 44, 63, 84
26. Himachal Pradesh	23	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89		5	4, 23, 43, 63, 83
27. Delhi					Rosters prescribed for recruitment on All India basis to be followed.
28. Goa, Daman & Diu	4	4, 29, 54, 79		5	1, 21, 41, 61, 81

NOTE :—If there are only two vacancies to be filled in any recruitment year not more than one may be treated as reserved and if there be only one vacancy it should be treated as unreserved. If on this account a reserved point is treated as unreserved, the reservations may be carried forward to the subsequent three recruitment years, if necessary.

Department of Personnel O.M. No. 8/8/71-Est. (SCT), dated 22nd April, 1971
to all Ministries etc.

Subject:—Maintenance of rosters for giving effect to the reservations for Scheduled Castes and Scheduled Tribes in services—proforma for annual inspection by Liaison Officers.

Attention of the Ministry of Finance etc. is invited to this Department's O.M. No. 27/4(ii)/70-Est. (SCT) dated the 3rd September, 1970 (copy enclosed) in which it has been laid down that the Liaison Officers shall conduct annual inspection of the rosters maintained in the Ministries/Departments/Offices of the Heads of the Departments with a view to ensuring proper implementation of the orders providing reservations for Scheduled Castes and Scheduled Tribes. To facilitate effective and complete scrutiny of the rosters, a proforma for the inspection of the rosters has been drawn up and is annexed to this O.M. Ministry of Finance, etc. are requested to instruct the Liaison Officer to utilise the proforma in making their inspections. Effective steps may also be taken to remedy the defects, if any, pointed out in the inspection reports.

Proforma for conducting inspection of rosters maintained for providing reservations for Scheduled Castes and Scheduled Tribes in services.

NAME OF OFFICE

1. Whether separate rosters are being maintained for each grade or group of posts and within such grade/group, separately for (i) direct recruitment and (ii) for posts filled by promotion (where reservation is applicable in such posts filled by promotion) and whether all the appointments made during the period covered by the inspection are shown in the roster.
2. Whether the appropriate model roster viz. the one prescribed for (1) Direct recruitment on an all India basis by open competition (2) Direct recruitment on an all India basis otherwise than by open competition (3) Direct recruitment on a local or regional basis, or (4) promotion, as the case may be is being followed.
3. Whether rosters are being maintained separately for (1) Permanent appointments and temporary appointments likely to become permanent or to continue indefinitely and (2) Purely temporary appointments of 45 days or more duration.
4. Whether the rosters are being maintained in the form prescribed viz. Appendix 6 to the Brochure issued with Ministry of Home Affairs O.M. No. 1/1/69-Est. (SCT) dated 22nd December, 1969.
5. Whether the points have been earmarked in the roster for Scheduled Castes and Scheduled Tribes correctly according to the prescribed model roster for the particular type of recruitment.
6. Whether immediately after an appointment has been made, the particulars of the person appointed are entered in the register in appropriate columns and the entry signed by the appointing authority or by the officer authorised to do so.
7. Whether any gap is left in the roster.
8. Whether the roster is being maintained in the form of a running account from year to year.
9. Whether before appointing a general candidate against reserved vacancy, (i) prior approval of the Department of Personnel was obtained in the case of vacancies included in the roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely, and (ii) whether the steps prescribed in para 16 of the Brochure

to secure Scheduled Caste/Tribe candidates were taken in the case of vacancies included in the roster for purely temporary appointments.

10. Whether reservation in confirmation in posts filled by direct recruitment has been correctly determined in accordance with the orders in M.H.A. O.M. No. 31/10/63-SCT(I) dated 27-3-1963 and 2-5-1963.
11. Whether an abstract is given after the last entry in a recruitment year, showing the number of reservations carried forward to the following year separately for Scheduled Castes and Scheduled Tribes. Whether these reservations have been shown as brought forward at the beginning of the roster for the following year.
12. Whether reservations have been carried forward to three subsequent years and exchange of reservations made between Scheduled Castes and Scheduled Tribes as provided in M.H.A. O.M. No. 27/25/68-Est. (SCT) dated 25th March, 1970 before treating them lapsed.
13. Any other remarks.

Summing up

14. Brief recapitulation of defects and shortcomings noticed in the maintenance of the rosters and any other suggestions which the Inspecting Officer has to make, with particular reference to the remarks given during the last inspection.

Signature of Inspecting Officer

Designation

Date

Remarks of Head of
Department/Secretary of _____
the Ministry.

Department of Personnel & Administrative Reforms O.M. No. 1/3/72-Est. (SCT),
dated 12th March, 1973 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in recruitment on a local or regional basis—Revision of percentages—Model roster to give effect to revised percentages of reservation.

The undersigned is directed to refer to this Department's O.M. No. 1/11/69-Est. (SCT), dated 28th September, 1970 in which the percentages of reservation for Scheduled Castes and Scheduled Tribes effective from the date of issue of that O.M. were prescribed for recruitment on a local or regional basis taking into account the proportion of population of Scheduled Castes and Scheduled Tribes to the total population in each of the various States/Union Territories according to the 1961 Census. These percentages have now been revised taking into account the proportion of population of Scheduled Castes and Scheduled Tribes in the various States/Union Territories as revealed by the 1971 Census. The revised percentages of reservation are indicated in columns 3 and 5 of the Annexure to this O.M. It would be seen that there are changes in the percentages of reservation in respect of some States/Union Territories only.

2. Pursuant to the revision of percentages of reservation mentioned in para 1 above, the 100-point rosters prescribed in this Department's O.M. of 28th September, 1970 have also been revised. The revised rosters are shown in the Annexure to this O.M.

3. The revised rosters will come into effect from 1st April, 1973. Vacancies filled on or after that date should be shown in the rosters now prescribed in the Annexure to this O.M. The old roster shall be deemed to have been closed from 31st March, 1973 and the new roster will operate from the point next to the point at which recruitment stopped in the previous roster. The reservations which had to be carried forward in the previous roster shall now be carried over to the new roster.

ANNEXURE to O.M. No. 1/3/72 Est. (SCT) dated 12-3-1973

Statement showing the points to be reserved for Scheduled Castes and Scheduled Tribes in a 100 point roster where recruitment is made on a local or regional basis.

Sl. No.	Name of State/ Union Territory	Scheduled Castes		Scheduled Tribes	
		Percentage of reservation	Actual points to be reserved in a 100 point roster	Percentage of reservation	Actual points to be reserved in a 100 point roster
1	2	3	4	5	6
STATE					
1.	Andhra Pradesh	13	1, 9, 17, 26, 33, 40, 48, 56, 63, 71, 78, 85, 93,	5	4, 24, 45, 66, 87
2.	Assam	6	4, 19, 38, 54, 73, 89,	13	1, 9, 17, 25, 33, 41, 49, 57, 65, 71, 79, 87, 94
3.	Bihar	14	1, 8, 15, 22, 29, 36, 43, 50, 57, 64, 71, 78, 85, 92,	9	4, 17, 26, 38, 48, 59, 69, 81, 94
4.	Gujarat	7	4, 18, 32, 46, 60, 74, 88,	14	1, 8, 15, 22, 29, 36, 43, 50, 57, 64, 71, 78, 85, 92,
5.	Haryana	19	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91	5	4, 24, 44, 64, 84
6.	Himachal Pradesh	22	1, 6, 10, 14, 18, 22, 27, 31, 35, 40, 45, 49, 53, 57, 61, 65, 70, 75, 79, 83, 87, 92,	5	4, 24, 43, 63, 85
7.	Jammu & Kashmir	8	1, 14, 27, 40, 53, 66, 79, 92	5	4, 24, 44, 64, 84
8.	Kerala	9	1, 12, 23, 34, 45, 56, 67, 78, 89	5	4, 25, 43, 64, 84
9.	Madhya Pradesh	13	4, 13, 18, 24, 33, 38, 48, 53, 59, 68, 74, 83, 88	20	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96
10	Maharashtra	6	1, 18, 35, 52, 69, 86	6	4, 21, 38, 55, 72, 89
11	Manipur	2	4, 54	31	1, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39, 42, 45, 48, 52, 56, 59, 62, 65, 68, 71, 74, 77, 80, 83, 86, 89, 92, 95

ANNEXURE—Contd.

1	2	3	4	5	6
12	Meghalaya . . .	1	4	44	1, 6, 9, 11, 13, 15, 18, 20, 22, 24, 27, 29, 31, 33, 36, 38, 40, 42, 45, 47, 49, 51, 53, 56, 59, 61, 63, 65, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98
13	Mysore . . .	13	1, 9, 17, 25, 33, 41, 49, 57, 65, 73, 81, 89, 97	5	4, 22, 44, 63, 84
14	Nagaland . . .	..	..	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
15	Orissa . . .	15	4, 11, 19, 23, 31, 35, 43, 51, 59, 63, 71, 75, 83, 87, 95	23	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 90
16	Punjab . . .	25	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97	5	4, 23, 43, 63, 83
17	Rajasthan . . .	16	1, 7, 13, 19, 26, 32, 38, 43, 50, 56, 62, 67, 74, 81, 88, 95	12	4, 11, 21, 28, 35, 45, 52, 59, 69, 76, 83, 93
18	Tamil Nadu . . .	18	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86	5	4, 24, 44, 64, 84
19	Tripura . . .	13	4, 11, 18, 25, 33, 40, 47, 54, 61, 68, 75, 82, 89	29	1, 6, 9, 13, 16, 20, 23, 27, 30, 35, 38, 42, 45, 49, 52, 56, 59, 63, 66, 70, 73, 77, 80, 84, 87, 91, 93, 96, 98
20	Uttar Pradesh . . .	21	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96, 99	5	4, 24, 44, 64, 84
21	West Bengal . . .	20	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96	6	4, 23, 38, 54, 73, 89

ANNEXURE- contd.

1	2	3	4	5	6
UNION TERRITORIES					
1	A. & N. Islands	..	..	16	1, 7, 13, 20, 26, 32, 38, 44, 50, 57, 63, 69, 75, 81, 87, 93
2	Arunachal Pradesh	..	..	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
3	Chandigarh	12	1, 10, 19, 28, 37, 46, 55, 65, 73, 82, 91, 99	5	4, 24, 44, 63, 84
4	Dadra & Nagar Haveli	2	4, 54	43	1, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 51, 57, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 95, 98
5	Delhi		Rosters prescribed for recruitment on All India basis to be followed.		
6	Goa, Daman & Diu	2	4, 54	5	1, 21, 41, 61, 81
7	L.M. & A. Islands	..	..	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
8	Pondicherry	16	1, 7, 13, 20, 26, 32, 38, 45, 50, 56, 62, 68, 74, 80, 86, 92	5	4, 24, 43, 64, 8

Note: - (1) If there are only two vacancies to be filled in any recruitment year, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If on this account a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent three recruitment years, if necessary.

(2) Even though in a particular State/Union Territory, the population percentage of Scheduled Tribes is less than 5%, a minimum reservation of 5% has been provided for that community.

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Department of Personnel & Administrative Reforms O.M. No. 1/3/72-Estt. (SCT),
dated 15th May, 1974 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in recruitment on a local or regional basis—revision of percentages—model roster to give effect to revised percentages of reservation.

The undersigned is directed to refer to this Department's Office Memorandum No. 1/3/72-Estt. (SCT), dated 12th March, 1973, prescribing the revised percentages of reservation for Scheduled Castes and Scheduled Tribes for recruitment on a local or regional basis, on the basis of the proportion of the population of Scheduled Castes and Scheduled Tribes in various States/Union Territories according to 1971 Census and to say that in partial modification thereof, the percentages of reservation in respect of the State of Assam and the Union Territory of Mizoram (formerly constituting Mizo District of Assam State) have now been prescribed separately for the State and the Union Territory. These percentages and the 100 point rosters in respect of the State of Assam and Union Territory of Mizoram are shown in the Annexure.

2. The revised rosters will come into effect from 1st June, 1974. Vacancies filled on or after that date should be shown in the rosters now prescribed in the Annexure to this Office Memorandum. The old roster shall be deemed to have been closed from 31st May, 1974 and the new roster will operate from the point next to the point at which recruitment stopped in the previous roster. The reservations which had to be carried forward in the previous roster will now be carried over to the new roster.

ANNEXURE

(To O.M. No. 1/3/72 EST(SCT) dated 15-5-1974)

Statement showing the points to be reserved for Scheduled Castes and Scheduled Tribes in a 100 point roster where recruitment is made on a local or regional basis

Sl. No.	Name of State/ Union Territory	Scheduled Castes		Scheduled Tribes	
		Percentage of reservation	Actual points to be reserved in a 100 point roster	Percentage of reservation	Actual points to be reserved in a 100 point roster.
STATE					
1	Assam	6, 4, 19, 38, 54, 73, 89		11	1, 10, 21, 30, 40, 49, 58, 67, 76, 85, 94
UNION TERRITORY					
2	Mizoram		....	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99,

Department of Personnel & Administrative Reforms O.M. No. 10/52/73-Estt. (SCT), dated 24th May, 1974 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in posts filled by direct recruitment through examination—Reservation roster and order of appointments.

The undersigned is directed to say that the rosters which have been prescribed to give effect to the reservations for Scheduled Castes and Scheduled Tribes vide O.M. No. 1/11/69-Estt.(SCT), dated 22-4-1970 and No. 1/3/72-Estt.(SCT), dated 12-3-1973 are for determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in any particular examination, recruitment etc. and the roster is not for determining the order of actual appointment or for the purpose of determining seniority. After determining the number of reserved vacancies on the basis of the roster, the names of the selected candidates both general as well as those belonging to Scheduled Castes/Scheduled Tribes are arranged in the order of their *inter-se* merit. Since in the case of direct recruitment through examination, generally all the selected candidates are appointed simultaneously, the question as to in which order appointments should be made against reserved vacancies, will not arise normally. However, a case has come to the notice of this Department in which all the candidates selected for appointment by direct recruitment through examination could not be appointed at the same time and offers of appointment were sent to a few candidates only, without however taking into account the reservations for Scheduled Castes and Scheduled Tribes which would have become due separately in those appointments. The remaining candidates were appointed in subsequent batches. As a result, some of the Scheduled Castes/Scheduled Tribes candidates who should have been appointed in the first batch itself were appointed only in the second batch. Where all appointments through examination for direct recruitment cannot be made simultaneously, the correct procedure would be to determine the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes separately according to the roster in each batch of appointments and to make appointment of the required number of general and Scheduled Castes/Scheduled Tribes candidates in the batch.

2. The Ministry of Finance etc. are requested to bring the above instructions to the notice of all the appointing authorities under them.

Department of Personnel & A.R. O.M. No. 36011/1/76-Estt.(SCT), dated the 6th March, 1976, to all Ministries etc.

Subject:—Strict observance of the orders regarding reservation for Scheduled Castes and Scheduled Tribes—proper maintenance of rosters.

The undersigned is directed to say that instances have come to the notice of this Department where, in some offices, rosters prescribed for giving effect to the orders regarding reservation for Scheduled Castes and Scheduled Tribes were not maintained properly or in the prescribed form or entries were not signed by the appointing authority or other authorised officer, etc. Instances have also come to notice where the rosters were not inspected by the Liaison Officers although according to the instructions contained in this Department's Office Memorandum No. 27/4(ii)/70-Estt.(SCT), dated the 3rd September, 1970 and No. 8/8/71-Estt.(SCT), dated the 22nd April, 1971, the Liaison Officers in Ministries/Departments or in offices under the Heads of Departments, are required to conduct annual inspection of the rosters in the prescribed proforma. Ministry of Finance etc. are therefore requested to impress upon the appointing authorities under them, the need for strict observance of the reservation and other orders relating to representation of Scheduled Castes and Scheduled Tribes, including those relating to maintenance and annual inspection of rosters etc. Inspection by the Liaison Officers of the roster etc. should also be done. A record of the inspections made and of the reports should be properly kept. Attention is invited in this connection to the instructions contained in this Department's Office Memorandum No. 27/2/71-Estt.(SCT), dated the 24th March, 1972 according to which cases of negligence or lapses in the matter

of following the reservation and other orders relating to representation of Scheduled Castes and Scheduled Tribes coming to light through the inspections carried out by the Liaison Officers or otherwise, are to be submitted to the Secretary/Additional Secretary to the Government of the respective Ministries/Departments and to the Heads of Departments in respect of offices under a Head of Department and necessary action taken as directed by the Secretary/Additional Secretary/Head of Department on such reports to ensure strict compliance of these orders by the appointing authority concerned. This aspects may also kindly be brought to the notice of all concerned.

Department of Personnel & Administrative Reforms O.M. No. 36011/11/75-Estt (SCT), dated 30th May, 1977 to all Ministries etc

Subject:—Maintenance of rosters for reservation for Scheduled Castes and Scheduled Tribes—Clarification regarding.

The undersigned is directed to refer to the instructions Nos. 3 and 4 of the detailed instructions for maintenance of rosters for reservations for Scheduled Castes and Scheduled Tribes given in Appendix 5 of the Brochure on reservations for Scheduled Castes and Scheduled Tribes, which read as follows:—

Instruction No. 3.—Immediately after an appointment has been made the particulars of the persons appointed will be entered in the register in the appropriate columns and the entry signed by the appointing authority or by the officer authorised to do so.

Instruction No. 4.—No gap should be left in completing the roster. For example, if a reserved vacancy at, say, point 25, has to be treated, for want of a suitable Scheduled Castes/Scheduled Tribes candidate, as unreserved, the candidate actually appointed will be shown against the point itself. Scheduled Caste/Scheduled Tribe candidate recruited late in the year against an unreserved point will be shown against such point.

It has come to the notice of this Department that some Ministries/Department have doubts as to whether the entries in the roster should be made strictly according to the dates of joining or merit etc. of the candidates even if this results in the names of Scheduled Castes/Tribes candidates selected against reserved vacancies being shown against unreserved points in the roster. In this connection, it is clarified that it should be ensured that the names of the Scheduled Castes and Scheduled Tribes who have been selected against the reserved vacancies are shown against the respective reserved points in the roster as and when they join. In cases where a point in the roster is earmarked for recruitment of Scheduled Castes/Scheduled Tribes and necessary action to fill that vacancy by a candidate of the reserved community has already been initiated and is in progress, there would be no objection to keeping the reserved point temporarily unfilled till the reserved community candidate joins or till the reserved vacancy is dereserved. This need not be treated as leaving a gap in the roster. Instruction No. 4 referred to above according to which no gap should be left in the roster would require that while notifying vacancies, only the consecutive points in the roster should be taken into account without leaving any gap. Fresh recruitment should start from the point next to the point at which the previous recruitment actually ended.

Department of Personnel & A.R. O.M. No. 16/3/73-Estt. (SCT), dated 27th December, 1977 to all Ministries/Departments, etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—carry forward of unfilled reservations—No higher limit for normal reservations and carry forward reservations with reference to total vacancies in a year.

The undersigned is directed to refer to the instructions contained in the Ministry of Home Affairs O.M. No. 2/24/63-Estt.(D), dated 4-12-63 read with O.M. No. 1/4/64/SCT (I), dated 2-9-1964 and Department of Personnel & A.R. O.M. No. 1/4/70-Estt.(SCT), dated 11-11-71 according to which in any recruitment year, the number of normal reserved vacancies and the carried forward reserved vacancies

together should not exceed 50% of the total number of vacancies filled in that year. The question whether, in those cases where the number of current reserved vacancies and the carried forward reserved vacancies put together exceeds 50% of the vacancies filled in that year because of the large carry forward from previous years, the ceiling of 50% for reservation can be exceeded was considered recently in the light of the observations contained in the judgements given severally by the seven judges of the Supreme Court in the case of "State of Kerala and another versus N. M. Thomas and others". Government have been advised that there should be no objection to exceeding the limit of 50% by way of reservations in such cases because of the carry forward of vacancies, keeping, however, in view the over-all representation in the case of Scheduled Castes and Scheduled Tribes. It has now been decided that for future, in partial modification of the instructions contained in the O.M. dated 4-12-1963, 2-9-1964 and 11-11-1971, the carried forward reserved vacancies would be available together with the current reserved vacancies for utilisation even where the total number of such reserved vacancies exceeds 50% of the vacancies filled in that year provided, however, the over-all representation of SC & ST in the total strength of the concerned grade or cadre is found to be inadequate i.e. the total number of Scheduled Castes/Scheduled Tribes candidates in that grade has not reached the prescribed percentages of reservation for Scheduled Castes/Scheduled Tribes respectively in the grade, as a whole.

2. The instruction contained in this Department's O.M. No. 1/9/74-Estt.(SCT), dated 29-4-1975 regarding reservation and carry forward in respect of a single vacancy will also continue to apply.

3. Other instructions on the subject, if any, may be deemed to be modified to the extent necessary consistently with the above instructions.

4. The above instructions take effect from the date of issue of these orders except where rules for a competitive examination have already been published or where selections to posts to be filled by direct recruitment or for posts to be filled by promotion have already been finalised prior to the issue of these orders.

5. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

Department of Personnel & A.R. O.M. No. 36011/3/79-Estt. (SCT), dated the 18th May, 1979 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in recruitment on a local regional basis—Model Roster to give effect to the percentages of reservation in relation to the State of Sikkim.

The undersigned is directed to refer to this Department's Office Memorandum No. 1/3/72-Estt.(SCT), dated the 12th March, 1973 and 15th May, 1974 prescribing the percentages of reservation for Scheduled Castes and Scheduled Tribes for recruitment on a local or regional basis taking into account ratio of the population of the Scheduled Castes and Scheduled Tribes according to the 1971 Census to the total population in the respective States/Union Territories. The Scheduled Castes and Scheduled Tribes in relation to the State of Sikkim have been notified in the Constitution (Sikkim) Scheduled Castes Order, 1978 and the Constitution (Sikkim) Scheduled Tribes Order, 1978. The percentages of reservation for Scheduled Castes and Scheduled Tribes in the Services/posts under the Central Government offices in Sikkim and the roster to be followed for recruitment on a local or regional basis within the State of Sikkim have now been worked out and are given in Annexure. Ministry of Finance etc. are requested that while making recruitment to posts, services etc. under them, located in the State of Sikkim and filled on a local or regional basis, they may provide reservations for Scheduled Castes and Scheduled Tribes as per the roster points shown in the Annexure.

ANNEXURE

Statement showing the points to be reserved for Scheduled Castes and Scheduled Tribes in 100 point roster where recruitment is made on a local or regional basis.

Sl. No.	State	Scheduled Castes		Scheduled Tribes	
		Percentage of Reservation	Actual points to be reserved in a 100 points roster	Percentage of reservation	Actual points to be reserved in a 100 points roster
1	2	3	4	5	6
1.	SIKKIM	5	4, 23, 43, 63, 83	25	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97

NOTE:—If there is only one vacancy, in a particular year which falls on a reserved point in the roster, it will be treated as unreserved in the first instance and filled accordingly but the reservation should be carried forward to subsequent year(s). In the subsequent year(s) of recruitment, the reservation should be applied by treating the vacancy arising in that year as reserved even though there might be only a single vacancy in that subsequent year(s).

Department of Personnel & A.R. O.M. No. 36011/46/81-Estt. (SCT) dated 4-2-82

Subject:—Adjustment of reserved points in the rosters filled by general candidates on compassionate grounds or from Surplus Cell—Clarification regarding.

Attention of this Department has been drawn to the following two situations:

- (i) where SC/ST candidates are appointed on compassionate grounds or due to recommendations of the Surplus Cell against (a) unreserved (b) reserved points of the roster; and
- (ii) where general category candidates are appointed on compassionate grounds or due to recommendations of the Surplus Cell against reserved points of the roster.

for a decision as to how the reserved points should be adjusted in such cases. The points involved have been examined and clarifications as below are brought to the notice of all Ministries/Departments for necessary guidance and observance.

2.1 Situation (1)(a). SC/ST Candidates appointed on compassionate grounds or in pursuance of recommendation of Surplus Cell against Unreserved vacancy.

When SC/ST candidates are appointed on compassionate grounds or on recommendations of the Surplus Cell against *unreserved* points of rosters, such appointments are *not* to be adjusted against reserved points occurring in future recruitment years. For example, a vacancy falling at the unreserved point No. 6 of the 40 point roster is filled by a SC candidate on compassionate ground. This SC candidate's appointment against unreserved point may not be adjusted against reserved point 8 of the roster which may occur in future.

2.2 Situation (1)(b): SC/ST candidates appointed on compassionate grounds or in pursuance of recommendations of the Surplus Cell against reserved vacancy.

If, however, a reserved point is filled up by a compassionate (or a surplus cell) appointee who happens to be a member of SC/ST, the reservation will be deemed to have been consumed and no carry-forward will be admissible. Even if such a vacancy on the reserved point happens to be the single vacancy of a year, it will not be treated as unreserved but, in view of beneficiary being in fact a SC/ST member, will be treated as reserved.

2.3 Situation (ii): General category candidates appointed on compassionate grounds or on recommendations of Surplus Cell against reserved vacancies.

When general category candidate(s) are appointed on compassionate grounds or on recommendations of the Surplus Cell against reserved point(s) of the roster, the reserved point(s) may merely be shifted to the next point(s) in the roster, and not dereserved, carried forward, so as to ensure the appointment of a reserved candidate in the next recruitment occasion, without the procedural formalities of dereservation, carry forward etc. The process of dereservation and carry-forward will start from such future recruitment year(s) in the event of non-availability of reserved category candidates at that stage. This would prevent the loss of one recruitment year for the candidates of the reserved communities by counting the dereservation time with effect from the subsequent recruitment occasion.

It is further clarified that when the initial reserved point against which a compassionate or surplus cell appointment has been made is shifted to the next point, the latter point would be treated as reserved, even if it happens to be a single vacancy in that recruitment year and the provisions of Deptt. of Personnel's O.M. No. 1/9/74-Estt.(SCT), dated 29-4-1975 will not be applicable. For example, a general category candidate has been appointed against point 8 of the 40 point roster on compassionate ground. Point 8 should not be dereserved but by merely shifting it to the next point, point of which may come up for filling as in the next recruitment occasion year, should be treated as reserved for SC, and even if it

happens to be a single vacancy, it should be treated as reserved, and not unreser as provided in the O.M. of 29-4-1975. In case of non-availability of SC/ST ca dates, the process of dereservation and carry-forward will start from the time p No. 9 is being filled.

2.4 General category candidates appointed on compassionate grounds or due recommendations of surplus cell against a single vacancy falling on a reserved point.

However, where a single vacancy falling on a reserved point is to be filled by a general category candidate on compassionate appointment or by a candid from Surplus Cell, the vacancy, being a single one, will be treated as unreser and carried forward in terms of the orders of 29-4-1975 and there will be occasion for shifting the point as per para 2.3 above.

Ministry of Finance etc. are also requested to bring the contents of this O. to all their attached and subordinate offices for compliance.

Para 4.3 (iv) should now be read as given below:

"Permanent vacancies which occur due to death, retirement, resignation or for any other reason and which are also physical vacancies will be shown in a separate roster and reservation determined accordingly."

(Relevant instruction quoted below)

Department of Personnel & A.R. O.M. No. 36011|12|82-Estt(SCT) dated 25-6-82 to all Ministries|Departments.

Subject: Reservation in confirmation for Scheduled Castes and Scheduled Tribes maintenance of roster.

The undersigned is directed to refer to the subject mentioned above and to draw attention to para 4.3 of Chapter 4 of the Brochure on Reservation for Scheduled Castes and Scheduled Tribes (1978, 5th edition) reproduced below:—

- "(i) A common roster should be maintained for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely.
- (ii) A separate roster should be maintained for purely temporary appointments of 45 days or more but which have no chance whatever of becoming permanent or continuing indefinitely.
- (iii) A temporary post included in the roster at the time of initial appointment when converted into a permanent post later will not after such conversion, be shown again in that roster but will be treated as reserved or unreserved according to the point at which it fell when it was initially filled.
- (iv) Permanent vacancies which occur due to death, retirement, resignation or for any other reason and which are also physical vacancies, will be shown in the roster at (i) above and reservation determined accordingly.

2. Clarifications from this Department have been sought by various Ministries/ Departments as to how to reflect the points for confirmation in the roster. It has now been decided that for physical vacancies mentioned at para 4.3 (iv), a separate 40 point or 100 point roster, as the case may be, the type of the roster which was maintained at the time of initial appointment, should be maintained after the issuance of this Office Memorandum. Carry forward reservations from earlier confirmations should be brought over to the new roster. As in all appointments, orders regarding single vacancy contained in Department of Personnel and Administrative Reforms, O.M. No. 1|9|74—Estt. (SCT), dated 29-4-1975 and regarding limiting of reservation to 50 per cent contained in O.M. No. 36012|3|78-Estt. (SCT), dated 9-2-1982 will also apply in such confirmations.

3. Cases of conversion of temporary posts into permanent will continue to be governed by para 4.3 (iii) of the Brochure. In other words when temporary posts are converted into permanent, they need not be shown in the roster again but will be treated as reserved or unreserved according to the point at which it fell when it was initially filled.

4. Ministry of Finance etc. are requested to bring the contents of this Office Memorandum to the notice of all their attached and subordinate offices.

CHAPTER 5

ANNUAL STATEMENTS

MHA DO 5.1 (a) As soon after the first of January of every year
No. 29/47/ as possible and latest by first of March, each appointing au-
66-Est-(C) thority should send to the Ministry/Department concerned:—
dt. 13-12-66

and Deptt.
of Per-
sonnel &
A.R.O.M.
No. 36027/
7/75-Est-
(SCT)

dated 17-1-
1976 and
No. 36022/
6/76-Est.
(SCT)

dated
10-5-1976.
Deptt. of
Personnel
A.R.O.M.
No.

36027/1/81
Estt

(SCT)

dated
17-2-81.

Deptt. of
Personnel
&

A.R.O.M.
No.

36027/9/
78-Estt.

(SCT)

dated 16-
11-78.

(i) A statement in the form given in Appendix 8 showing the total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on the 1st January of the year.

(ii) A statement in the form given in Appendix 9 showing the particulars of recruitment made, during the calendar year and the numbers filled by Scheduled Castes and Scheduled Tribes. (A copy of the statement should be sent simultaneously by each appointing authority to the Department of Personnel and Administrative Reforms also).

(iii) A statement in three parts in the form given in Appendix 8-A in respect of the organised services, if any, controlled by the Appointing authority, showing the representation of Scheduled Castes and Scheduled Tribes in the various grades of the service on the first day of the last year, the particulars of recruitment to the various grades during the last year, and the resultant position regarding their representation grade-wise in these Services as on the 1st January of the current year.

(iv) A statement in Appendix-12 showing the class-wise number of reserved vacancies included in the roster for purely temporary appointments, which were treated as dereserved during the preceding year.

(b) Each Ministry/Department should send to the Department of Personnel and Administrative Reforms by the 31st March of each year:—

- (i) A consolidated statement in the form given in Appendix 8 in respect of all offices and establishments under its control including its own;
- (ii) A consolidated statement in the form given in Appendix 9 in respect of all offices and establishments under its control including its own; and
- (iii) Statements in forms given in Appendix 8 & 9 in respect of its own establishment.
- (iv) A consolidated statement in three parts in the form given in Appendix-8-A reflecting grade-wise the position of the representation of Scheduled Caste/Scheduled Tribe officers in the Organised Services controlled by the Ministry/Department on the first of January of the last year; the particulars of recruitment to the various grades of the service during the last year and the position of representation of Scheduled Caste/Scheduled Tribes officers, grade-wise, in the service on the 1st day of January of the current year.

Dept. of
Personnel
A.R.O.M.
No. 36027/
9/78
(SCT)
dated
18-11-78

(c) The information in respect of Public Sector Undertakings, Statutory, Semi-Government and Autonomous Bodies should *not* be included in the consolidated statements referred to in Sub-para (b) above. The Statutory, Semi-Government and Autonomous Bodies should furnish the consolidated information in the prescribed Proforma to the administrative Ministries, endorsing a copy to this Department. As regards the public sector undertakings, the instructions contained in the Bureau of Public Enterprises O.M. No. 6/33/75- BPE(IC) dated 17-12-75 may be followed.

Dept. of
Personnel
&
A.R.O.M.
No. 36027,
1/79-Estt.
(SCT)
dated
1-2-1979.

5.2 The Ministry/Department should scrutinise the annual statements in respect of all establishments and services in or under the control of the Ministry/Department. The annual statements will also be test-checked by the Department of Personnel and Administrative Reforms.

5.3 The Liaison Officers nominated in the Ministries/Departments and in offices under Heads of Departments will ensure timely submission of annual statements by each appointing authority in the offices under their charges and will also ensure scrutiny and consolidation of these statements. They will also ensure timely submission of consolidated statements in Appendix 8 and 9 to the Department of Personnel and Administrative Reforms (The duties of liaison Officers are given in detail in Chapter 15).

Deptt. of Personnel & A.R. O.M. No. 36022/76-Est., (SCT) dated 10-5-1976.

5.4 The recommendations of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes in the 41st Report for ensuring submission of annual statements within the stipulated time limit and their critical examination have been specifically brought to the notice of the Ministries/Departments. They are to ensure timely submission of annual statements in Appendix 8 and 9 and to see that no appointing authority lags behind in this respect. Failure to submit these statements in time without any valid reasons is to be brought to the notice of the Secretary/Additional Secretary to the Government in the Ministry/Department or to the Head of the Department in respect of offices under a Head of Department. It is also to be ensured that the annual statements on their receipt in the Ministry/Department are critically examined and analysed and the deficiencies noticed, if any are pointed out to the appointing authorities concerned expeditiously so that they could take necessary corrective measures without any delay.

Deptt. of Personnel & A.R. O.M. No. 36024/8/76-Est. (SCT) dt. 9-11-77.

5.5 While furnishing the figures of representation of Scheduled Castes and Scheduled Tribes in the services (under the various Groups A, B, C & D), the posts of Sweepers should not be included as such inclusion results in inflating the figures of representation of Scheduled Castes in Class IV (Group D). In the annual statement in Appendix 8 prescribed vide para 5.1 above, information is required to be given separately in respect of "Class IV (excluding Sweepers)" and "Class IV (Sweepers)". In any other statistical information relating to representation of Scheduled Castes and Scheduled Tribes called for by the Department of Personnel & Administrative Reforms or by the Office of the Commissioner for Scheduled Castes and Scheduled Tribes or by any other authority, the information in respect of Class IV should not include the number of Sweepers appointed in the office/establishment etc. Such information, if necessary in regard to Sweepers/Scavengers should be given separately.

Deptt. of Personnel & A.R. O.M. No. 36012/77-Est. (SCT) dated 21-1-1978.

5.6 Ministries/Departments should also furnish to the Department of Personnel & Administrative Reforms by the 30th April every year an annual statement in the proforma in Appendix-19 showing the number of Scheduled Castes/Scheduled Tribes appointed in posts filled by deputation in pursuance of the above instructions. Ministries/Departments are further requested to send only one consolidated statement in respect of the Ministry/Department including all its attached and subordinate etc. offices.

COPIES OF OFFICE MEMORANDA ETC.
ON
CHAPTER 5

D.O.No.29/47/66-Estt.(C)	13-12-66
O.M.No.17/3/70-Estt.(SCT)	1-1-72
O.M.No.36027/7/75-Estt.(SCT)	17-1-76
O.M.No.36022/6/76-Estt.(SCT)	10-5-76
O.M.No.36024/8/76-Estt.(SCT)	9-11-77
O.M.No.36027/9/78-Estt.(SCT)	18-11-78
O.M.No.36027/1/79-Estt.(SCT)	1-2-79
O.M.No.36027/1/81-Estt.(SCT)	17-2-81

M.H.A. D.O. Letter No. 29/47/66-Estt.(C), dated 13th December, 1966 to all Ministries

Under para 11(a)(ii) of the Brochure regarding reservations for Scheduled Castes and Scheduled Tribes in services issued, *vide* this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27th April, 1962 each appointing authority in the *attached and subordinate offices* is to send to the concerned administrative Ministry, information in the statement in Appendix 9 to the Brochure (copy enclosed), showing the particulars of recruitment made in a calendar year and the number filled by Scheduled Caste and Scheduled Tribe candidates. According to para 12 of the Brochure, the Ministry of Home Affairs is to call these statements for test-checking from not more than 10% of the attached and subordinate offices. However, it was later decided in this Ministry's Office Memorandum No. 29/1(1)/63-SCT(I), dated 19th March, 1963, that *all* attached and subordinate offices under Ministries/Departments should furnish annually to the Ministry of Home Affairs also, statements in Appendix 9 to the Brochure and these orders of 19th March, 1963, were extended from year to year. [In this connection, a reference is invited to this Ministry's Office Memorandum No. 29/47/65-Estt.(C), dated 7th January, 1966, relating to submission of the statements in Appendix 9 for the year 1965 by all attached and subordinate offices]. Thus, statements in Appendix 9 to the Brochure are being submitted annually to this Ministry by all attached and subordinate offices. The Ministries/Departments are also furnishing to this Ministry, statements in Appendix 9 in respect of the Ministry/Department proper in accordance with para 11(c) of the Brochure. All these statements in Appendix 9 received in this Ministry from Ministries/Departments and their attached and subordinate offices are checked and errors, wherever found, intimated by this Ministry to the concerned offices for rectification.

2. On a review of the various statements in regard to representation of Scheduled Castes and Scheduled Tribes received in this Ministry, it has now been decided that the annual Statements in Appendix 9 to the Brochure in respect of the Ministries/Departments proper [*vide* para 11(c) of the Brochure] should continue to be sent to this Ministry as usual. As for attached and subordinate offices, the provisions of the Office Memorandum of 7th January, 1966 referred to in para 1 above, are *hereby extended* so as to require submission to this Ministry of statements by all attached and subordinate offices for the year 1966 and for subsequent years, by 31st March every year. The Office Memorandum of 7th January, 1966 will not hereafter be formally extended on year to year basis. Further, it would hereafter be the responsibility of each Ministry/Department etc. to scrutinise all the statements in Appendix 9 in respect of the attached and subordinate offices under the respective Ministry/Department etc. which are being submitted to them by their attached and subordinate offices under para 11(a)(ii) of the Brochure. The Liaison Officer in each Ministry/Department will with reference to para 33 of the Brochure, ensure that this scrutiny is done in the Ministry/Department and errors, if any, intimated to the offices concerned for necessary rectification.

3. The above arrangement will be effective starting from the annual statements for the year 1966. Accordingly, the Ministries/Departments should instruct all their attached and subordinate offices to furnish the annual statements in Appendix 9 for the year 1966, to the concerned Ministry, and to the Ministry of Home Affairs, not later than 31st March, 1967 and ensure that the scrutiny of the statements in respect of all attached and subordinate offices is done in the Ministry/Department. Copies of the instructions issued by the Ministries etc. (together with the list of their attached and subordinate offices) may please be endorsed to this Ministry. Each Ministry/Department may also furnish to this Ministry annual statements in Appendix 9 in respect of its own establishment for the year 1966, before 31st March, 1967.

Department of Personnel O.M. No. 17/3/70-Estt.(SCT), dated the 1st January, 1972 to all Ministries etc.

Subject:—Annual statement regarding representation of Scheduled Castes and Scheduled Tribes in services in Appendix 8 and 9 for 1971 (as on 1-1-72).

The undersigned is directed to say that according to para 11 of the Brochure on reservations for Scheduled Castes and Scheduled Tribes issued with Ministry of Home Affairs Office Memorandum No. 1/1/69-Estt.(SCT), dated 22nd December,

1969. each appointing authority is required to send to the Ministry/Department concerned the following annual statements, as soon after the 1st of January, as possible and latest by 1st of March:—

- (1) *Appendix 8*: Statement showing total number of Government employees and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January of the year.
- (2) *Appendix 9*: Statement showing the particulars of recruitment made during the calendar year and the number filled by Scheduled Castes and Scheduled Tribes. (A copy of this statement is to be sent simultaneously by each appointing authority to the Department of Personnel).

Ministries/Departments are required to send consolidated statements in *Appendix 8* and *Appendix 9* in respect of all offices and establishments under their control, to the Department of Personnel. They are also required to send annual statements in respect of their own establishment to the Department of Personnel.

2. The proformas of annual statements in *Appendix 8* and *9* have now been revised. A copy each of the revised proformas is enclosed.* Notes have been given below the proformas to facilitate filling in the proformas correctly. Ministry of Finance etc. are requested to issue instructions immediately to their attached and subordinate offices, asking them to furnish the annual statements as mentioned in para 1 above for the year 1971 in the revised proformas to the Ministry/Department with copy of statement in *Appendix 9* to this Department latest by 1st of March, 1972.

3. Ministry of Finance etc. are also requested to furnish to this Department one consolidated statement each in *Appendix 8* and *Appendix 9* for the year 1971 (in the same proformas attached to this OM) in respect of the Ministry/Department including all its attached and subordinate offices. The consolidated statements may please be furnished as early as possible and latest by 31st March, 1972.

Department of Personnel & A.R. O.M. No. 36027/7/75-Estt. (SCT), dated the 17th January, 1976 to all Ministers etc.

Subject:—Annual statement regarding representation of Scheduled Castes and Scheduled Tribes in services in *Appendix 8* and *9* for 1975 (as on 1st January, 1976).

The undersigned is directed to say that according to para 14 of the Brochure (Fourth Edition, 1975) on Reservations for Scheduled Castes and Scheduled Tribes, each appointing authority is required to send to the Ministry/Department concerned, the following annual statements, as soon after the 1st January as possible and latest by 1st March:—

1. *Appendix 8*:—Statement showing total number of Government employees and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January, of the year.
2. *Appendix 9*:—Statement showing the particulars of recruitment made during the calendar year and the number filled by Scheduled Castes and Scheduled Tribes. (A copy of this statement is to be sent simultaneously by each appointing authority to the Department of Personnel and Administrative Reforms).

Ministries/Departments are required to send consolidated statements in *Appendix 8* and *Appendix 9* in respect of all offices and establishments under their control, to the Department of Personnel and Administrative Reforms. They are also required to send annual statements in respect of their own establishment to the Department

*See Appendices 8 and 9 in Part II.

of Personnel and Administrative Reforms. A copy each of the proformae for furnishing the annual statement in Appendix 8 and Appendix 9 (revised) is enclosed. The proforma of Appendix 9 has now been revised so as to have the information regarding the number of vacancies reserved and those filled by Scheduled Castes and Scheduled Tribes candidates etc., separately in post filled by direct recruitment and in posts filled by promotion.

2. Ministry of Finance etc. are requested to issue instructions immediately to their attached and subordinate offices, asking them to furnish the annual statements as mentioned in para 1 above for the year 1975 in the attached proformae to the Ministry/Department with a copy of Statement in Appendix 9 to this Department latest by 1st March, 1976.

3. It has been observed that in the past consolidated information in Appendix 8 and Appendix 9 in respect of the Ministry/Department (including all its attached and subordinate offices) was not received in this Department by the due date i.e. 31st March and even after several reminders, some Ministries/Departments were not in a position to send the requisite information. On account of non-receipt of the required information from some Ministries/Departments compilation of the statistical information in this regard for the entire Government of India gets delayed. It is therefore requested that the Ministry of Finance etc. may please impress upon all the appointing authorities under them the need of furnishing the statements in time. It should be ensured that one consolidated statement each in Appendix 8 and Appendix 9 in respect of the entire Ministry/Department including all its attached and subordinate offices for the year 1975 (as on 1-1-1976) is sent to this Department latest by 31st March, 1976.

4. In the case of organised Services e.g. Indian Statistical Service, Indian Economic Service, Central Secretariat Service etc., the information in Appendix 8 should be furnished by the cadre authorities concerned i.e. by the Ministries/Departments where the officers of the Service are working. As regards information in Appendix 9, this should be furnished by the cadre authorities if reservation roster etc. is maintained by the cadre authority. In cases where the reservation roster is maintained centrally by the Ministry/Department controlling the Service, information in Appendix 9 should be furnished by such controlling Ministry/Department.

5. The information in respect of Public Sector Undertakings, Statutory, Semi-Government and autonomous bodies should not be included in the consolidated statement referred to in para 3 above. As regards statutory, semi-Government and autonomous bodies, they may be asked to furnish to the Ministry/Department with a copy to this Department, the annual statements in Appendix 8 and Appendix 9 for the year 1975 in the proforma attached to this Office Memorandum. As regards Public Sector Undertakings, the annual statements for the year 1975 may be furnished in accordance with the instructions issued by the Bureau of Public Enterprises in their O.M. No. 6/33/75-BPE(IC), dated 17th December, 1975.

Department of Personnel & A.R. O.M. No. 36022/6/76-Estt. (SCT), dated the 10th May, 1976 to all Ministries etc.

Subject:—Submission of annual Statements regarding representation of Scheduled Castes and Scheduled Tribes in services in Appendix 8 and 9—Recommendations of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes has *inter-alia* made the following recommendations in its 41st Report:—

Recommendation No. 28:

The Committee note that all appointing authorities are required to send annual statements regarding recruitment etc. of Scheduled Castes and Scheduled Tribes to the concerned Ministries/Departments and the Ministries/Departments are required in turn to send such statements to the Department of Personnel and Administrative Reforms. The Committee feel that the very purpose of submitting these annual statements will be defeated, if they are not submitted in time. The Committee would like the Department of Personnel & Administrative Reforms and the Bureau of Public Enterprises to ensure that these annual statements are submitted by the

appointing authorities to the concerned Ministries/Departments and by the concerned Ministries/Departments to the Department of Personnel and Administrative Reforms/Bureau of Public Enterprises strictly within the stipulated time limit. Failure to submit these statements in time should be regarded as a serious lapse on the part of the Head of the concerned Ministry/Department.

Recommendation No. 29:

The Committee also suggest that these annual statements, on receipt by the concerned Ministries/Departments and the Department of Personnel and Administrative Reforms/Bureau of Public Enterprises should be critically examined and analysed and the deficiencies noticed should be pointed out to the appointing authorities/Ministries/Departments expeditiously, so that the appointing authorities and the concerned Ministries/Departments could take necessary corrective measures without any delay.

2. According to the instructions in para 14 of the Brochure, the annual statements regarding representation of Scheduled Castes and Scheduled Tribes in services in Appendices 8 and 9 are required to be sent by each appointing authority to the Administrative Ministry/Department as soon after the 1st January, as possible and latest by 1st March. Ministries/Departments are required to scrutinize the annual statements in respect of all establishments and services in or under the control of the Ministry/Department. The Liaison Officers nominated in the Ministries/Departments and in Offices under the Heads of Departments are to ensure timely submission of annual statements by each appointing authority in the offices under their charges and also to ensure scrutiny and consolidation of the statements. They are also required to ensure timely submission of consolidated statements to the Department of Personnel and Administrative Reforms. Ministries/Departments have also been asked from time to time to impress upon all the appointing authorities under them the need for furnishing the annual statements in time and to ensure that consolidated statements for the entire Ministry/Department are sent to the Department of Personnel & Administrative Reforms by the due date.

3. The recommendations of the Parliamentary Committee on the Welfare of Scheduled Castes/Scheduled Tribes reproduced above are again specifically brought to the notice of the Ministries/Departments. It should be ensured that annual statements in Appendices 8 and 9 are submitted by the appointing authorities to the Ministry/Department strictly within the stipulated time limit. It should also be ensured that no appointing authority lags behind in this respect. Failure to submit these statements in time without any valid reasons should be brought to the notice of the Secretary/Additional Secretary to the Government in the Ministry/Department or to the Head of the Department in respect of offices under a Head of Department. It should also be ensured that the annual statements on their receipt in the Ministry/Department are critically examined and analysed and the deficiencies noticed, if any, are pointed out to the appointing authorities concerned expeditiously so that they could take necessary corrective measures without any delay.

4. In regard to the annual statements in respect of Public Sector Undertakings, the instructions issued by the Bureau of Public Enterprises from time to time should be followed.

Department of Personnel & A.R. O.M. No. 36024/8/76-Estt. (SCT), dated 9-11-77
to all Ministries/Departments, etc.,.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—Posts of Sweepers and Scavengers—not to be grouped with other isolated Class IV posts for purpose of maintenance of rosters or while furnishing statistical information.

The undersigned is directed to refer to para 6 and Appendix E to the Ministry of Home Affairs O.M. No. 42/21/49-NGS, dated 28-1-1952 read with this Department's O.M. No. 8/1/74-Estt.(SCT), dated 20-12-1974 according to which whenever a cadre or a grade or division of service to which direct recruitment is made consists of less than 20 posts, steps should be taken to group these posts with the prior approval of this Department with similar posts in the Service/Ministry or office which

are filled by direct recruitment for purpose of providing reservations for Scheduled Castes and Scheduled Tribes. A suggestion has been made by the Commissioner for Scheduled Castes and Scheduled Tribes that the posts of Sweepers which are usually filled only by candidates belonging to communities which are recognised as Scheduled Castes, should not be grouped with other Class IV posts. This was considered, and it has been decided to accept the same. It is, therefore, clarified that the posts of Sweepers should not be grouped for purpose of observance of the reservation orders, with other categories of isolated Class IV posts, even though the number of posts of Sweepers may not be large in an office/establishment. The existing grouping of Class IV posts may be reviewed accordingly.

2. The Commissioner for Scheduled Castes and Scheduled Tribes has also suggested that while furnishing the figures of representation of Scheduled Castes and Scheduled Tribes in the services (under the various Groups A, B, C & D,) the posts of Sweepers should not be included as such inclusion results in inflating the figures of representation of Scheduled Castes in Class IV. This has also been examined and accepted. Even now, in the annual statement in Appendix 8 prescribed by this Department for being furnished by each appointing authority to the administrative Ministry showing the total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January of the year, information is required to be given separately in respect of "Class IV (excluding Sweepers)" and "Class IV (Sweepers)". In any other statistical information relating to representation of Scheduled Castes and Scheduled Tribes called for by this Department or by the Office of the Commissioner for Scheduled Castes and Scheduled Tribes or by any other authority, the information in respect of Class IV should not include the number of Sweepers appointed in the office/establishment etc. Such information, if necessary, in regard to Sweepers/Scavengers should be given separately.

Dept. of Personnel and A.R. O.M. No. 36027/9/78-Estt. (SCT), dated 18-11-78 to all Ministries etc.

Subject:—Annual statements regarding representation of Scheduled Castes and Scheduled Tribes in Services—data relating to each Service controlled by the Ministry/Deptt.

The undersigned is directed to say that the High Power Committee to review the performance regarding recruitment of Scheduled Castes and Scheduled Tribes met recently under the Chairmanship of the Prime Minister and took note of the inadequate representation of Scheduled Castes and Scheduled Tribes in the various Classes of the Government services, Public Enterprises under the control of Government in general and also in some of the organised Services. The Committee suggested going into the question in depth and directed that the suitable suggestions as regards measures to liquidate the shortfall within a stipulated schedule of time should be formulated for the consideration of the Committee. The High Power Committee has also directed to set up a Committee of senior Secretaries to study this subject immediately. With a view to implement the said directives of the High Power Committee this Department is to immediately launch a study of the representation of members of Scheduled Castes and Scheduled Tribes, cadre-wise of the various Groups (Groups A, B, C and D) and the various Grades of organised services/cadres. For this, this Department would require detailed data in regard to the fatality of cadre position as also the representation of Scheduled Castes and Scheduled Tribes in them, besides information on the overall classwise (Class I, II III & IV) representation of SC/ST.

2. Under the provision of para 14 of the Brochure on Reservation for Scheduled Castes and Scheduled Tribes in services (4th edition), each Ministry/Department is required to furnish to this Department a consolidated annual statement (Appendices 8 and 9) showing the representation of Scheduled Castes and Scheduled Tribes in services as on 1st January and the particulars of recruitment made during the preceding calendar year and the number of them filled by Scheduled Castes and Scheduled Tribes. These consolidated statements include information about the Ministry/Department as a whole i.e., the main Ministry/Department and all its attached and Subordinate offices etc., under its administrative control. While the statements enable this Department to know the overall position regarding the representation of Sche-

duled Castes and Scheduled Tribes in Groups A, B, C and D (Classes I, II, III & IV), information is not available separately in respect of each organised Service. It is considered necessary that data relating to various individual Services should also be collected so that the specific areas of shortfall in the representation of Scheduled Castes and Scheduled Tribes could be located and suitable corrections can be applied in time.

3. It is, accordingly, requested that in addition to the annual statements in Appendices 8 and 9, information should also be furnished to this Department every year in the attached proforma in respect of the Service(s) controlled by the Ministry/Department. As would be seen from the proforma, information is required in three parts showing:—

Sub-section (a): The position of representation of Scheduled Castes and Scheduled Tribes in the various grades in the service concerned as on 1st January of the last year i.e. 1978 [in section (a) of the attached proforma].

Sub-section (b): Particulars of vacancies filled during the year 1978 such as the number of vacancies reserved, number of Scheduled Castes and Scheduled Tribes appointed, number of reserved vacancies dereserved, the number carried forward etc.

Sub-section (c): The position as on 1st January, 1979 taking into account all the changes that may have taken place in the various Grades on account of retirement, resignation, promotion etc. during the course of the full year i.e. 1978.

4. It is requested that the required information may be collected from the various organisations under the Ministry by 15th of January, 1979 and after proper collation and analysis in respect of each Service, it may be sent by all the Ministries to this Department positively by the 1st March, 1979, at the latest. Needless to say, this exercise will have to be carried out every year as per the schedule of time indicated above. The years indicated in the model proforma forwarded with this O.M. will need to be suitably changed, while sending returns due in the year 1980 and onwards.

APPENDIX 8 (A)

Statement showing representation of Scheduled Castes and Scheduled Tribes in each Service controlled by the Ministry/Department

Ministry/Department

Service

(a) position as on 1st of January previous year

Grades of the service (including scale of pay)	Class	Total no. of posts	Total no. of employees	Employees belonging to		
				Other Communi- nity	S.C.	S.T.
1	2	3	4	5	6	7
Junior Scale						
Senior Scale						
Junior Adm. Grade						
Selection Grade						
Senior Adm. Grade—						
Level (II)						
Level (I)						
Supertime Scale						
(for All India Services)						

(b) particulars of recruitment during the period of year from 1st of January to 31st of Dec. of previous year.

Grade of Service	Class	Vacancy notified during the period			Vacancies filled		
		Other community	S.C.	S.T.	Other Community	S.C.	S.T.
1	2	3	4	5	6	7	8
Junior Scale							
Senior Scale							
Junior Admn. Grade							
Selection Grade							
Senior Adm. Grade							
(Level II)							
(Level I)							
Supertime Scale							
(for All India Services)							

Vacancies lapsed after 3 years		Reserved vacancies dereserved		Vacancies carried forward		Reasons for dereservation
S.C.	S.T.	S.C.	S.T.	S.C.	S.T.	
9	10	11	12	13	14	15

(c) Position as on 1st of January of current year (reflecting the changes on account of retirement, resignation, dismissal, even promotion etc. during the course of the year.)

Grade of Service (including scales of pay)	Class	Total No. of posts	Total No. of employees	Employees belonging to		
				Other Community	S.C.	S.T.
1	2	3	4	5	6	7
Junior Scale						
Senior Scale						
Junior Adm. Grade						
Selection Grade						
Senior Adm. Grade—						
(Level II)						
(Level I)						
Supertime Scale						
(for All India Services)						

Note :- (1) Specific reasons for dereservation should be indicated, whether all steps were carried out and whether any persons qualified in written test but failed in interview.

(2) Column 1 of Section (a) of this Proforma may vary from service/cadre to service/cadre. The intention is that each Ministry/Department administratively concerned with the cadre will indicate the prevalent grades pertaining to that cadre.

Department of Personnel & Administrative Reforms O.M. No. 36027/1/81-Estt.
(SCT), dated 17th February, 1981.

OFFICE MEMORANDUM

Subject:—Annual Statement regarding representation of Scheduled Castes and Scheduled Tribes in Services in Appendix 8 and Appendix 9 for the year 1980 (as on 1-1-1981).

The undersigned is directed to invite attention to this Department's O.M. No. 36022/6/76-Estt.(SCT) dated the 10th May, 1976 and to say that each appointing authority is required to send to the Ministry/Department concerned the annual statement regarding representation of SC/ST as early as possible after the 1st January each year and in any case latest by 1st March. Ministries/Departments are required to send consolidated statements in Appendix 8 and 9 in respect of Ministry/Department including its attached and subordinate offices/establishments under their control, to the Department of Personnel & A.R.

2. Ministry of Finance etc. are requested to issue instructions immediately to their attached and subordinate offices asking them to furnish the annual statement as mentioned above for the year 1980 (as on 1-1-1981) in the revised attached proforma to the Ministry/Department, with a copy of statement in Appendix 9 to this Department latest by 1st March, 1981. It may be ensured that consolidated statement each in Appendix 8 and 9 in respect of entire Ministry/Department (including its all attached and subordinate offices) for the year 1980 (as on 1-1-81) is sent to this Department latest by 31st March, 1981.

3. It has been observed in the past that the consolidated annual statements in Appendix 8 and 9 in respect of Ministry/Department were not received in this Department by the due date i.e. 31st March and even after several reminders, Ministries/Departments were not in a position to send the required information. On account of non-receipt of required information from some Ministries/Departments, compilation of statistical information in this regard for the entire Government of India got delayed. The data are required by the Office of the Commissioner for SC/ST, Commission for SC/ST, Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and Ministry of Home Affairs. Non-availability of the information greatly hampers the handling of Parliamentary work and Ministries not furnishing them naturally come to the adverse notice. This work, therefore, should be given the serious urgency it deserves. Vigorous efforts should, therefore, be made to ensure that these statements in a consolidated form are sent to this Department by 31st March, 1981.

APPENDIX 8

Ministry/Department/Office of

Statement showing the total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January.

Group Class	Permanent Temporary	Total No. of employees	Scheduled Castes	Percentage to total employees	Scheduled Tribes	Percentage to total employees	Remarks
Gr. A(Cl. I)	Permanent						
	(i) Other than lowest rung of Cl. I.						
	(ii) Lowest rung of Cl. I						
	Total						
	Temporary						
	(i) Other than lowest rung of Cl. I.						
	(ii) Lowest rung of Cl. I						
	Total						

Group Class	Permanent Temporary	Total No. of employees	Scheduled Castes	Percentage to total employees	Scheduled Tribes	Percentage to total employees	Remarks
Gr. B. (Cl. II)	Permanent Temporary						
Gr. C. (Cl. III)	Permanent Temporary						
Gr. D. (Cl. IV) (excluding Sweepers)	Permanent Temporary						
Gr. D. (Cl. IV) (Sweepers)	Permanent Temporary						

Signature.....

Designation

NOTE:— (1) This statement relates to persons and not to posts. Posts vacant etc. should not therefore be taken into account.

(2) A person on deputation should be included in the establishment of the borrowing Ministry/Department/Office and *not* in the parent office.

... present in one grade but officiating or holding temporary appointment in the higher grades should be shown in ... of service in which the higher grade concerned is included.

APPENDIX 9

Statement showing the number of Reserved vacancies filled by Members of Scheduled Castes and Scheduled Tribes in the Ministry/Department/
Office of..... (During the year.....)

Class of post	Total No. of vacancies		No. of vacancies reserved		No. of SCs candidates appointed	No. of SCs vacancies carried forward from the previous year	No. of STs candidates appointed against vacancies reserved for SCs in the 3rd year of carry forward	No. of reservations lapsed after carrying forward for three years	No. of vacancies reserved		No. of STs candidates appointed	No. of STs vacancies carried forward from the previous year	No. of SCs candidates appointed against vacancies reserved for STs in the 3rd year of carry forward	No. of reservations lapsed after carrying forward for three years	Remarks
	Notified	Filled	Out of Col. 2	Out of Col. 3					Out of Col. 2	Out of Col. 3					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
<i>1.—Posts filled by direct recruitment</i>															
Others Class I															
Lowest rung of Class I															
Class II															
Class III															
Class IV (excluding Sweepers)															
Class IV (Sweepers)															

II.--Posts filled by promotion

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Other Class I															
Lowest rung of Class I															
Class II															
Class III															
Class IV (Excluding Sweepers)															
Class IV (Sweepers)															

NOTE:—(1) Consolidated figures should be given under each Group (Class).

(2) In columns 4,5 and 9,10 the number of vacancies actually reserved out of columns 2-3, whether against brought forward reservations or against normal reservations during the year should be given.

(3) In the case of promotions by selections from Group C to Group B, within Group B and from Group B to the lowest rung of Group A (Class III, to Class II, within Class II and from Class II to the lowest rung of Class I,) the words "in the third year of carry-forward" in the heading of cols. 7 and 12 and the words "after carrying forward for three years" in the heading of cols. 8 and 13 will not be applicable and these cols. may be filled accordingly. [Cf. this Department's Office Memorandum Nos. 10/41/73-Estt. (SCT) dated the 20th July, 1974, 10/37/74-Estt. (SCT) dated the 3rd February 1975 and 1/9/74-Estt. (SCT) dated the 29th April, 1975]

Certified that in the case of reserved vacancies wherever non-Scheduled Caste/Tribe candidates were appointed, (a) prior approval of the Department of Personnel and Administrative Reforms was obtained in the case of vacancies included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely and (b) in the case of purely temporary appointments, the steps prescribed in para 8.1 of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes in Services, were taken to secure Scheduled Caste/Scheduled Tribe candidates.

Signature

Designation

Station

State

Date

CHAPTER 6

GROUPING OF POSTS

Para 6 and Appendix 'E' to MHA O.M. No. 42/21/49- *NGS, dated 28-1-52, Deptt. of Personnel O.M. No. 1/4/77-Est. (SCT) dated 11-11-71, and O.M. No. 8/1/74 Est. (SCT) dated-20-12-1974

6.1 In the case of posts filled by direct recruitment, isolated individual posts and small cadres may be grouped with posts in the same class for purpose of reservation orders taking into account the status, salary and qualifications prescribed for the posts in question. A cadre or a grade or a division of a service consisting of less than 20 posts may be treated as a small cadre for this purpose. A group so formed should not ordinarily consist of less than 25 posts. It is not intended that isolated posts should be grouped together only with other isolated posts. Subject to the other conditions for grouping, there is no objection to the grouping of any isolated posts with a cadre, grade or division of service consisting of more than 20 posts and already comprising a group by itself. Reservation for Scheduled Castes and Scheduled Tribes would be made according to the group, subject to the condition mentioned in para 6.5 below.

6.2 The instructions regarding grouping of posts for purpose of orders regarding reservations for Scheduled Castes and Scheduled Tribes apply only to posts filled by direct recruitment. In the case of posts filled by promotion, the reservation orders, wherever applicable, should be applied to each grade or post filled by promotion separately.

Dept. of Personnel & A.R. O.M. No. 36024/8/76-Est. (SCT) dated @ 9-11-1977.

6.3 The posts of Sweepers should not be grouped for purpose of observance of the reservation orders, with other categories of isolated Class IV posts, even though the number of posts of Sweepers may not be large in an office/establishment.

6.4 Proposals for grouping of posts should be referred to the Department of Personnel and Administrative Reforms for prior approval together with full particulars of the posts proposed to be grouped together in the following respects:—

- (i) Designation and number of each post.
- (ii) Group (Class) to which the posts belong—i.e. Group A, Group B, Group C or Group D (Class I, Class II, Class III or Class IV).
- (iii) Scale of pay of each post.

*Please see after chapter 4

@Please see after chapter 5

- (iv) Method of recruitment for each post as provided in the recruitment rules.
- (v) Minimum qualifications prescribed for direct recruitment to each post.

6.5 While reservations would be made according to groups as provided above, the total reservation in any of posts/services so grouped as above should not normally exceed 50 per cent of the vacancies to be filled in it i.e. in particular post/service. in a recruitment year.

the Deptt. of
the Personnel
ex- A.R. O.M.
the No. 1/4/70
Estt.
(SCT)
dated 11-11
71.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER-6

O.M.No.42/21/49-NGS	.	.	.	28-1-52 .. After chapter 4
O.M.No.1/4/70-Estt.(SCT)	.	.	.	11-11-71
O.M.No.8/1/74-Estt.(SCT)	.	.	.	20-12-74
O.M.No. 36024/8/76-Estt.(SCT)	.	.	.	9-11-77 .. After Chapter 5

Department of Personnel O.M. No. 1/4/70-Estt. (SCT), dated 11th November, 1971 to all Ministries etc.

Subject:—Grouping of posts for the purpose of orders providing reservations for Scheduled Castes and Scheduled Tribes in services.

Attention of the Ministry of Finance etc. is invited to the provisions contained in para 6 of MHA. O.M. No. 42/21/49-NGS, dated 28th January, 1952, in which it has been provided that to secure adequate representation for Scheduled Castes and Scheduled Tribes in isolated posts or in small cadres, posts of similar status and salary may be grouped for the purposes of implementation of orders providing reservations for Scheduled Castes and Scheduled Tribes.

2. In "Director General of Posts & Telegraph Vs. M. Natarajan & another" the High Court of Madras made the following observations regarding the validity of grouping of posts:—

"The Union Government in exercise of its administrative authority was certainly entitled to group cadres of service for the purpose of giving representation to the Scheduled Castes in order to give effect to Article 16(4) of the Constitution. But this is subject to the rule that such representation should not be excessive. In "M. R. Balaji Vs. State of Mysore and Devadasan Vs. Union of India", the Supreme Court opined that any representation to the Scheduled Castes of a reserved character exceeding 50 per cent of the vacancies to be filled in at any time would be unreasonable and bad."

While making these observations the Court held that representation in excess of 50% of the vacancies being filled in a year in one of the services in the group as excessive and bad, even though the reservations provided for Scheduled Castes and Scheduled Tribes in the grouped services as a whole did not exceed 50% of the vacancies filled in that group of services.

3. This matter has been considered further and it has been decided that while reservation for Scheduled Castes/Scheduled Tribes may continue to be made by grouping of posts as provided in the O.M. of 28-1-52, care should be taken that the total reservation in any of the posts/services so grouped does not exceed 50% of the vacancies to be filled in it in a recruitment year. Thus the carried-forward reservations would now be utilised in any one of the grouped posts subject to the total number of reserved vacancies in a post/service not exceeding 50% of the vacancies to be filled in that post/service during the year.

Ministry of Finance etc. are requested to bring the contents of this O.M. to the notice of all appointing authorities, under them.

Department of Personnel and A.R. O.M. No. 8/1/74-Estt. (SCT), dated 20-12-1974 addressed to all Ministries etc.

Subject:—Grouping of isolated posts for purpose of orders regarding reservation for Scheduled Castes and Scheduled Tribes.

The undersigned is directed to invite reference to para 6 and Appendix E to the Ministry of Home Affairs O.M. No. 42/21/49-NGS, dated 28-1-1952 which inter-alia provides that whenever a cadre or a grade or division of service to which direct recruitment is made consists of less than twenty posts, steps should be taken to group these posts with prior approval of the Ministry of Home Affairs (now Department of Personnel & Administrative Reforms) with similar posts in the Service. Ministry or Office which are filled by direct recruitment, for purpose of providing for reservations for Scheduled Castes and Scheduled Tribes. With the extension of the scheme of reservations to posts filled by promotion, enquiries have been received whether such a grouping of posts should be done in the case of posts filled by promotion also. The Ministries/Departments concerned have been advised by this Department that the grouping would be operative only in the case of posts filled by direct recruitment and that no such grouping was necessary in the case of posts filled by promotion, as there will be practical difficulties in applying the scheme of grouping, to posts filled by promotion. It is now clarified for the information of all concerned that the instructions regarding grouping of posts for purpose of orders

regarding reservation for Scheduled Castes and Scheduled Tribes apply only to posts filled by direct recruitment. In the case of posts filled by promotion, the reservation orders, wherever applicable, should be applied to each grade or post filled by promotion separately. Past cases need not, however, be reopened.

CHAPTER 7

RELAXATIONS AND CONCESSIONS FOR SCHEDULED CASTES AND SCHEDULED TRIBES CANDIDATES

7.1 Age Limit

The maximum age-limit prescribed for direct recruitment to a service or post shall be increased by 5 years in the case of candidates belonging to Scheduled Castes and Scheduled Tribes.

7.2 Where an upper age-limit not exceeding 50 years is prescribed for promotion to a service/post, it shall be relaxed by 5 years in the case of candidates belonging to Scheduled Castes and Scheduled Tribes. This, however, would not apply to posts which have arduous field duties or are meant for operational safety and to posts in para-Military Organisations.

7.3 Fees for examination

The fees prescribed for admission to any examination or selection to the service or post will be reduced to one-fourth in the case of candidates belonging to Scheduled Castes and Scheduled Tribes.

7.4 Relaxation of Experience qualification

Where some period of experience is prescribed as an essential qualification for direct recruitment to a post, and where, in the opinion of the Ministry/Department concerned, the relaxation of the experience qualification will not be inconsistent with efficiency, a provision should be inserted under the 'Essential' qualification in column 7 of the Schedule to the relevant Recruitment Rules, as at (a) or (b) below, to enable

MHA Resolution No. 42/19/51-NGS dated 25-6-52 and No. 15/1/55-(SCT) dated 30-4-55, and Deptt. of Personnel O.M. No. 21/9/70-Est. (SCT) dated 8-12-71, Deptt. of Personnel O.M. No. 15012/2/81 Estt. (D) dated 8-4-81. Para 4(3) of MHA Resolution No. 42/21/49-NGS, dated *13-9-50. Deptt. of Personnel & A.R. O.M. No. 27/10/71-Est. (SCT) dated 5-9-1975.

*Please see after chapter 2.

the Union Public Service Commission/competent authority to relax the 'experience' qualification in the case of Scheduled Castes/Scheduled Tribes candidates in the circumstances mentioned in the provisions:—

- (a) Where the post is filled by direct recruitment through the Union Public Service Commission the provision to be inserted will be:—

“The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes, if at any stage of selection, the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.”

- (b) Where the post is filled by direct recruitment otherwise than through the Union Public Service Commission, the provision to be inserted will be:—

“The qualification regarding experience is relaxable at the discretion of the competent authority in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes, if at any stage of selection the competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.”

The Ministries/Departments etc., are accordingly to revise the Recruitment Rules of all the Posts in Groups A, B, C and D (Class I, II, III and IV) under them, and to make suitable provision, wherever necessary, in the Recruitment Rules as mentioned above.

When any vacancies reserved for Scheduled Castes and Scheduled Tribes are advertised or intimated to the Employment Exchange, it should be specifically mentioned in the advertisement/requisition that the period of experience prescribed is relaxable, at the discretion of the Union Public Service Commission or the competent authority, as the case may be, in the case of Scheduled Castes/Tribes candidates as provided in the Recruitment Rules. This is intended to ensure that the aspirants who may fall slightly short of the requisite experience come to know about the possibility of relaxation in their regard.

DP&AR
O.M. No.
D1458/81-

The Committee on Subordinate Legislation has recommended that the foot-note in column 7 of the Recruitment Rules should be further expanded by adding the following sentence:

"The appointing authority shall record the reasons for relaxing the qualifications regarding experience writing while doing so"

Estt. (SCT)
in dated 21-5-81.

7.5 Relaxation of standard of suitability

MHA
O.M.
No. 1/1/
70-Est.
(SCT)
dated
25-7-70.

In direct recruitment, whether by examination or otherwise, if sufficient number of Scheduled Caste/Scheduled Tribe candidates are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to these communities should be selected to fill up the remaining vacancies reserved for them provided they are not found unfit for such post or posts. Thus, to the extent the number of vacancies reserved for Scheduled Castes and Scheduled Tribes cannot be filled on the basis of general standard, candidates belonging to these communities will be taken by relaxed standard to make up the deficiency in the reserved quota, subject to the fitness of these candidates for appointment to the post/posts in question.

7.6 Further relaxation of standards for non-technical and quasi-technical Group C and D (Class III and IV) posts

MHA
O.M.
No. 24/7/
67 (i)-
Est.
(SCT)
dated 24-
9-68 and
O.M. No.
16/8/69-
Est. (SCT)
dated
31-10-69.

In addition to the concession referred to in para 7.5, in cases where the requisite number of Scheduled Caste/Scheduled Tribe candidates fulfilling even the relaxed standards admissible in their cases are not available to fill the vacancies reserved for them in non-technical and quasi-technical Group C and D (Class III and IV) Services/posts requiring to be filled by direct recruitment otherwise than by written examination (i.e. on the basis of applications or nominations from Employment Exchange whether followed by interview or not) the selecting authorities should to the extent of the vacancies reserved for Scheduled Castes/Scheduled Tribes, select for appointment the best among the Scheduled Caste/Scheduled Tribe candidates who fulfil the minimum educational qualifications laid down in the notice for recruitment or advertisement. In order to bring such candidates to the minimum standard necessary for the posts and for the maintenance of efficiency of administration they should be given in-service training. The in-service training will be provided by the appointing authorities within their own offices. Such candidates will, on their appointment, be placed on probation and the rules/orders regarding probation will apply to them.

Ministries/Departments should instruct all authorities under them to prepare a list of non-technical and quasi-technical posts in Group C and D (Class III and IV) to which the above orders apply. While notifying vacancies in such posts or advertising them, it should be indicated that the posts are non-technical or quasi-technical in Group C and D (Class III and IV).

Deptt.
of
Personnel
O.M. No.
8/12/69
Estt.
(SCT)
dated
23-12-70.

7.7 Relaxation of standards in departmental competitive examinations and confirmation examinations

In promotions through departmental competitive examinations and in Departmental confirmation examinations where such examinations are prescribed to determine the suitability of candidates for confirmations, Scheduled Castes/Scheduled Tribes candidates who have not acquired the general qualifying standard should also be considered for promotion/confirmation, provided they are not found unfit for such promotions/confirmations. The qualifying standards in such examinations should be relaxed in favour of Scheduled Castes and Scheduled Tribes candidates in keeping with the above criterion.

Deptt. of
Personnel
& A.R.
O.M. No.
36021/
10/76-Estt.
(SCT)
dated
21-1-1977.

7.8 Relaxation of standards in departmental qualifying examinations for promotion to the higher grade on the basis of seniority subject to fitness.

In promotions made on the basis of seniority subject to fitness in which there is reservation for Scheduled Castes and Scheduled Tribes vide para 2.1 (iii) (c) and where a qualifying examination is held to determine the fitness of candidates for such promotion, suitable relaxation in the qualifying standard in such examinations should be made in the case of Scheduled Caste/Scheduled Tribe candidates. The extent of relaxation should, however, be decided on each occasion whenever such an examination is held taking into account all relevant factors including (i) the number of vacancies reserved (ii) the performance of Scheduled Caste/Scheduled Tribe candidates as well as general candidates in that examination (iii) the minimum standard of fitness for appointment to the post, and also (iv) the overall strength of the cadre and that of the Scheduled Castes and Scheduled Tribes in that cadre.

Deptt. of
Personnel
& A.R.
O.M. No.
36011/6/
79-Estt.
(SCT)
dated
19-4-1979.

7.8. (i) Relaxation of standards in the case of Scheduled Castes/Tribes candidates in examination for promotions.

Similar relaxation of standards should be made in favour of Scheduled Castes/Scheduled Tribes candidates in such departmental qualifying examinations for promotions also, where promotion is made by selection where merit is determined by qualifying examination (and not by seniority-cum-fitness) out of the qualified candidates. The extent of relaxation in these cases also should be decided on each occasion whenever a qualifying examination is held taking into account all the relevant factors such as those referred to at (i) to (iv) in para 7.8 *supra*.

MHA
O.M. No.
1/1/70-Estt.
(SCT)
dated
31-7-70.

7.9. Separate interview of Scheduled Castes and Scheduled Tribes candidates

For reserved vacancies, interview of Scheduled Castes and Scheduled Tribes candidates should be held on a day or sitting of the Selection Committee other than the day or sitting on which general candidates are to be interviewed so that the Scheduled Castes and Scheduled Tribes candidates are not judged in comparison with general candidates and the interviewing authority/Board is/are prominently aware of the need

for judging the Scheduled Caste/Scheduled Tribe candidates by relaxed standards.

7.10. *Number of candidates to be called for interview*

In posts filled otherwise than through examination normally, six to seven candidates belonging to the community for which the post is reserved may be called for interview for each reserved vacancy, subject to availability of such candidates fulfilling the qualifications prescribed for the post. Where the response from the Scheduled Caste/Scheduled Tribe candidates is exceptionally good, the recruiting authority may, having regard to the merits of each case, call as many as 10 to 12 candidates of the respective category for each reserved vacancy for purpose of interview/selection.

Deptt. of
Personne
O.M. No.
27/14/
71-Est.
(SCT)
dated
30-1-1973.

7.11 *Travelling Allowance*

Scheduled Castes and Scheduled Tribes candidates called for interview by the Union Public Service Commission are entitled to a single II Class railway fare from the normal place of residence to the place of interview and back.

Ministry
of Financ
O.M. No.
5/25/EIV
(B)/60.
dated 6-5-

When Scheduled Caste/Tribe candidates are called for interview for appointment to Group C and Group D (Class III and Class IV) advertised posts, recruitment to which is made departmentally (otherwise than through the UPSC), the recruiting authority or the staff selection commission, as the case may be, may allow such candidates single II Class rail fares, chargeable by the passenger train, by the shortest route from the Railway Station nearest to their normal place of residence, or from which they actually perform the journey whichever is nearer to the place of interview, and back to the same station, provided the distance travelled by rail each way exceeds fifty miles. No extra charges, if any, incurred for reserving seat/sleeping berth in the train will, however, be reimbursed to them. For road journeys between stations not connected by rail, they may be allowed actual bus fare or road mileage at the lowest rate or Government servants as admissible under the Supplementary Rules, whichever is less, provided the distance covered by road is more than 20 miles each way.

60, 21-9-
60, 23-11-
60,
22-7-63
and
19-6-72
and No.
19014(2)-
EIV(B)/
74 dated
25-1-1975
and No.
19014/2/
EIV(B)
dated
27-10-1975

The concession is applicable also to Scheduled Caste and Scheduled Tribe candidates as are called for a written test on the basis of which appointments to such Group C and Group D (Class III and Class IV) advertised posts are made. The travelling allowance to the candidates called for a written test will, however, be admissible subject to the condition that the written test and any interview that may also be necessary would be held at one and the same station and on the same or adjacent days so that the candidates would get travelling allowance for only one journey to and from the place of selection.

These orders also apply to the Scheduled Castes and Scheduled Tribes candidates called through the Employment Exchanges for interview/written test for appointment to

Group C and Group D (Class III and Class IV) posts, recruitment to which is made departmentally.

Note :—The above concessions of Travelling allowance are not admissible in the case of those who are already in Central/State Government Service or in service in Central/State Government Corporations, Public Undertakings, Local Government Institutions and Panchayats.

Deptt. of
Personnel
& A.R.

7.12. *Transfer of sweepers, farashes, chowkidars etc. to the posts of peons*

O.M. No.
42015/3/
75-Estt.
(C)
dated 16-1-
1976 and
No. 42015/
1/76-Estt.
2-2-1977.

Twenty-five per cent of the vacancies accruing in the grade of peons will be reserved for being filled by transfer of sweepers, farashes, chowkidars etc. as have put in a minimum of five years service even though they may not be possessing minimum educational qualifications prescribed for direct recruitment to the post. They should, however, possess elementary literacy and give proof of ability to read either English or Hindi or regional language.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER-7

Resolution No. 42/21/49-NGS	13-9-50	After Chapter 2
Resolution No.42/19/51-NGS	25-6-52	
O.M.No.15/1/55-(SCT)	30-4-55	
O.M.No.16/1/65-Estt. (C)	20-7-65	
O.M.No. 8/10/66-Estt. (C)	15-5-67	
O.M.No. 16/17/67-Estt. (C)	8-2-68	
O.M.No.24/7/67(i)-Estt. (SCT)	24-9-68	
O.M.No. 16/8/69-Estt. (SCT) (I)	31-10-69	
O.M. No. 1/1/70-Estt. (SCT)	25-7-70	
OM.No.1/1/70-Estt.(SCT)	31-7-70	After Chapter 9
O.M.No.8/12/69-Estt. (SCT)	23-12-70	
O.M.No.21/9/70-Estt.(SCT)	8-12-71	
O.M.No.27/14/71 Estt.(SCT)	30-1-73	
Min. of Fin. O.M.No. 5/25/EIV (B)/60	6-5-60	
Min. of Fin. O.M.No.5/25/EIV (B)/60	21-9-60	
Min. of Fin. O.M.No. 5/25/EIV (B)/60	23-11-60	
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Min of Fin. O.M.No. 19014/(2)/EIV(B)/74	25-1-75	
O.M.No. 27/10/71-Estt.(SCT)	5-9-75	
OM.No.42015/3/75-Estt. (C)	16-1-76	
O.M.No. 36021/10/76-Estt.(SCT)	21-1-77	
O.M.No.36011/9/76-Estt.(SCT)	14-7-76	
O.M.No.42015/1/76-Estt.(C)	2-2-77	
Min. of Fin. O.M.No.19014/2/77-EIV(B)	27-10-77	
O.M.No.36011/6/79. Estt. (SCT)	19-4-79	
O.M.No.15012/2/81-Estt. (D)	8-4-81	
No. D/1458/81-Estt. (SCT)	21-5-81	

Ministry of Home Affairs Resolution No. 42/19/51-NGS, dated 25th June, 1952

The policy of the Government of India in regard to communal representation in services was laid down in Ministry of Home Affairs Resolution No. 42/21/49-NGS, dated the 13th September, 1950. Paragraph 4(3) of the Resolution provides that the maximum age limit prescribed for appointment to a service or post will be increased by three years in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes. The Government of India have examined the question whether any further relaxation in maximum age-limits is necessary to secure greater representation of the Scheduled Castes and Scheduled Tribes in the public services. It has now been decided that the maximum age limit prescribed for appointment to a non-gazetted service or post will be increased by five years in the case of candidates belonging to Scheduled Castes and Scheduled Tribes.

Ministry of Home Resolution No. 15/1/55-SCT, dated 30th April, 1955

In order to secure greater representation of the Scheduled Castes and Scheduled Tribes in the public services, the maximum age-limit prescribed for appointment to a non-Gazetted service or post was increased by five years in the case of candidates belonging to these Castes and Tribes *vide* Government of India, Ministry of Home Affairs Resolution No. 42/19/51-NGS, dated the 25th June, 1952. It has now been decided that this concession should be extended to appointments to gazetted posts in the Central Services. The application of these orders to recruitment to All-India Services is separately under consideration.

2. The above decision will take effect immediately. The Union Public Service Commission have agreed that where the advertisements issued by them require that applications from candidates should reach the Commission on a date falling within 15 days from the date of this Resolution, the last date for the receipt of applications from Scheduled Caste and Scheduled Tribe candidates will be extended by two weeks. Other recruiting authorities for posts under the Government of India will also take similar action wherever necessary.

**Ministry of Home Affairs O.M. No. 16/1(1)/65-Estt(C), dated 20th July, 1965
to all Ministries etc.**

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in services—
Dereservation of reserved vacancies—annual statements.

Para 1(i) of this Ministry's O.M. No. 31/10/63-SCT(I) dated 27th March, 1963 provides that whenever, owing to non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes, it becomes necessary to dereserve a post included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely, a reference should be made to the Ministry of Home Affairs indicating the steps taken to secure Scheduled Caste and Scheduled Tribe candidates and its prior approval obtained for dereservation. As per para 6(ii) of the Brochure issued with this Ministry's O.M. No. 1/2/61-SCT(I), dated 27th April, 1962, the reservations do not apply to temporary appointments of less than three months' duration. Further, according to para 1(ii) of the aforesaid O.M. of 27th March, 1963, reserved posts included in the roster for purely temporary appointments which are expected to last for *three months or more* but which have no chance whatever of becoming permanent or continuing indefinitely, can be treated as dereserved by the Ministries themselves, after ensuring that the steps prescribed in para 16 of the Brochure have been duly taken to secure suitable Scheduled Caste and Scheduled Tribe candidates and such candidates are still not available.

2. To enable this Ministry to keep a check on the dereservations of reserved vacancies made by the Ministries *vide* last sentence in para 1 above, it is requested that as soon after the first of January of every year as possible and latest by 1st of April, each Ministry/Department etc. may send to this Ministry, a consolidated statement in respect of the Ministry/Department and all its attached and subordinate offices, as in the attached proforma, showing the reserved vacancies of the type referred to in the concluding sentence in para 1 above, treated as dereserved by the Ministries in each Class (i.e., Class I, II, III and IV) during the preceding year. The consolidated statement for 1964 may kindly be sent by 30th September, 1965.

Proforma

Ministry/Department/-----
(including attached and subordinate offices)

Statement showing reserved vacancies included in the roster for purely temporary appointment which are expected to last for 3 months or more but which have no chance whatever of becoming permanent or continuing indefinitely, treated as dereserved by the Ministries/Departments.

1st January to 31 December-----

Class of post	Scheduled Castes		Scheduled Tribes		Brief reasons for dereservation	REMARKS
	Total number of vacancies reserved for Scheduled Castes filled during the year	Number of reserved vacancies in col. 2 treated as dereserved i.e. filled by non-Scheduled Castes	Total number of vacancies reserved for Scheduled Tribes, filled during the year	Number of reserved vacancies in col. 4 treated as dereserved i.e. filled by non-Scheduled Tribes		
	2	3	4	5	6	7
Class I						
Class II						
Class III						
Class IV						

Ministry of Home Affairs O.M. No. 8/10/66-EST(C), dated 15th May, 1967
to all Ministries etc.

Subject:—Reservation in services for Scheduled Castes and Scheduled Tribes—
orders regarding.

The undersigned is directed to refer to para 19 of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27-4-62 and to say that the said para has been revised as follows so as to conform to the instructions on the subject (*vide* para 1 of this Ministry's Office Memorandum No. 2/11/55-RPS, dated 7-5-55):—

"19. *Standard of suitability*:

(a) *Direct recruitment by examination*:

If according to their normal positions in the examination, candidates belonging to Scheduled Castes and Scheduled Tribes obtained less vacancies than the number reserved for them, the Union Public Service Commission or other recruiting authority will have full discretion, in order to make up the deficiency to recommend Scheduled Caste and Scheduled Tribe candidates who may obtain a low place in the examination, except where such authority considers that the minimum standard necessary for the maintenance of efficiency of administration has not been reached.

(b) *Direct recruitment otherwise than by examination*:

The appointing authorities will have discretion to select, for vacancies reserved for Scheduled Castes and Scheduled Tribes, candidates belonging to these communities who may be of a lower standard than candidates of other communities, so long as the Scheduled Caste and Scheduled Tribe candidates have the prescribed minimum educational, technical and other essential qualifications and the appointing authorities are satisfied that the lowering of standards will not unduly affect the maintenance of efficiency of administration."

Ministry of Home Affairs O.M. No. 8/4/68-Estt.(C), dated the 8th February, 1968
to all Ministries etc.

Subject:—Reservation in Service for Scheduled Castes and Scheduled Tribes—
Orders regarding—

The undersigned is directed to refer to Note (2) below para 3 of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27th April, 1962 and to say that the said Note has been revised as follows so as to conform to the instructions on the subject, *vide* Sub-para IV of Appendix 'A' to this Ministry's Office Memorandum No. 42/21/49-NGS dated 28th January, 1952:—

"*Note*: (2) If a post is to be filled by direct recruitment the reservation orders will apply even if a person already serving under Government is appointed to that post for which he has applied and has been selected as a direct recruit."

Ministry of Home Affairs O.M. No. 16/17/67-Estt.(C), dated 8th February, 1968
to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in Services—
Minimum standard in examinations for recruitment.

Para 19(a) of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27th April, 1962 provided that in direct recruitment by examination if according to their normal positions in the competition or selection, candidates belonging to Scheduled Castes and Scheduled Tribes obtained less vacancies than the number reserved for them, candidates of such castes or tribes who had secured lower positions but who had *qualified* at such examinations might be selected by the appointing authority to make up the deficiency. In connection with the recommendation No. 221 of the Commissioner for Scheduled Castes and Scheduled Tribes

in his Report for the year 1962-63 to the effect that it would facilitate matters if minimum standards are prescribed by the Government of India in the case of examinations held by the various Departments for recruitment to posts and services under them, the Ministries etc., were requested in this Ministry Office Memorandum No. 16/1(2)/65-Ests.(C), dated 20th July, 1965 that minimum qualifying standard should be fixed in respect of each examination if it had not already been done in pursuance of the instructions in para 19(a) of the Brochure and if in any particular case, it was not found feasible to prescribe a minimum qualifying standard, the instructions in paras 4 and 19(a) of the Brochure should be strictly followed.

2. Para 19(a) of the Brochure referred to above has since been revised so as to conform to the instructions in para 1 of this Ministry's Office Memorandum No. 2/11/55-RPS, dated 7-5-1955 *vide* this Ministry's Office Memorandum No. 8/10/66-Ests.(C), dated 15th May, 1967. The revised para 19(a) of the Brochure reads as follows:—

"19(a) *Direct recruitment by examination.*—If according to their normal positions in the examination, candidates belonging to Scheduled Castes and Scheduled Tribes obtain less vacancies than the number reserved for them, the Union Public Service Commission or other recruiting authority will have full discretion in order to make up the deficiency to recommend Scheduled Castes and Scheduled Tribes candidates who may obtain a low place in the examination, except where such authority considers that the minimum standard necessary for the maintenance of efficiency of administration has not been reached."

Consequent on the revision of para 19(a) of the Brochure as above, the instructions in this Ministry's Office Memorandum No. 16/1(2)/65-Ests.(C), dated 20th July, 1965 referred to in para 1 above have been reviewed and the following revised instructions are issued in this regard.

3. In the case of direct recruitment through competitive examination the candidates are arranged by the Union Public Service Commission or other recruiting authority in the order of merit as disclosed by the aggregate marks finally awarded to each candidate; and in that order so many candidates as are found by the Commission or the recruiting authority concerned to be qualified by the examination are recommended for appointment. The instructions in the revised para 19(a) of the Brochure, however, give full discretion to the Union Public Service Commission or the recruiting authority concerned to recommend candidates belonging to Scheduled Castes or Scheduled Tribes who may obtain low place in the order of merit in the examination, provided such candidates are considered by the Union Public Service Commission or the recruiting authority concerned to have come upto the minimum standard necessary for the maintenance of the efficiency of administration. These instructions should be strictly followed in making direct recruitment through competitive examinations.

4. In the case of direct recruitment through a *qualifying* examination a minimum standard is generally fixed and candidates attaining that standard are placed on the select list for appointment against vacancies occurring from time to time. In such cases, therefore, a lower minimum qualifying standard should be fixed for candidates belonging to Scheduled Castes and Scheduled Tribes, taking into account the minimum standard necessary for maintenance of efficiency of administration. If the minimum qualifying standard for general candidates is review at a later date, the lower minimum qualifying standard applicable to Scheduled Castes and Scheduled Tribes should also be reviewed.

5. Ministries etc. may please bring the above instructions to the notice of the appointing authorities under them.

Ministry of Home Affairs O.M.No. 24/7/(1)-Estt. (SCT), dated the 24th September, 1968 to all Ministries etc.

Subject:—Recommendation No. 13 of the Working Group to study the progress of measures for land allotment to Scheduled Castes and their representation in services—in-service training.

The Working Group set-up under the Chairmanship of Shri M. R. Yardi, Additional Secretary, Ministry of Home Affairs, to study the progress of measures for land allotment to Scheduled Castes and their representation in services has *inter-alia* made the following recommendation:—

Recommendation No. 13

"As an experimental measure, it would be desirable to select the best among the candidates being considered for selection, give them in-service training and confirm them only after they have acquired the requisite proficiency. In the initial stages this could be confined to the non-technical and quasi-technical posts."

2. Under the existing orders in respect of direct recruitment by competitive examination or by qualifying examination, the recruiting authorities have the discretion to select Scheduled Caste/Scheduled Tribe candidates by applying relaxed standards. The exact position in this regard has been explained in paragraphs 3 and 4 of this Ministry's Office Memorandum No. 16/17/67-Ests.(C) dated the 8th February, 1968 (copy enclosed). The provisions of these paragraphs are again brought to the notice of the Ministries/Departments and other recruiting authorities with the request to ensure that the orders in this regard are strictly complied with.

3. The Government have considered the recommendation of the Working Group reproduced in paragraph 1 above and it has been decided to accept it in regard to non-technical and quasi-technical Class III and Class IV services/posts filled by direct recruitment otherwise than through a written examination *i.e.*, by direct recruitment on the basis of applications, nominations from Employment Exchange, whether followed by interview or not. Accordingly, in addition to the existing concessions referred to in para 2 above it has been decided that with effect from the date of issue of this Office Memorandum until further orders in cases where the requisite number of Scheduled Caste/Scheduled Tribe candidates fulfilling even the lower standards are not available to fill the vacancies reserved for them, the selecting authorities should, to the extent of the vacancies reserved for Scheduled Castes/Scheduled Tribes in non-technical and quasi-technical Class III and Class IV Services/posts requiring to be filled by direct recruitment otherwise than by written examination, select for appointment the best among the Scheduled Caste/Scheduled Tribe candidates who fulfil the minimum educational qualifications laid down in the notice for recruitment/advertisement, and in order to bring them up to the minimum standard necessary for the posts and for the maintenance of efficiency of administration they should be given in-service training. The in-service training will be provided by the appointing authorities within their own offices. Such candidates will, on their appointment, be placed on probation and the rules/orders regarding probation will apply to them.

4. All Ministries/Department are requested to bring these instructions to the notice of all authorities under them.

5. This issues with the concurrence of the Comptroller and Auditor General of India in so far as persons serving under him are concerned.

Ministry of Home Affairs O.M. No. 16/8/69-Estt.(SCT), dated 31st October, 1969
to all Ministries etc.

Subject:—Representation of Scheduled Castes and Scheduled Tribes—safeguards in the matter of promotion.

According to para 2(C) of this Ministry's Office Memorandum No. 1/12/67-Estt. (C) dated the 11th July, 1968, while there is no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and II appointments are required to be submitted for prior approval to the Minister or Deputy Minister concerned and cases involving supersession of officers belonging to these categories in Class III and IV appointments are required to be reported within a month to the Minister or Deputy Minister concerned for information. It has been brought to the notice of this Ministry that some cases of supersession of Scheduled Caste/Tribe officers were not submitted or reported

to the Minister as required under the instructions referred to above. It is, therefore requested that all the Ministries and Departments may enjoy on the authorities under their control to ensure that the prescribed procedure in this regard is strictly observed. The Liaison Officers who have been nominated in the Ministries/Departments and in the Offices under the Heads of Departments for the purpose of ensuring proper compliance of the orders relating to reservation for Scheduled Castes and Scheduled Tribes may specially watch proper implementation of the aforesaid order in the offices under their charge.

Ministry of Home Affairs O.M. No. 1/1/70-Estt. (SCT), dated 25th July, 1970 to all Ministries etc.

Subject:—Selection of Scheduled Castes/Scheduled Tribes candidates against reserved vacancies—Relaxation of standards.

According to the instructions in this Ministry's Office Memorandum No. 8/10, 66-Estt.(C) dated the 15th May, 1967 read with Office Memorandum No. 16/17/67 Estt.(C), dated the 8th February, 1968, if Scheduled Caste/Tribe candidates obtained according to their normal position in the examination for direct recruitment, less vacancies than the number reserved for them, the selecting authorities have discretion, in order to make up the deficiency, to select candidates belonging to these communities who may have obtained low place in the examination, provided that such authorities are satisfied that the minimum standard necessary for maintenance of efficiency of administration has been reached in their cases. Similarly, in direct recruitment otherwise than by examination, if Scheduled Castes/Tribes candidates obtain, on the basis of the general standard, less vacancies than the number reserved for them, the selecting authorities can, in order to make up the deficiency, select Scheduled Caste/Tribe candidates who may be of a lower standard than candidates of other communities, provided such candidates satisfy the minimum standard necessary for maintenance of efficiency of administration. The extent of relaxation of standard, while judging the suitability of Scheduled Caste/Tribe candidates, both in direct recruitment by examination and otherwise than by examination, is thus at present decided by the selecting authority in the case of each category of post or posts. It has now been decided that, in the case of direct recruitment, whether by examination or otherwise, if sufficient number of Scheduled Caste/Tribe candidates are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to these communities may be selected to fill up the remaining vacancies reserved for them provided they are not found unfit for such post or posts. Thus, to the extent the number of vacancies reserved for Scheduled Castes and Scheduled Tribes cannot be filled on the basis of the general standard, candidates belonging to these communities will, as at present, be taken by relaxed standard to make up the deficiency in the reserved quota, subject to the fitness of these candidates for appointment to the post/posts in question.

2. Ministry of Finance etc. are requested to bring the above instructions to the notice of all appointing authorities under them including public sector undertakings and statutory, semi-Government and autonomous bodies.

Department of Personnel O.M. No. 8/12/69-Estt.(SCT), dated 23rd December, 1970 to all Ministries etc.

Subject:—Relaxation of standards in favour of Scheduled Castes/Scheduled Tribes candidates in departmental competitive examinations for promotion and in departmental confirmation examinations.

Attention of the Ministry of Finance etc. is invited to Ministry of Home Affairs O.M. No. 1/1/70-Estt. (SCT) dated the 25th July, 1970, in which it has been provided that in the case of direct recruitment, whether by examination or otherwise, if sufficient number of Scheduled Castes/Scheduled Tribes candidates are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to these communities may be selected to fill up the remaining vacancies reserved for them provided they are not found unfit for appointment to such post or posts. A question has been raised whether relaxations in the qualifying standards could be granted to Scheduled Castes/Scheduled Tribes candidates on the

same basis in promotions made through departmental competitive examinations and in departmental confirmation examinations where such examinations are prescribed to determine the suitability of candidates for confirmation. The matter has been carefully considered and it has been decided that in promotions/confirmations made through such examinations, Scheduled Castes/Scheduled Tribes candidates who have not acquired the general qualifying standard in such examinations could also be considered for promotions/confirmations provided they are not found unfit for such promotions/confirmations. In other words, the qualifying standards in these examinations could be relaxed in favour of Scheduled Castes/Scheduled Tribes candidates in keeping with the above criterion.

Department of Personnel O.M. No. 21/9/70-Estt.(SCT), dated 8th December, 1970 to all Ministries etc.

Subject:—Relaxation of age limit for Scheduled Castes and Scheduled Tribes in promotion to various services.

In accordance with the Ministry of Home Affairs Resolution No. 42/19/51-NGS dated the 25th June, 1952 and No. 15/1/55-SCT, dated the 30th April, 1955, the maximum age limit prescribed for appointment to a service or post is to be increased by 5 years in the case of candidates belonging to Scheduled Castes/Scheduled Tribes. This relaxation is being granted in all services/posts filled by direct recruitment. Enquiries made from different Ministries/Departments regarding the upper age limit prescribed for posts/services filled by promotion reveal, that for a large number of posts/services, either no upper age limit has been prescribed or where such limit is prescribed, a relaxation of 5 years is already being granted in favour of Scheduled Castes/Scheduled Tribes employees. The question whether the upper age limit prescribed in posts/services filled by promotion should be relaxed in favour of Scheduled Castes and Scheduled Tribes where such relaxation is at present not available has been under the consideration of the Government. It has now been decided that where an upper age limit not exceeding 50 years is prescribed for promotion to a service post, it shall be relaxed by 5 years in favour of Scheduled Castes and Scheduled Tribes. This decision, however, would not apply to posts which have arduous field duties or are meant for operational safety and to posts in para military organisations.

2. Ministry of Finance etc. are requested to bring the above decision to the notice of all authorities under them and take appropriate action for amending the recruitment rules, wherever necessary.

Department of Personnel O.M. No. 27/14/71-Estt. (SCT), dated 30th January, 1973 to all Ministries etc.

Subject:—Filling of vacancies reserved for Scheduled Castes/Scheduled Tribes candidates—Number of candidates to be called for interview.

The undersigned is directed to say that according to para 2(e) of the Ministry of Home Affairs Office Memorandum No. 1/1/70-Estt.(SCT), dated the 31st July, 1970, in direct recruitment made through examination along with interview or in direct recruitment made otherwise than through examination, the interview of Scheduled Caste and Scheduled Tribe candidates should be held on a separate day or sitting of the Selection Committee so that the Scheduled Caste and Scheduled Tribe candidates are not judged in comparison with general candidates and the Interviewing Authority/Board is/are prominently aware of the need for judging the Scheduled Caste/Scheduled Tribe candidates by relaxed standards. It has been brought to the notice of this Department that candidates belonging to Scheduled Castes/Scheduled Tribes though fulfilling all the prescribed qualifications were sometimes not called for interview. This matter has been considered and it has been decided that in posts filled otherwise than through examination normally, six to seven candidates belonging to the community for which the post is reserved may be called for interview for each reserved vacancy, subject to availability of such candidates fulfilling the qualifications

prescribed for the post. Where the response from the Scheduled Caste/Scheduled Tribe candidates is exceptionally good, the recruiting authority may, having regard to the merits of each case, call as many as 10 to 12 candidates of the respective category for each reserved vacancy for purposes of interview/selection.

2. Ministry of Finance etc. are requested to bring the above instructions to the notice of all the appointing authorities under them.

Office Memorandum No. F. 5/25/F.IV(B)/60, dated the 6th May, 1960 from the Ministry of Finance (Department of Expenditure), to all Ministries of the Government of India, etc.

Subject:—Travelling allowance to Scheduled Castes/Scheduled Tribes candidates called for interview by Ministries etc. for appointment to advertised posts.

The undersigned is directed to invite a reference to the Ministry of Home Affairs Office Memorandum No. 5/5(2)/59-SCT(1), dated 18th November, 1959, addressed to all Ministries etc. of the Government of India on the above subject, and to say that the question of grant of T.A. to Scheduled Castes/Scheduled Tribes candidates called for interview in connection with their appointment to posts under Government has been considered in consultation with the Comptroller and Auditor General. The President has been pleased to decide that when Scheduled Castes/Scheduled Tribes candidates are called for interview for appointment to Class III and IV *advertised posts*, recruitment to which is made *departmentally*, (i.e., otherwise than through the U.P.S.C.), the recruiting authority may allow *such* candidates single 3rd Class rail fares, chargeable by *passenger* train, by the shortest route from the railway station nearest to their normal place of residence, or from which they actually performed the journey, whichever is nearer to the place of interview, and back to the same station *provided* the distance travelled by rail each way exceeds fifty miles. No extra charges, if any, incurred for reserving seat/sleeping berth in the train will, however, be re-imbursed to the candidates.

Office Memorandum No. F. 5/25/E.IV(B)/60, dated the 21st September, 1960 from Ministry of Finance (Department of Expenditure) to all Ministries etc.

Subject:—Travelling allowance to Scheduled Castes/Scheduled Tribes candidates called for interview by Ministries etc. for appointment to advertised posts.

The undersigned is directed to invite a reference to this Ministry's Office Memorandum No. F. 5/25/E.IV(B)/60, dated the 6th May, 1960, on the above subject and to say that a question has been raised whether road mileage will be admissible to Scheduled Castes/Scheduled Tribes candidates called for interview for appointment to Class III and Class IV advertised posts if the journeys are made between stations not connected by rail. It has been decided that for road journeys between stations not connected by rail, the recruiting authority may allow such candidates actual bus fares or road mileage at the lowest rate for Government servants as admissible under the Supplementary Rules, whichever is less, provided the distance covered by road is more than 20 miles each way.

2. It has also been decided that the provisions of this Ministry's Office Memorandum No. F. 5/25/E.IV(B)/60, dated the 6th May, 1960 and para 1 above will apply to the Scheduled Castes/Scheduled Tribes candidates called for a written test on the basis of which appointments to such Class III and Class IV advertised posts are made. The travelling allowance to the candidates called for a written test will, however, be admissible subject to the condition that the written test and any interview that may also be necessary would be held at one and the same station and on the same or adjacent days so that the candidate would get Travelling Allowance for only one journey to and from the *place of selection*.

Office Memorandum No. 5(25)-E.IV(B)60, dated the 23rd November, 1960 from the Ministry of Finance (Department of Expenditure), to all Ministries of the Government of India, etc.

Subject:—Travelling allowance to Scheduled Castes/Scheduled Tribes candidates called for interview/written test by Ministries etc. through Employment Exchange.

The undersigned is directed to invite a reference to this Ministry's Office Memoranda No. F. 5/25-E.IV(B)/60, dated the 6th May, 1960 and 21st September 1960 wherein orders were issued for the payment of travelling allowance to the Scheduled Castes/Scheduled Tribes candidates called for interview/written test by the recruiting authorities for appointment to Class III and Class IV advertised posts recruitment to which is made departmentally. Enquiries have been received from certain quarters whether the concession under those orders may also be allowed to the candidates called by the recruiting authority for interview/written test, through the Employment Exchanges. It has been decided that the orders mentioned above should apply also to the candidates of Scheduled Castes/Scheduled Tribes called through the Employment Exchanges, for interview/written test for appointment to Class III and Class IV posts, recruitment to which is made departmentally.

Office Memorandum No. F. 5(25)EIV(B)/60, dated the 22nd July, 1963, from the Ministry of Finance (Department of Expenditure), to all Ministries of the Government of India, etc.

Subject:—Travelling allowance to Scheduled Castes/Scheduled Tribes candidates called for interview/written test by Ministries etc. for appointment to Class III and Class IV advertised posts under Government recruitment to which is made departmentally.

The undersigned is directed to invite reference to this Ministry's Office Memoranda of even number dated the 6th May, 1960, the 21st September, 1960 and the 23rd November, 1960 on the subject mentioned above and to state that a question has been raised as to whether the concessions sanctioned therein are admissible also to Scheduled Castes/Scheduled Tribes candidates who are already in Central/State Government services. It is hereby clarified that the term 'candidates' in the Office Memoranda cited above does not include those who are already in Central/State Government service. Accordingly, the concessions in question are *not* admissible to those candidates who are already in Central/State Government service.

2. These orders have effect from the respective dates of the orders mentioned above but past cases in which payments have been made under those orders to the candidates, who were in the Central/State Government service, need not be reopened.

Ministry of Finance (Department of Expenditure) O.M. No. 5(25)E.IV(B)/60, dated 19-6-72 to all Ministries/Departments etc.

Subject:—Travelling allowance to Scheduled Castes/Scheduled Tribes called for interview/written test by Ministries etc. through Employment Exchange.

The undersigned is directed to invite a reference to this Ministry's Office Memorandum of even number dated the 6th May, 1960 and 21st September, 1960 wherein orders were issued for the payment of travelling allowance to the Scheduled Castes/Scheduled Tribes candidates called for interview/written test by the recruiting authorities for appointment to Class III and IV advertised posts recruitment to which is made departmentally.

2. A question has been raised as to what travelling allowance should be allowed for sea-journey performed by the Scheduled Tribes candidates from the Union Territories of L.M.A. Islands to attend interview/test for recruitment to Class III and Class IV posts on the mainland as well as in the Islands centres. It has been decided that for the above mentioned sea-journeys, the sea-passage by the lowest class (exclusive of diet charges) may be reimbursed provided the distance covered by sea is more than thirty kilometres each way.

3. In their application to the Indian Audit and Accounts Department, these orders issue after consultation with the Comptroller and Auditor General of India.

Ministry of Finance O.M. No. 19014(2)-E.IV(B)/74, dated 25-1-75 to all Ministries/Departments etc.

Subject:—Travelling allowance to SC/ST candidates called for interview/written test by Ministries etc.

The undersigned is directed to invite attention to this Ministry's O.M. No. F 5(25)-E.IV(B)/60, dated 22-7-1963, which clarifies that SC/ST candidates already in service under Central/State Government will not be entitled to the concessions granted in this Ministry's Office Memoranda No. F. 5(25)-E.IV(B)/60, dated the 6-5-1960, the 21-9-1960 and the 23-11-1960.

It is now further clarified that the concessions will also not be admissible to SC/ST candidates who are already in service in Central/State Government, Corporations, Public Undertakings, local Government, Institutions and Panchayats.

Past cases in which payments have already been made need not be reopened.

These orders issue after consultation with the Comptroller and Auditor General of India.

Department of Personnel & A.R. O.M. No. 27/10/71-Estt.(SCT), dated the 5th September, 1975 to all Ministries etc.

Subject:—Requirement regarding experience in a particular field or post—Question of relaxation in the case of Scheduled Castes/Tribes candidates.

In this Department's Office Memorandum No. 27/10/71-Estt.(SCT), dated the 28th August, 1971, views of the Ministries/Departments were invited on the question of relaxation of the requirement regarding experience in a particular field or post for recruitment to posts/services under the Government in the case of Scheduled Castes/Scheduled Tribes candidates. This matter has been carefully considered in the light of the views of the Ministries/Departments, and in consultation with the Union Public Service Commission. It has now been decided that where some period of experience is prescribed as an essential qualification for direct recruitment to a post, and where, in the opinion of the Ministry/Department concerned, the relaxation of the experience qualification will not be inconsistent with efficiency, a provision should be inserted under the 'Essential' qualification in column 7 of the Schedule to the relevant Recruitment Rules, as indicated at (a) or (b) below, to enable the UPSC/competent authority to relax the 'experience' qualification in the case of Scheduled Castes/Scheduled Tribes candidates in the circumstances mentioned in the provisions:—

(a) Where the post is filled by direct recruitment through the Union Public Service Commission, the provision to be inserted will be:—

"The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes, if at any stage of selection the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them."

(b) Where the post is filled by direct recruitment otherwise than through the UPSC, the provision to be inserted will be:—

"The qualification regarding experience is relaxable at the discretion of the competent authority in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes, if at any stage of selection, the competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them"

2. The Ministry of Finance, etc. are accordingly requested to review the Recruitment Rules of all the posts in Class I, Class II, Class III and Class IV under them, and to make suitable provision, wherever necessary, in the Recruitment Rules as mentioned in the preceding paragraph.

3. When any vacancies reserved for Scheduled Castes and Scheduled Tribes are advertised or intimated to the Employment Exchange, it should be specifically mentioned in the advertisement/requisition that the period of experience prescribed is relaxable, at the discretion of the UPSC or the competent authority, as the case may be, in the case of Scheduled Castes/Tribes candidates as provided in the Recruitment Rules. This is intended to ensure that the aspirants who may fall slightly short of the requisite experience come to know about the possibility of relaxation in their regard.

4. Ministry of Finance, etc. are requested to bring the above instructions to the notice of all concerned.

Department of Personnel & A.R. O.M. No. 42015/3/75-Estt.(C), dated the 16th January, 1976 to all Ministries etc.

Subject:—Appointment of persons holding the posts of sweepers, farashes etc. as peons.

As the Ministry of Finance etc. are aware, to improve the work environment of sweepers, farashes, etc., who are at the lowest rung of the society and who are already in service, Ministries/Departments were requested vide this Department's O.M. of even number dated the 5th September, 1975 to amend the Recruitment Rules for the post of peons under them in consultation with this Department to provide for appointment on transfer of sweepers, farashes, etc. possessing the qualifications prescribed for direct recruitment to the post, to the extent such persons are available.

2. This question was further considered at the 6th meeting of the High Power Committee under the Chairmanship of the Prime Minister and it was observed, that, the minimum educational qualifications may not be insisted upon in their case, because the existing sweepers and farashes may not be in a position to acquire those qualifications as are prescribed for the post of peons. Therefore, it was decided by the High Power Committee, that, in their cases, the question of relaxation of educational qualifications should be sympathetically considered, if they possess elementary literacy and give proof of ability to read in Hindi. After carefully considering the question, it has been decided, that 25% of the vacancies accruing in the peons cadre should be reserved for being filled by transfer from sweepers, farashes, chowkidars, etc. who have put in a minimum of five year's service and who may not be possessing the qualifications prescribed for direct recruitment to the post but who may possess elementary literacy and give proof of ability to read in Hindi. For the purpose of determining whether such sweepers, farashes, chowkidars, etc. possess elementary literacy and have ability to read in Hindi, it would be necessary to hold a simple written test. Ministries/Departments are accordingly requested to amend the Recruitment Rules for the post of peons under them in consultation with this Department to reserve 25% of the vacancies occurring in the cadre of peons for appointment on transfer of sweepers, farashes, chowkidars, etc. who do not possess the qualifications prescribed for direct recruitment to the post of peon but who possess elementary literacy and give proof of ability to read in Hindi and have put in five year's service in the parent cadre.

Deptt. of Personnel & A.R. O.M. No. 36011/9/76-Estt. (SCT), dated 14-7-76 to all Ministries etc.

Subject:—Relaxation of age limit for Scheduled Castes, Scheduled Tribes and other special categories of persons—provision in the Recruitment Rules.

The undersigned is directed to refer to the instructions contained in the Ministry of Home Affairs O.M. No. 42/19/51-NGS dated 25-6-1952 and No. 15/1/55-SCT dated 30-4-1955 according to which the maximum age-limit prescribed for direct recruitment to a service or post is increased by five years in the case of candidates belonging to Scheduled Castes and Scheduled Tribes. Further according to the instructions in Department of Personnel and A.R. O.M. No. 21/9/70-Estt.(SCT) dated 8-12-1971 where an upper age-limit not exceeding 50 years is prescribed for

promotion to a service/post, it shall be relaxed by 5 years in the case of candidates belonging to Scheduled Castes and Scheduled Tribes, except in posts which have arduous field duties or are meant for operational safety and in posts in para-military organisations. The maximum age limit prescribed for direct recruitment to a service or post is also relaxable in the case of certain special categories of persons e.g. migrants from East Pakistan (now Bangladesh), migrants from East African countries, ex-servicemen in certain cases etc. according to the various orders issued in this regard. According to the instructions in the Ministry of Home Affairs O.M. No. 4/1/55-RPS dated 12th February, 1955, relaxation of age limit should normally be made only where the recruitment rules provide for such relaxation. The recruitment rules which *inter-alia* prescribe the age limit for a post/service, should, therefore, contain the following proviso:—

“Provided that the upper age limit prescribed may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued from time to time by the Central Government.”

The Committee on Subordinate Legislation has however pointed out in para 182 of its 12th Report that the Recruitment Rules for posts under certain Ministries/Departments did not contain the above mentioned proviso. The Committee has desired that all Ministries/Departments should take necessary action to amend their recruitment rules so as to incorporate therein the proviso on the above mentioned lines, wherever it has not already been done. The recommendation of the Committee is accordingly brought to the notice of the Ministries/Departments for implementation. Ministries/Departments are requested to review the recruitment rules in respect of posts under them and to include a proviso therein on the above mentioned lines, wherever necessary.

Department of Personnel & Administrative Reforms O.M. No. 36021/10/76-Estt. (SCT), dated 21st January, 1977 to all Ministries etc.

Subject:—Relaxation of standards in the case of Scheduled Caste/Tribe candidates in qualifying examinations for promotion to the higher grade on the basis of seniority subject to fitness.

The undersigned is directed to refer to this Department's Office Memorandum No. 8/12/69-Estt.(SCT), dated the 23rd December, 1970 in which it has been provided that in promotions made through departmental competitive examinations and in departmental confirmation examinations, if sufficient number of Scheduled Caste/Scheduled Tribe candidates are not available on the basis of the general standard to fill the vacancies reserved for them, candidates belonging to these communities who have not acquired the general qualifying standard should also be considered for promotion/confirmation provided they are not found unfit for such promotion/confirmation. A question has been raised whether relaxation in qualifying standards should be granted to Scheduled Castes and Scheduled Tribes candidates, on the same basis, in promotions on the basis of seniority subject to fitness, where fitness is decided on the basis of qualifying examination. The matter has been carefully considered and it has now been decided that in promotions made on the basis of seniority subject to fitness in which there is reservation for Scheduled Castes and Scheduled Tribes in accordance with this Department's Office Memorandum No. 27/2/71-Estt.(SCT), dated the 27th November, 1972, and where a qualifying examination is held to determine the fitness of candidates for such promotion, suitable relaxation in the qualifying standard in such examinations should be made in the case of Scheduled Caste/Scheduled Tribe candidates. The extent of relaxation should however, be decided on each occasion whenever such an examination is held taking into account all relevant factors including (i) the number of vacancies reserved, (ii) the performance of Scheduled Caste/Scheduled Tribe candidates as well as general candidates in that examination, (iii) the minimum standard of fitness for appointment to the post, and also (iv) the overall strength of the cadre and that of the Scheduled Castes and Scheduled Tribes in that cadre.

2. The Ministry of Finance etc., are requested to bring the above decision to the notice of all authorities concerned.

Deptt. of Personnel & A.R. O.M. No. 42015/1/76-Estt.(C), dated 2-2-77 to all Ministries/Departments, etc.

Subject:—Appointment of persons holding the posts of Sweepers, Farashes etc. as Peons.

The undersigned is directed to refer to the Department of Personnel's O.M. No. 42015/3/75-Estt.(C), dated 16th January, 1976 regarding reservation of 25% vacancies in the Peons cadre for being filled by transfer from Sweepers, Farashes, Chowkidars etc. who have put in minimum of 5 years of service and who may not be possessing the qualifications prescribed for direct recruitment for the post but who may possess elementary literacy and give proof of ability to read in Hindi.

2. It was, however, felt that the condition regarding "ability to read in Hindi" might cause hardship to Sweepers, Farashes etc. working in offices under Central Government and Union Territory Administrations situated in non-Hindi speaking areas. The matter accordingly came up again for consideration at the meeting of the High Power Committee held under the Chairmanship of the Prime Minister on 12th November, 1976 and it was decided that in view of the practical considerations involved, Sweepers, Farashes, etc. who possess elementary literacy and give proof of ability to read either English or Hindi or Regional language could be considered for transfer to the Peons cadre in the 25% vacancies reserved for them and the instructions contained in the O.M. dated 16-1-1976 cited above stand amended to that extent.

3. The Ministry of Finance etc. are requested to amend their recruitment rules for the post of Peon accordingly in consultation with this Department.

Ministry of Finance (Deptt. of Expenditure) O.M. No. 19014/2/77-E.IV (B), dated 27-10-77 to all the Ministries/Departments, etc.

Subject:—Payment of travelling allowance to Scheduled Castes/Scheduled Tribes candidates called for interview by the Subordinate Services Commission for appointment to Groups 'C' & 'D' posts.

The undersigned is directed to invite a reference to this Ministry's Office Memorandum No. 5/25/E.IV(B)/60, dated the 6th May, 1960, as amended from time to time, which provides for the payment of travelling allowance to Scheduled Castes/Scheduled Tribes candidates called for interview for appointment to class III and class IV (now Group C & D) advertised posts recruitment to which is made departmentally. It has now been decided that travelling allowance under the aforesaid orders may also be allowed to the Scheduled Castes/Scheduled Tribes candidates called for interview by the Subordinate Services Commission for appointment to Groups C & D advertised posts under the Government of India.

Department of Personnel & A.R. O.M. No. 36011/6/79-Estt.(SCT), dated the 19th April, 1979 to all Ministries etc.

Subject:—Relaxation of standards in the case of Scheduled Caste/Tribe candidates in qualifying examinations for promotion.

The undersigned is directed to refer to this Department's O.M. No. 36021/10/76-Estt.(SCT), dated 21-1-77 in which it has been provided that in promotions made on the basis of seniority subject to fitness where there is reservation for Scheduled Castes and Scheduled Tribes in accordance with the Department of Personnel & A.R. O.M. No. 27/2/71-Estt.(SCT), dated the 27th November, 1972, and where a qualifying examination is held to determine the fitness of candidates for such promotion, suitable relaxation in the qualifying standards in such examinations should be made in the case of Scheduled Caste/Scheduled Tribe candidates. The extent of relaxation in such cases is to be decided on each occasion taking into account all relevant factors including (i) the number of vacancies reserved; (ii) the performance of Scheduled Caste/Scheduled Tribe candidates as well as general candidates in that examination; (iii) the minimum standard of fitness for appointment to the post; and also (iv) the overall strength of the cadre and that of the Scheduled Castes and Scheduled Tribes in that cadre. A question has been raised whether similar relaxa-

tion of standards could be made in favour of Scheduled Caste/Scheduled Tribe candidates in departmental qualifying examinations for promotion in cases where promotion is made by selection (and not on the basis of seniority subject to fitness). It has now been decided that in the case also of departmental qualifying examinations held for promotion to be made on the basis of selection in which there is reservation for Scheduled Castes and Scheduled Tribes in accordance with para 2(B)(b) of this Department's O.M. No. 1/12/67-Estt.(C) dated 11-7-68 and No. 10/41/73-Estt.(SCT), dated 20-7-74 (read with relevant amending orders viz. O.M. No. 27/25/68-Estt.(SCT), dated 25-3-70 and O.M. No. 36021/7/75-Estt.(SCT), dated 25-2-76) suitable relaxation should be made in the case of Scheduled Caste/Scheduled Tribe candidates in the Departmental qualifying examinations in question. In such cases the extent of relaxation should be decided on each occasion whenever a qualifying examination is held taking into account all relevant factors such as those referred to at items (i) to (iv) in this office Memorandum.

Department of Personnel & A.R. O.M. No. 15012/2/81-Estt.(D), dated 8-4-81

Subject:—Relaxation of Upper Age Limit for Departmental Candidates for appointment for Group 'C' and 'D' posts in their own Departments.

In terms of this Department's O.M. No. 4/4/74-Estt.(D), dated the 20th July, 1976 for direct recruitment in Group C and D posts/services, the upper age limit will be relaxable upto the age of 35 years in respect of persons who are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the Department will be useful for efficient discharge of the duties in other categories of posts in the same Department, provided the age concession will be admissible only where an employee has rendered not less than three years continuous service in the same Department.

An enquiry has been made as to whether Departmental candidates belonging to SC/ST would be eligible for a concession of 5 years over the age of 35 years for purposes of recruitment in terms of the Q.M. quoted above. It is clarified that for Departmental SC/ST candidates satisfying the above conditions, the upper age limit will be relaxable upto 40 years.

Department of Personnel & A.R. O.M. No. D.1458/81-Estt.(SCT), dated 21-5-81

Subject:—Requirement regarding experience in a particular field or post—question of relaxation in the case of SC/ST candidates—further clarification regd.

Attention is invited to Department of Personnel & A.R. O.M. No. 27/10/71-Estt. (SCT), dated 5th September, 1975 on the above subject by which a provision should be inserted under the 'essential' qualification in column 7 of the scheduled to the relevant Recruitment Rules for relaxing the essential qualification in favour of SC/ST candidates in direct recruitment to a post. The Committee on Subordinate Legislation has recommended that the foot-note in column 7 of the Recruitment Rules should be further expanded by adding the following sentence:

"The appointing authority shall record the reasons for relaxing the qualifications regarding experience in writing while doing so."

Ministries/Departments etc. are requested to bring the above recommendation to the notice of all concerned.

CHAPTER 8

ESSENTIAL STEPS TO BE TAKEN FOR FILLING RESERVED VACANCIES

8.1 The following steps should be taken to bring the reserved vacancies filled by direct recruitment (other than in posts filled through UPSC or through advertisement as the primary source of recruitment, the procedure in respect of which is given in Chapter 9) to the notice of members of Scheduled Castes and Scheduled Tribes before they are de-reserved:

(i) *Employment Exchange:*

(a) All vacancies should be notified to the local or the regional employment exchange in the form of requisition given in Appendix 10.

(b) A notice of at least 15 days should be given to the Employment Exchanges for sponsoring candidates.

(c) The number of vacancies reserved for Scheduled Castes and Scheduled Tribes out of the total vacancies notified should be clearly indicated in item 6(a) of the requisition to the Employment Exchange. The following certificate should also be given below item 9 of the requisition:—

“Certified that the number of vacancies reserved for Scheduled Castes/Scheduled Tribes and ex-servicemen as mentioned in Col. 6(a) above is in accordance with the reservation quota fixed by Government for these categories”.

(d) When a local Employment Exchange is unable to nominate any suitable candidate, it will refer the vacancy or vacancies to the Central Employment Ex-

Para 5(6)
of MHA
O.M. No.
42/21/49-
NGS
dated
28-1-52
No.
27/2/69-
Est. (SCT)
dated 5-7-
69, No. 14,
12/67-Est.
(D) dt. 10-
4-68 and
No. 27/6/
70-Est.
(SCT)
dated
5-6-70.
MHA
O.M.No.
27/2/69-
Est.
(SCT)
dated
5-7-69,
Deptt. of
Personnet
O.M. No.
14/17/71-
Est. (D)
dated
27-11-71.
Deptt. of
Personnel
& A.R.
360/4
O.M. No.
3/77-Est.
(SCT)
dated
23-4-77.

*Please see after chapter 4.

change, Directorate General of Employment and Training, Sharm Shakti Bhavan, Rafi Marg, New Delhi-1. Vacancies of scientific and technical nature carrying a pay scale with a minimum of Rs. 425 or more are notified to the Central Employment Exchange and circulated to all Employment Exchanges. Consolidated advertisements are also issued by the D.G., E & T on all-India basis including in the 'Employment News'.

(ii) *Advertisement in newspapers:*

- (a) If sufficient number of Scheduled Castes/Tribes candidates are not available, through the Employment Exchange to fill the vacancies reserved for them, the vacancies if not already advertised by the Directorate General of Employment & Training should be advertised by the appointing authorities through the Directorate of Advertising & Visual Publicity. Vacancies in posts and services recruitment to which is made on all-India basis [vide Para 2.1(i)] should be advertised in the newspapers approved by the Directorate of Advertising and Visual Publicity for this purpose.
- (b) Vacancies in Group C or Group D (Class III or Class IV) posts recruitment to which normally attracts candidates from a locality or region, should be advertised in such newspapers as may be considered suitable for the purpose through the Directorate of Advertising and Visual Publicity.
- (c) Copies of advertisement should also be endorsed to the Regional or local Employment Exchange.

Deptt. of
Personnel
and A.R.
O.M. No.
43012/
1/81-Est.
(SCT)
dattd
26-3-81.

(iii) *Associations and Organisations of Scheduled Castes and Scheduled Tribes:*

Simultaneously with the advertisement the vacancies should be brought to the notice of the Scheduled Castes/Scheduled Tribes organisations as the case may be listed in Appendix 11. When doing so, it should be made clear to such organisations that their function is limited to advising the Scheduled Castes/Scheduled Tribes candidates about the recruitment proposed and that it will not be for them to recommend or press the names of any individuals. The candidate should apply to the appointing authority either directly or through the Employment Exchanges as the case may be.

- (iv) *Announcement of reserved vacancies on Stations of All India Radio:* Deptt. of Personnel & A.R.

At the time when the vacancies are notified to the local Employment Exchange to suggest names for reserved vacancies and simultaneously with the advertisement, the reserved vacancies should also be notified by the concerned appointing authority/DGE & T to one or more Stations of the All India Radio listed in Appendix 17 for announcement through that Station (s). The announcement of reserved vacancies on Stations of All India Radio should contain an advice to prospective candidates to get their names registered with the Employment Exchange of the area and to approach the Employment Exchange for further assistance.

O.M.No. 36022/4/76-Est. (SCT) dated 7-8-1976 and No. 36011/28/79-Est. (SCT) dated 11-2-80.

- (v) *Intimation of reserved vacancies to Directors of Scheduled Castes/Scheduled Tribes Welfare or Social Welfare in States/Union Territories:* Deptt. of Personnel & A.R.

After the Employment Exchange has expressed his inability to sponsor Scheduled Caste/Tribe candidates against vacancies referred to it, the appointing authority should also intimate the reserved vacancies to the Director of Scheduled Castes/Scheduled Tribes Welfare or Director of Social Welfare in the State/Union Territory concerned.

O.M. No. 36034/2/77-Est. (SCT) dated 24-2-1978.

8.2 The results of submission made by the Employment Exchange of Scheduled Caste/Tribe candidates should be intimated to the Employment Exchange within a period of one month. If any of the vacancies reserved for Scheduled Castes/Scheduled Tribes/Ex-Servicemen is not filled by a candidate of the respective category sponsored by the Employment Exchange, specific reasons therefor should be communicated to the Exchange.

MHA O.M.No. 14/12/67-Est. (D) dated 10-4-68.

- 8.3 *Exchange of vacancies between Scheduled Castes and Scheduled Tribes.* MHA O.M.No. 1/1/70 Estt. (SCT) dated 31-7-70.

If a reserved vacancy or vacancies for which recruitment is to be made in accordance with the procedure in para 8.1 above include any vacancy/vacancies which have been carried forward to the third year of carry forward (excluding the year of original reservation and the year or years in which no vacancy arises) applications should be invited both from Scheduled Castes and Scheduled Tribes candidates but it should be clarified in the requisition/advertisement etc., that for a vacancy or vacancies reserved for Scheduled Castes, Scheduled Tribes candidates would be considered only in the event of non-availability of suitable Scheduled Caste candidates and similarly in respect of a vacancy or vacancies reserved for Scheduled Tribes, Scheduled Caste candidates would be considered only in the event of non-availability of suitable Scheduled Tribes candidates.

8.4 Separate interview of Scheduled Caste/Scheduled Tribes candidates.

M.H.A.
O.M. No.
1/1/70
Estt
(SCT)
dated
31-7-70.

In direct recruitment to be made in accordance with the procedure in para 8.1 above, the interview of Scheduled Castes/Scheduled Tribes candidates should be held on a day or sitting of the Selection Committee other than the day or sitting on which general candidates are to be interviewed so that the Scheduled Castes and Scheduled Tribes candidates are not judged in comparison with general candidates and the interviewing authority/Board is/are prominently aware of the need for judging the Scheduled Castes/Scheduled Tribes candidates by relaxed standards.

COPIES OF THE OFFICE MEMORANDA ETC.

ON

CHAPTER 8

O.M. No. 42/21/49-NGS	28-1-52....After Chapter 4
O.M. No. 14/21/67-Estt. (D)	10-4-68
O.M. No. 27/2/69-Estt. (SCT)	5-7-69
O.M. No. 27/6/70-Estt. (SCT)	5-6-70
O.M. No. 1/1/70-Estt. (SCT)	31-7-70....After Chapter 7
O.M. No. 14/17/71 Estt.(D)	27-11-71
O.M. No. 36022/4/76-Estt. (SCT)	7-8-76
OM No. 36014/3/77/Estt. (SCT)	23-4-77
O.M. No. 36034/2/77-Estt. (SCT)	24-2-78
O.M.N.o. 36011/28/79 Estt. (SCT)	11-2-80
O.M. No. 42012/1/81-ESit. (SCT)	26-3-81

Ministry of Home Affairs O.M. No. 14/12/67-Estt(D), dated 10th April, 1968
to all Ministries etc.

Subject:—Vacancies reserved for Scheduled Castes, Scheduled Tribes and Ex-Servicemen.

As Ministry of Finance etc. are aware, certain percentages of vacancies filled by direct recruitment have been reserved for Scheduled Castes and Scheduled Tribes vide Ministry of Home Affairs Resolution No. 42//21/49-NGS dated the 13th September, 1950. Some percentages of vacancies in Class III and IV posts filled by direct recruitment have also been reserved for Ex-Servicemen, vide Ministry of Home Affairs O.M. No. 14/26/64-Estt.(D) dated 4-7-1966. It has been brought to the notice of this Ministry that while notifying vacancies to Employment Exchange concerned, the fact that a particular vacancy is reserved for Scheduled Castes/Scheduled Tribes/Ex-Servicemen is sometimes not indicated in the requisition placed on the Employment Exchange, with the result that candidates who are eligible for the reserved vacancy are not sponsored by the Exchange. It is requested that while notifying vacancies to the Employment Exchange, it should be clearly indicated in the requisition whether or not the vacancies are reserved for Scheduled Castes, Scheduled Tribes/Ex-Servicemen. Even if a vacancy is unreserved, this should be specifically stated in the requisition. The above points may be brought to the notice of all the authorities concerned, who may also be instructed to intimate the result of submission made by the Employment Exchange within a period of one month. If any of the vacancies reserved for Scheduled Castes/Scheduled Tribes/Ex-Servicemen is not filled by a candidate of the respective category sponsored by the Employment Exchange, specific reasons therefor should be communicated to the Exchange.

Ministry of Home Affairs O.M. No. 27/2/69-Estt. (SCT), dated 5th July, 196
to all Ministries etc.

Subject:—Employment of Scheduled Castes & Scheduled Tribes—Adequate notice of vacancies to the Employment Exchanges.

It has been brought to the notice of this Ministry that in the absence of adequate notice of reserved vacancies by the employing offices to the Employment Exchange the latter find it difficult to nominate candidates of Scheduled Castes and Scheduled Tribes against the notified vacancies. It is therefore necessary that the appointing authorities should give sufficient notice to the Employment Exchanges for nomination of suitable candidates against the reserved vacancies. In order to ensure maximum response to the requisitions addressed to the Employment Exchanges for this purpose the Ministries/Departments are requested to bring it to the notice of all appointing authorities that a notice of at least 15 days should be given by them to the Employment Exchanges for sponsoring candidates against the reserved vacancies.

Ministry of Home Affairs O.M. No. 27/6/70-Estt. (SCT), dated 5th June, 1970
to all Ministries etc.

Subject:—Notifying vacancies reserved for Scheduled Castes and Scheduled Tribes to Employment Exchanges—Recommendation No. 3 (para 2.13) in the Fifth Report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes has made the following recommendation in its Fifth Report:—
Recommendation No. 3 (para 2.13)

"The Committee are unhappy to observe that only about 41 percent of vacancies out of total vacancies notified as reserved for Scheduled Castes and Scheduled Tribes during 1968 were actually filled. They are also unhappy that only 2.3 percent vacancies were notified as reserved for Scheduled Castes and Scheduled Tribes during 1968. In view of the insignificant percentage of vacancies notified as reserve

For Scheduled Castes and Scheduled Tribes, the Committee would like that the Ministries/Departments and other authorities should ensure that percentage of posts intended to be reserved for Scheduled Castes and Scheduled Tribes is duly taken into consideration while notifying the vacancies to Employment Exchanges".

In this connection, a reference is invited to this Ministry's O.M. No. 14/12/67-Est.(D) dated 10th April, 1968 (copy enclosed) in which the Ministries etc. were requested that while notifying vacancies to the Employment Exchanges, it should be clearly indicated in the requisition whether or not the vacancies are reserved for Scheduled Castes/Scheduled Tribes/Ex-Servicemen and that even if a vacancy is unreserved, this should be specifically stated in the requisition. The recommendation of the Parliamentary Committee mentioned above is brought to the notice of the Ministry of Finance etc. They are requested to ensure that the instructions issued in this Ministry's O.M. No. 14/12/67-Est.(D) dated 10-4-1968 are observed by them and their attached and subordinate offices strictly.

Department of Personnel O.M. No. 14/17/71-Est.(D), dated 27th November, 1971 to all Ministries etc.

Subject:—Fourth Report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes—Recommendation No. 32—Certificate regarding number of reserved vacancies included in the requisition.

The undersigned is directed to refer to the Ministry of Home Affairs Office Memorandum No. 2/11/55-RPS, dated the 7th May, 1955 (as amended by the Office Memorandum of even number dated 1st July, 1955 and 6th July, 1956), regarding measures for securing increased representation of Scheduled Castes and Scheduled Tribes in the Central Services, and to say that the following amendments may be made to the requisition form given as Annexure II to the aforesaid Office Memorandum of 7th May, 1955, with immediate effect:—

1. Item 6(a) should be read as under:—

"Number of posts to be filled.

- (i) Reserved for Scheduled Castes—Priority
Reserved for Scheduled Castes—Non-priority
- (ii) Reserved for Scheduled Tribes—Priority
Reserved for Scheduled Tribes—Non-priority
- (iii) Reserved for Ex-Servicemen
- (iv) Unreserved—Priority
Unreserved—Non-priority."

2. The form of certificate as given below item 9 may be substituted as under:—

"Certified that the number of vacancies reserved for Scheduled Castes/Scheduled Tribes and Ex-Servicemen as mentioned in Col. 6(a) above is in accordance with the reservation quota fixed by Government for these categories."

Department of Personnel & A.R. O.M. No. 36022/4/76-Est.(SCT), dated the 7th August, 1976 to all the Ministries etc.

Subject:—Announcement of vacancies reserved for Scheduled Castes and Scheduled Tribes through the All India Radio—Recommendation No. 15 contained in the 41st Report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes has made the following recommendation in its 41st Report:—

Recommendation No. 15 (Para 2.11)

"The Committee recommend that the Department of Personnel and Administrative Reforms in co-ordination with the Ministry of Information and Broadcasting, should devise a scheme by which vacancies reserved for Scheduled Castes and Scheduled Tribes are regularly announced or advertised from the various stations of All India Radio and set timings for such programmes should be fixed so that Scheduled Caste and Scheduled Tribe candidates, living in remote areas where newspapers may not be easily available, become aware of such vacancies."

2. The above recommendation has been considered in consultation with the Ministry of Information and Broadcasting and it has been accepted for implementation. A State-wise list of All India Radio stations located in areas with concentration of Scheduled Castes and Scheduled Tribes population is enclosed. The Station Directors of these Stations have been instructed by the Ministry of Information and Broadcasting to broadcast announcements regarding the vacancies reserved for Scheduled Castes and Scheduled Tribes. Ministry of Finance etc. are now requested to advise their various attached/subordinate offices/appointing authorities etc. to ensure that vacancies reserved for Scheduled Castes and Scheduled Tribes in Group C and Group D posts are notified to the appropriate Station Directors of All India Radio for announcement through that station. The following procedure may be followed in this regard:—

- (i) At the time when the vacancies are notified to the local Employment Exchange to suggest names for the reserved vacancies, the appointing authorities concerned should simultaneously notify such reserved vacancies appropriately to one or more of the stations of the All India Radio, mentioned in the list referred to above.
 - (ii) If candidates belonging to Scheduled Castes and Scheduled Tribes are not available through the Local Employment Exchange, such vacancies are intimated to the Central Employment Exchange and they are advertised in the Newspapers either by the DGE&T through their periodical advertisements or by the appointing authorities themselves through the DAVP. Besides, notifying vacancies to A.I.R. stations according to the procedure in (1) above, the reserved vacancies should also be notified by the DGE&T/concerned appointing authorities to one more of the stations of the All India Radio mentioned in the aforesaid list, simultaneously with the advertisements in Newspapers.
 - (iii) The announcements of reserved vacancies on stations of the All India Radio should contain an advice to prospective candidates to get their names registered with the Employment Exchange of the area and to approach the Employment Exchange for further assistance.
3. Ministry of Finance etc. are requested to bring the above instructions to the notice of all concerned, for guidance and compliance.
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ANNEXURE

A.I.R. Stations in Areas with concentration of Scheduled Castes and Scheduled Tribes Populations

Name of State	Stations in areas of S. C. concentrations	Stations in areas of S. T. concentrations	Stations in areas of both S.C. and S. T. concentrations	Remarks
1	2	3	4	5
1. Andhra Pradesh	Cuddapah	Visakhapatnam	..	
2. Assam . . . . .	..	Dibrugarh Silchar	Gauhati	
3. Bihar	Patna	Ranchi	..	
4. Gujarat	Ahmedabad Baroda Rajkot	..	..
5. Jammu and Kashmir	Jammu	..	..
6. Kerala	Trivandrum Trichur Alleppy	Calicut	..	
7. Madhya Pradesh	Gwalior	Indore	Bhopal Jabalpur Raipur	
8. Maharashtra	Sangli	..	Pune Parbhani	
9. Manipur . . . . .	..	Imphal	..	
10. Meghalaya . . . . .	..	Shillong	..	
11. Karnataka	Dharwar Gulbarga	..	Bangalore	
12. Nagaland . . . . .	..	Kohima	..	
13. Orissa	Cuttack	Jeypore	Sambalpur	
14. Punjab	Jullundur	..	..
15. Rajasthan	Bikaner Jodhpur Ajmer	..	Jaipur Udaipur	
16. Tamilnadu	Tiruchirappalli Tirunelveli Coimbatore	..	..

1	2	3	4	5
17. Tripura . . . . .	..	..	Agartala	
18. Uttar Pradesh	Lucknow Allahabad Mathura Rampur Gorakhpur	..	..
19. West Bengal . . . . .	..	..	Kurseong Siliguri	
20. Union Territories	Chandigarh Pondicherry	Tezu Aizawal Tawang	..	

Himachal Pradesh (AIR
Simla) J & K State (AIR
Leh)

*Union Territories of Andaman
and Nicobar Islands and Goa
(AIR Port Blair and AIR
Panaji) Assam (AIR Passighat)*

According to the population statistics available from the Planning Commission, there is no concentration of S.C. and S.T. communities in and around the A.I.R. stations, as mentioned under each in brackets in these States/Union Territories. Notwithstanding according to the existing arrangement, these stations also regularly broadcast announcements of vacancies reserved for Scheduled Castes and Scheduled Tribes.

Department of Personnel & A.R. O.M. No. 36034/2/78-Estt.(SCT), dated 24-2-78 to all Ministries/Departments, etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes—Intimation of reserved vacancies to Directors of Scheduled Caste/Tribe Welfare in the State/Union Territories.

The undersigned is directed to refer to the instructions contained in para 26 of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes in services (4th edition, 1975) according to which in respect of vacancies filled by direct recruitment through the Employment Exchanges if sufficient number of SC/ST candidates are not available through the Employment Exchange to fill the vacancies reserved for them, such vacancies are required to be advertised in newspapers and also brought to the notice of the Scheduled Caste and Scheduled Tribe organisations recognised for this purpose. Further according to the instructions issued in this Department's O.M. No. 36022/4/76-Estt.(SCT), dated 7-8-1976, in addition to the abovementioned steps, the reserved vacancies are also required to be notified to selected Stations of All India Radio located in areas with concentration of Scheduled Caste/Scheduled Tribe population. With a view further to giving wider publicity to reserved vacancies and exploring possibility of securing more candidates belonging to Scheduled Castes and Scheduled Tribes for vacancies reserved for them, it has now been decided that after the Employment Exchange has expressed its inability to sponsor Scheduled Caste/Tribe candidates against vacancies referred to it, the appointing authority should, in addition to the steps referred to above also intimate the reserved vacancies to the Director of Scheduled Castes/Scheduled Tribes Welfare or Director of Social Welfare in the State/Union Territory concerned. The Scheduled Caste/Tribe candidates who become available as a result of this step, should be considered along with other eligible candidates belonging to these communities for the reserved vacancies.

2. The Ministry of Finance etc. are requested to bring the above instructions to the notice of all the appointing authorities under them.

Department of Personnel & A.R. O.M. No. 36011/28/79-Estt.(SCT), dated 11-2-80 to all Ministries and Departments etc.

Subject:—Announcement of vacancies reserved for Scheduled Castes and Scheduled Tribes through the All India Radio.

The undersigned is directed to invite a reference to this Department's Office Memorandum No. 36022/4/76-Estt.(SCT), dated the 7th August, 1976 on the above subject and to say that with the coming up of Aurangabad as the main Station in the Aurangabad-Parbhani chain, the announcement of vacancies reserved for Scheduled Castes and Scheduled Tribes candidates are now being made from All India Radio, Aurangabad instead of Parbhani. In the State-wise list of All India Radio Stations sent with the above mentioned Office Memorandum dated the 7th August, 1976 necessary amendment may therefore be made in the list of All India Radio Stations substituting Aurangabad for Parbhani. The Station Directors of these Stations have been instructed by the Director General, All India Radio, Ministry of Information and Broadcasting to accept material for broadcast regarding vacancies reserved for Scheduled Castes and Scheduled Tribes at the All India Radio, Aurangabad instead of Parbhani in future. The Ministry of Finance etc., are now requested to advise their attached/subordinate offices that material for announcement regarding vacancies reserved for Scheduled Castes and Scheduled Tribes should be sent to All India Radio, Aurangabad instead of All India Radio, Parbhani.

2. The Ministry of Finance etc., are requested to bring the above to the notice of all concerned requesting them to substitute All India Radio, Aurangabad for Parbhani, in the list of All India Radio Stations.

Deptt. of Personnel & A.R. O.M. No. 42012/1/81-Estt.(SCT), dated 26-3-81

*Subject:—*Notifying of vacancies reserved for Scheduled Castes/Scheduled Tribes to voluntary associations of SC/ST recognised for this purpose.

With reference to the above subject the undersigned is directed to say that it has been brought to the notice of the Government that vacancies reserved for SC/ST are not notified to the voluntary associations of SC/ST recognised for this purpose. It may be mentioned that to give wide publicity to reserved vacancies, so that more and more SC/ST persons can apply for the vacancies reserved for them, a number of voluntary associations have been recognised. Ministries/Departments are requested to notify the reserved vacancies to these associations.

2. Ministry of Finance etc. are requested to bring the contents of this Office Memorandum to the attached and subordinate offices under them.

CHAPTER 9

PROCEDURE FOR FILLING RESERVED VACANCIES IN RECRUITMENT THROUGH UPSC OR BY ADVERTISEMENT

The following procedure should be followed while sending requisitions to the UPSC or issuing of advertisements for filling the reserved vacancies (in posts filled through advertisement as the primary source of recruitment):—

M.H.A.
O.M. No.
1/1/70-
Estt
(SCT)
dated
31-7-70.

9.1 *Advertisement of reserved vacancies for posts filled by direct recruitment otherwise than through examination:*

(a) *First advertisement:*

Where direct recruitment (otherwise than through examination) is to be made to a vacancy or vacancies reserved for Scheduled Castes or Scheduled Tribes only, (and not to any unreserved vacancy/vacancies as well), advertisement on the first occasion will be issued inviting applications only from the candidates belonging to the Scheduled Castes, and/or the Scheduled Tribes, as the case may be, and not from general candidates.

(b) *Second Advertisement:*

If, after advertisement as in sub-para (a) above, the required number of Scheduled Caste or Scheduled Tribe candidates are not selected for the reserved vacancy or vacancies the remaining reserved vacancy/vacancies will be re-advertised but, on this occasion general candidates would also be eligible to apply. The general candidates would, however, be considered only if no suitable Scheduled Castes or Scheduled Tribe candidates, as the case may be, are still available for appointment to the vacancies reserved for them. This may be clarified in the advertisement.

(c) *Advertisement where recruitment is to be made both for reserved and unreserved vacancies:*

If direct recruitment otherwise than through examination is to be made for reserved as well as unreserved vacancies on any one occasion, a single advertisement can be issued for such reserved and unreserved vacancies specifying clearly therein the vacancies reserved for Scheduled Castes and Scheduled Tribes. If any reserved vacancies remain unfilled for want of suitable Scheduled Castes/ Scheduled Tribes candidates, they should

not be filled by general candidates, on this occasion but should be readvertised and filled on the lines indicated in sub-para (b) above.

(d) *Ad-hoc appointment of Scheduled Castes/Scheduled Tribes candidates:*

If it becomes necessary to fill a reserved vacancy pending selection according to the procedure outlined in sub-paras (a), (b) or (c) above, the appointing authority may make *ad-hoc* appointment of suitable Scheduled Caste or Scheduled Tribe candidates, as the case may be, against such reserved vacancy. In the case of posts recruitment to which is made through the Union Public Service Commission, the *ad-hoc* appointment of Scheduled Castes/Scheduled Tribes candidates will be subject to Regulation 4(1) of the Union Public Service Commission (Exemption from Consultation) Regulations.

9.2 *Advertisement of reserved vacancies for posts filled by direct recruitment through examination.*

Where direct recruitment is made through examination, for reserved as well as unreserved vacancies, a single advertisement would be issued for such examination but the number of the vacancies reserved for Scheduled Castes and Scheduled Tribes would be specified clearly in it and in case the required number of Scheduled Castes or Scheduled Tribes candidates are not available even by applying relaxed standards for the vacancy/vacancies reserved for them, the remaining vacancy/vacancies could be filled by general candidates after dereservation of such vacancy/vacancies, subject to the reservations being carried forward as required.

9.3 *Exchange of vacancies between Scheduled Castes and Scheduled Tribes*

If a reserved vacancy or vacancies referred to in paras 9.1 and 9.2 include any vacancy/vacancies which have been carried forward to the third year of carry forward (excluding the year of original reservation and the year or years in which no vacancy arises), applications should be invited both from Scheduled Castes and Scheduled Tribes candidates but it should be clarified in the advertisement that for a vacancy or vacancies reserved for Scheduled Castes, Scheduled Tribes candidates would be considered only in the event of non-availability of suitable Scheduled Caste candidates and similarly in respect of a vacancy or vacancies reserved for Scheduled Tribes, Scheduled Castes candidates, would be considered only in the event of non-availability of suitable Scheduled Tribe candidates.

9.4 *Separate interview of Scheduled Caste/Scheduled Tribe candidates.*

In direct recruitment made in accordance with the procedure in para 9.1 above and in recruitment made through examination (vide para 9.2 above) followed by an interview, the interview of Scheduled Castes/Scheduled Tribes candidates

should be held on a day or sitting of the Selection Committee other than the day or sitting on which general candidates are to be interviewed so that the Scheduled Castes and Scheduled Tribes candidates are not judged in comparison with general candidates and the interviewing authority/Board is/are prominently aware of the need for judging the Scheduled Castes/Scheduled Tribes candidates by relaxed standards.

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COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 9

O.M. No. 1/1/70-Estt.(SCT)

31-7.

Ministry of Home Affairs O.M. No. 1/1/70-Estt.(SCT), dated 31st July, 1970
to all Ministries etc.

Subject:—Procedure for selection of Scheduled Castes/Scheduled Tribes candidates against vacancies reserved for them—Issue of advertisements and holding of separate interviews.

The undersigned is directed to refer to this Ministry's O.M. No. 31/10/63-SCT(I), dated 27th March, 1963 and No. 1/6/67-Estt.(C), dated 20th September, 1967 laying down *inter-alia* the procedure for dereservation of reserved vacancies in the event of suitable candidates belonging to Scheduled Castes and Scheduled Tribes being not available even after applying the relaxed standard of suitability in their cases. When any such vacancies are dereserved and filled by general candidates, the reservations are carried forward to subsequent three recruitment years *vide* para 2 of this Ministry's O.M. No. 27/25/68-Estt.(SCT) dated 25th March, 1970. As in some services/posts, Scheduled Castes/Scheduled Tribes candidates could not be selected for all the vacancies reserved for them, the question of taking further steps in order to accelerate the induction of Scheduled Castes and Scheduled Tribes in such vacancies has been considered by the Government and it has been decided to adopt the following measures in this connection:—

2. (a) *Advertisement of reserved vacancies (filled by direct recruitment otherwise than through examination) for Scheduled Castes/Scheduled Tribes candidates only:*

Where direct recruitment (otherwise than through examination) is to be made to a vacancy or vacancies reserved for Scheduled Castes or Scheduled Tribes only, (and not to be any unreserved vacancy/Vacancies as well), advertisement will be issued inviting applications only from the candidates belonging to the Scheduled Castes, and/or the Scheduled Tribes, as the case may be, and not from general candidates. However, if the reserved vacancy or vacancies referred to above include any such vacancy or vacancies which have been carried forward to the third year of recruitment, Scheduled Caste candidates can be considered for such of the vacancies as are reserved for Scheduled Tribes and *vice-versa vide* para 3 of this Ministry's O.M. No. 27/25/68-Estt.(SCT) dated 25th March, 1970. Accordingly, in the advertisement issued for filling in those reserved vacancies which have been carried forward to the third year of recruitment, applications should be invited *both* from Scheduled Castes and Scheduled Tribes candidates, but it should be clarified in the advertisement that for a vacancy reserved for Scheduled Castes, Scheduled Tribes candidates would be considered only in the event of non-availability of suitable Scheduled Caste candidates and similarly, in respect of a vacancy or vacancies reserved for Scheduled Tribes, Scheduled Castes candidates would be considered only in the event of non-availability of suitable Scheduled Tribes candidates.

(b) *Readvertisement for filling reserved vacancies:*

If, after following the procedure outlined in sub-para (a) above, the required number of Scheduled Caste or Scheduled Tribe candidates are not selected for the reserved vacancy or vacancies, the remaining reserved vacancy/vacancies will be readvertised but, on this occasion, general candidates would also be eligible to apply. The general candidates would, however, be considered only if no suitable Scheduled Caste or Scheduled Tribe candidates, as the case may be, are still available for the appointment to the vacancies reserved for them. This may be clarified in the advertisement. In case any general candidate is thus appointed against a reserved vacancy after its dereservation the reservation should be carried forward according to the instructions in this regard.

(c) *Advertisement where recruitment is to be made both for reserved and unreserved vacancies:*

If direct recruitment otherwise than through examination is to be made for reserved as well as unreserved vacancies on any one occasion, a single advertisement can be issued for such reserved and unreserved vacancies specifying clearly therein the vacancies reserved for Scheduled Castes and Scheduled Tribes. If the reserved vacancy or vacancies, referred to above include any vacancy/vacancies which have been carried forward to the third year of recruitment, it should also be clarified in the advertisement that Scheduled Tribe candidates would be considered for vacancies reserved for Scheduled Castes in the event of non-availability of suitable Scheduled

Caste candidates and *vice-versa* on the lines indicated in sub-para (a) above. If any reserved vacancies remain unfilled for want of suitable Scheduled Castes/Scheduled Tribes candidates, they should not be filled by general candidates on this occasion but should be readvertised and filled on the lines indicated in sub-para (b) above.

(d) Direct recruitment through examination:

Where direct recruitment is made through examination, for reserved as well as unreserved vacancies, single advertisement would be issued for such examination but the number of vacancies reserved for Scheduled Castes and Scheduled Tribes would be specified clearly in it and in case the required number of Scheduled Castes or Scheduled Tribes candidates are not available even by applying relaxed standards for the vacancy/vacancies reserved for them, the remaining reserved vacancy/vacancies could be filled by general candidates after dereservation of such vacancy/vacancies. The vacancy/vacancies so dereserved will be carried forward according to the instructions in this regard.

(e) Separate interview of Scheduled Castes and Scheduled Tribes candidates:

(i) When direct recruitment otherwise than through examination is to be made in accordance with the procedure in sub-para (b) or (c) above, the interview of Scheduled Castes/Scheduled Tribes candidates should be held on a day or sitting of the Selection Committee other than the day or sitting on which general candidates are to be interviewed so that the Scheduled Castes and Scheduled Tribes candidates are not judged in comparison with general candidates and the Interviewing Authority/Board is/are prominently aware of the need for judging the Scheduled Castes/Scheduled Tribes candidates by relaxed standards.

(ii) In direct recruitment made through examination along with interview also, the interview of Scheduled Castes/Scheduled Tribes candidates should be held on a separate day or sitting on the lines indicated in sub-para (i) above.

(f) Ad-hoc appointment of Scheduled Castes/Scheduled Tribes candidates:

If it becomes necessary to fill a reserved vacancy pending selection according to the procedure outlined in sub-para (a), (b) or (c) above, the appointing authority may make *ad-hoc* appointment of suitable Scheduled Caste or Scheduled Tribe candidate, as the case may be, against such reserved vacancy. In the case of posts recruitment to which is made through the Union Public Service Commission, the *ad-hoc* appointment of Scheduled Castes/Scheduled Tribes candidates will be subject to Regulation 4(1) of the Union Public Service Commission (Exemption from Consultation) Regulations.

3. Ministry of Finance etc. are requested to bring the above instructions to the notice of all appointing authorities under them including public sector undertakings and statutory, semi-Government and autonomous bodies.

CHAPTER 10
DERESERVATION

10.1 A vacancy reserved for Scheduled Castes or Scheduled Tribes may be filled up by a general candidate in case of non-availability of suitable Scheduled Castes or Scheduled Tribes candidates by dereserving it in accordance with the prescribed procedure. In case of direct recruitment, prior approval of the Department of Personnel & A.R. should be obtained for dereservation of a vacancy reserved for Scheduled Caste or Scheduled Tribe which is included in the roster for permanent appointment and temporary appointment likely to become permanent or to continue indefinitely. Reserved vacancies included in the roster for purely temporary appointments, which have no change whatever of becoming permanent or continuing indefinitely can, however, be dereserved by the Ministries themselves after ensuring that the steps prescribed in paras 8.1 to 8.4 have been duly taken to secure suitable Scheduled Castes and Scheduled Tribes candidates and that such candidates are not available.

MHA
O.M. No.
31/10/63-
SCT(I)
dated
27-3-63
No.
31/10/63-
SCT(I)
dated
2-5-63,
No.
16/1(1)r
55-Estt. (C)
dated
20-7-65
No.
1/6/67-
Estt. (C)
dated
20-9-67,
No.
27/5/68
Estt. (C)
dated
13-3-68,
No.
8/1/69-
Estt. (SCT)
dated
28-1-69.
DOP&AR
O.M. No.
16/1/72
Estt.
(SCT)
dated
11-8-72,
No.
16/3/74-
Estt.
(SCT)
dated
26-4-74,

No.
16/27/74
Estt.
(SCT)
dated
12-11-75.

10.2 In recruitment made by promotions the Ministries and Departments of the Govt. of India have been delegated the power to accord approval to the dereservation of reserved vacancies subject to the following conditions:—

- DOP&AI
O.M. No
36011/25
79-Estt
(SCT)
dated
16-11-79.
and No.
36011/5/
81-Estt
(SCT)
dated
7-4-81.
- (1) There is neither a SC nor a ST candidate available or eligible for promotion in the feeder cadre(s) specified in the relevant service/recruitment rules/orders;
 - (2) A copy of the proposal for dereservation in the appropriate prescribed proforma is sent for information immediately to (i) the Commissioner for SC & ST; and (ii) to this Department.
 - (3) The proposal for dereservation has been seen and concurred in by the Liaison Officer of the Ministry/Department.
 - (4) The proposal for dereservation is agreed to at a level not lower than that of Joint Secretary to the Government of India, in the administrative Ministry/Department (Proper) concerned.
 - (5) In the event of a disagreement between the appointing authority and the Liaison Officer, the advice of this Department of Personnel & A.R. has been obtained.

Under the delegated powers of dereservation, a copy of the proposal in the prescribed proforma should be sent to the Department of Personnel & A.R. and the Commissioner for Scheduled Castes and Scheduled Tribes by the administrative Ministry/Department concerned and not by any attached and subordinate offices. After sending such proposal the Ministry or Department concerned should wait for a period of at least 2 weeks for comments of the Department of Personnel & A.R. and the Commissioner, if any, before the reserved vacancies are dereserved by them.

10.3 Proposals for dereservation of reserved vacancies included in the roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely should be made to the Department of Personnel & A.R. by the Ministry/Department concerned in the appropriate proforma. The following four proformae have been prescribed in this regard. (Please see Appendix 18):—

DOP&AI
O.M. No
36011/
20/79-
Estt.
(SCT)
dated
2-11-79.

Proforma 1(a): For posts filled by direct recruitment through Union Public Service Commission.

Proforma 1(b): For posts filled by direct recruitment through Employment Exchange etc.

Proforma II: For posts filled by promotion on the basis of selection/seniority cum fitness/limited departmental competitive examination.

Proforma III: For confirmation (in posts filled by direct recruitment only).

Reiterated
again in
DP&AR
O.M. No.
38011/
20/79-
Estt.
(SCT)
dated
27-3-80.

Ministries/Departments should observe the following procedure while sending proposals for dereservation to the Department of Personnel & A.R. :-

- (i) The proposal should contain a certificate that it is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department.
- (ii) Proposals for dereservation of reserved vacancies in respect of posts under attached/subordinate offices etc. should not be sent to the Department of Personnel & A.R. direct. Such proposals should be sent to administrative Ministry/Department who will examine the proposals and send them to the Department of Personnel & A.R. after satisfying itself that the prescribed procedure had been followed.
- (iii) A copy of the proposal (in the appropriate proforma) for dereservation should be endorsed by the Ministry/Department concerned, simultaneously to the Commissioner for SC & ST, West Block No. 1, Wing No. 7, Ist Floor, Rāmākṛishṇapuram, New Delhi-22; and the fact thereof should be indicated in the proposal made to the Department of Personnel & A.R.

DOP&AR
O.Ms. No.
18/2/74-
Estt.
(SCT)
dated
8-5-74,
No.
38022/
18/76-
Estt.
(SCT)
dated
25-9-76
and No.
38013/
5/78-
Estt.
(SCT)
dated
18-12-78.

10.4. Dereservation of reserved vacancies can be resorted to only when suitable Scheduled Castes/Scheduled Tribes candidates are not available. Thus, before deciding to dereserve a vacancy Ministry or Department should ensure that the steps prescribed in Chapters 7, 8 and 9 of this Brochure have been taken to secure Scheduled Castes/Scheduled Tribes candidates for appointment against reserved vacancies. Similarly, in promotion steps prescribed in Chapters 7 and 12 of this Brochure should be followed to fill up the reserved vacancies. It is only when it becomes inevitable to dereserve a vacancy, the Ministries and Departments should do so. It should also be kept in view that no reserved vacancy can be filled up by general community candidates unless it is dereserved.

10.5. Reserved vacancies in a particular recruitment year may include some carried forward reservations from the previous year of recruitment. In case of non-availability of suitable Scheduled Castes/Scheduled Tribes candidates all the reserved vacancies including those being carried forward from previous years should be dereserved and carried forward to subsequent recruitment years.

DOP&AR
O.M. No.
36011/
3/76-
Estt.
(SCT)
dated
22-1-77.

10.6. *Dereservation of purely temporary vacancies*

As Ministries and Departments have the power to dereserve reserved vacancies of a purely temporary nature which have no chance whatsoever of becoming permanent or continuing indefinitely, the Commissioner for SC/ST should be informed about the dereservation made together with details and reasons necessitating the dereservation in the appropriate proforma mentioned in para 10.3. Each Ministry/Department should send to the Department of Personnel & A.R. as soon after the first of January every year as possible, in any case not later than the 1st of April, a consolidated statement in respect of Ministry/Department and all its attached and subordinate offices in the form at appendix 12 showing the reserved vacancies included in the roster for purely temporary appointments which were dereserved by the Ministries/Departments under its own powers during the preceding year.

DOP&AR
O.M. No.
36034/
16/76-
Estt.
(SCT)
dated
5-2-77.

10.7. *Dereservation of reserved vacancies in posts/services under the Union Territory Administrations*

Powers of dereservation of reserved vacancies in posts/services under the control of the Union Territory Administrations will be exercised by the authorities in the manner specified in this behalf in Ministry of Home Affairs letter No. U. 15038/35/76-PLG dated 20-12-1976.

M.H.A.
Letter
No.
U.15038/
35/76-
PLG
dated
20-12-76.

10.8. Several Ministries and Departments had taken individual decisions that the reserved vacancies would not be dereserved in case of non-availability of SC/ST candidates but will continue to keep the vacancies unfilled till they find SC/ST candidates. It was decided in consultation with the Law Ministry that Department of Personnel is competent to lay down the policies relating to reservation for SC/ST under the Allocation of Business Rules, and other Ministries/Depts. are bound to follow them. If other Departments intend to depart from the said policies laid down by the Deptt. of Personnel it is mandatory for them to consult Deptt. of Personnel in terms of sub-rule (4) of the Transaction of Business Rules; otherwise, the policies laid down by the Deptt. of Personnel are binding on them.

DOP&AR
Letter
No.
36011/
15/79-
Estt.
(SCT)
dated
6-1-81.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 10

O.M. No. 31/10/63-SCT (I)	27-3-63	After Chapter 4
O.M. No. 31/10/63 SCT(I)	2-5-63	After Chapter 4
O.M. No. 16/1/(1)/65-Estt. (C)	20-7-65	
O.M. No. 1/6/67-Estt. (C)	20-9-67	
O.M. No. 27/5/68-Estt. (C)	13-3-68	
O.M. No. 8/1/69-Estt. (SCT)	28-1-69	
O.M. No. 16-/1/72-Estt. (SCT)	11-8-72	
O.M. No. 16/3/74-Estt. (SCT)	26-4-74	
O.M. No. 16/2/74-Estt. (SCT)	8-5-74	
O.M. No. 16/27/74-Estt. (SCT)	12-11-75	
O.M. No. 28/14/74-Estt. (SCT)	12-7-76	
O.M. No. 36022/18/76-Estt. (SCT)	25-9-76	
MHA No. 15038/35/76-PLG	20-12-76	
O.M. No. 36034/16/76-Estt. (SCT)	5-2-77	
O.M. No. 36011/3/76-Estt. (SCT)	22-1-77	
O.M. No. 36013/5/78-Estt. (SCT)	19-12-78	
O.M.No. 36011/20//79-Estt. (SCT)	2-11-79	
O.M. No. 36011/25/79-Estt. (SCT)	16-11-79	
O.M. No. 36011/27/79-Estt. (SCT)	4-1-80	
O.M. No. 36011/20/79-Estt. (SCT)	27-3-80	
O.M. No. 36011/5/81-Estt. (SCT)	7-4-81	
O.M. No. 36011(15)/79-Estt. (SCT)	6-1-81	

Ministry of Home Affairs O.M. No. 16/1/65-Estt.(C), dated 20th July, 1965
to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in services—Interviews for selection.

In this Ministry's O.M. No. 16/3/63-SCT(I), dated 1st October, 1963 views of the Ministries were invited in regard to recommendation No. 205 in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1961-62, relating to abolition of the practice of holding oral interviews, at least for junior posts. The Commissioner for Scheduled Castes and Scheduled Tribes suggested in recommendation No. 213 in his Report for 1962-63 that a fair trial should be given to his suggestion in the previous Report to abolish the system of oral interviews at least for junior posts. These recommendations of the Commissioner have been carefully considered by this Ministry in the light of the views expressed by the Ministries etc. in this regard. The position is that where recruitment of the proper type of personnel requires an assessment of personality, mental alertness and such qualities which can only be judged by personal interviews, such interviews cannot be dispensed with in the case of any category of persons, including those belonging to the Scheduled Castes/Scheduled Tribes. It is, thus essential to retain for Scheduled Castes and Scheduled Tribes as well as for others, the oral interviews, wherever prescribed as a part of selection. It has, therefore, not been possible to accept the recommendation referred to above. However, it has been decided that where interviews are prescribed as a part of selection, Scheduled Caste and Scheduled Tribe candidates should wherever feasible, be taken for interview in a separate block and preferably on a separate day so that they are not judged in comparison with general candidates and the orders regarding relaxation of standards in favour of Scheduled Castes and Scheduled Tribes as in para 19(a) and (b) of the Brochure issued with this Ministry's O.M. No. 1/2/61-SCT(I) dated 27th April, 1962 could be prominently in view before the interview Boards.

2. Ministries etc. may kindly bring the above decisions to the notice of all appointing authorities under them.

Ministry of Home Affairs O.M. No. 1/6/67-Estt.(C), dated 20th September, 1967
to all Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes regarding.

As the Ministry of Finance etc. are aware, whenever a vacancy reserved for Scheduled Castes or Scheduled Tribes, which is included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely, prescribed in this Ministry's Office Memorandum No. 31/10/63-SCT(I), dated 27-3-1963 is required to be dereserved, a reference has to be made to this Ministry and its prior approval obtained for dereservation. Reserved vacancies included in the roster for purely temporary appointments, which have no chance whatever of becoming permanent or continuing indefinitely can, however, be treated as dereserved by the Ministries themselves after ensuring that the steps prescribed in para 16 of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27-4-62 have been duly taken to secure suitable Scheduled Caste and Scheduled Tribe candidates and such candidates are still not available. In his Report for the year 1964-65, the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation with reference to the above orders:—

Recommendation No. 159

"The Ministry of Home Affairs should reconsider their decision of not asking the appointing authorities to endorse to this organisation a copy of their references made to the Ministry of Home Affairs for dereservation of post and should accept the recommendation in this regard which had been made with a view to helping in achievement of the objective of securing adequate representation of the Scheduled Castes and the Scheduled Tribes as contemplated in the Constitution. Besides, such information is re-

quired for the Annual Report of the Commissioner. It is, therefore, for consideration whether the Ministry of Home Affairs should decline to make available the information which the Commissioner for Scheduled Castes and Scheduled Tribes requires for the proper discharge of his duties under Article 338 of the Constitution."

The above recommendation has been considered in this Ministry and it has been decided to accept it. Accordingly, the Ministry of Finance etc. are requested that with effect from the date of issue of this Office Memorandum, when a reference is made to this Ministry for dereservation of reserved vacancy/vacancies included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely, a copy of such reference should be simultaneously endorsed to the Commissioner for Scheduled Castes and Scheduled Tribes, R.K. Puram, New Delhi-22, and the fact that a copy has been so endorsed should be mentioned in the reference to this Ministry. All references for dereservation of reserved vacancies should therefore be made in a self-contained U.O. note or an O.M. which could explain the facts of the case to the Commissioner for Scheduled Castes and Scheduled Tribes. The decision taken by this Ministry in such references can be ascertained by the Commissioner in due course from the Ministry/Department concerned.

2. When vacancies reserved for Scheduled Castes and Scheduled Tribes included in the roster for purely temporary appointments which have no chance whatever of becoming permanent or continuing indefinitely are dereserved by the Ministries themselves in accordance with the orders in this Ministry's Office Memorandum dated 27-3-1963, the Commissioner for Scheduled Castes and Scheduled Tribes should be informed about the dereservation made giving all details and reasons necessitating dereservation.

3. Ministry of Finance etc. may kindly bring the above decisions to the notice of all appointing authorities under them.

Ministry of Home Affairs O.M. No. 27/5/68-Estt.(C) dt. 13 March 1968 to all Ministries etc.

*Subject:—*Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Recommendation No. 14 of the Study Group set up under the Chairmanship of Shri M. R. Yardi, Additional Secretary, M.H.A. to study the progress of measures for land allotment to Scheduled Castes and their representation in Services.

The undersigned is directed to say that a Working Group was set up under the Chairmanship of Shri M. R. Yardi, Additional Secretary, Ministry of Home Affairs, to study the progress of measures for land allotment to Scheduled Castes and their representation in Service. One of the recommendations made by the Group is as under:—

"Recommendation No. 14—

Dereservation in non-technical and quasi-technical posts should be allowed only in exceptional cases and each such case should be reported to the Commissioner for Scheduled Castes and Scheduled Tribes indicating the efforts made by the recruiting authorities to get a suitable candidate."

2. As the Ministry of Finance etc. are aware orders have already been issued in this Ministry's Office Memorandum No. 1/6/66-Estt.(C), dated 20th September, 1967, according to which each Ministry/Department is required to send to the Commissioner for S.C. and S.T. a copy of the reference to the Home Ministry for dereservation of vacancies reserved for SC/ST, included in the roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely. Also, in cases where the Ministries can dereserve vacancies within their own powers, (viz. vacancies reserved for SC/ST included in the roster for purely temporary appointments which have no chance of becoming permanent or continuing indefinitely), the Commissioner has to be informed about the dereservation made, giving all details and reasons necessitating dereservation. In view of the recommendation of the Working Group mentioned in para 1 above, attention of all Minis-

tries/Departments is invited to the provisions of the aforesaid Office Memorandum dated 20th September, 1967. It is requested that while making the reference for dereservation to the Ministry of Home Affairs (copy of which has to be endorsed to the Commissioner for SC/ST), full details in support of the proposal for dereservation be given, as for example, the number of vacancies reserved for Scheduled Castes/Scheduled Tribes, the qualifications, experience etc. prescribed for the post, the number of SC/ST applicants, the number invited for interview/test, where this was necessary, the efforts made to get suitable candidates from Scheduled Castes/Scheduled Tribes, the precise reasons for non-selection of Scheduled Castes/Scheduled Tribes candidates etc. These details should also be given by the Ministries/Departments to the Commissioner for SC/ST in cases where the Ministries/Departments are themselves competent to dereserve a vacancy. For reserved vacancies in non-technical and quasi-technical posts, every effort should be made to recruit a candidate of the reserved category and dereservation in such vacancies proposed/made only when such a course is inescapable.

Ministry of Home Affairs O.M. No. 8/1/69-Est.(SCT), dated the 28th January, 1969 to all Ministries etc.

Subject:—Prior approval of Ministry of Home Affairs for dereservation of reserved vacancies at the time of filling them up by general candidates.

The undersigned is directed to refer to this Ministry's O.M. No. 31/10/63-SCT(1) dated the 27th March, 1963, wherein it is laid down that a common roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely, should be maintained and that whenever owing to continuing non-availability of suitable candidates belonging to Scheduled Castes/Tribes, it becomes necessary to dereserve a post included in the roster, a reference should be made to the Ministry of Home Affairs indicating the steps taken to secure Scheduled Castes/Tribes candidates for taking the prior approval of the Home Ministry for dereservation.

2. It has come to the notice of this Ministry that some Ministries/Department are not maintaining the rosters properly as required. It is also observed that some of the Ministries/Departments are themselves taking the decision for dereservation without taking the prior approval of the Home Ministry. Instances have also been noticed where general candidates have been appointed against vacancies reserved for persons belonging to the Scheduled Castes/Tribes on the plea that suitable candidates from these communities are not available and a reference is made to the Home Ministry only afterward for taking *ex-post-facto* approval.

3. It is, therefore, requested that all the Ministries and Departments may enjoin the authorities under their control to ensure proper maintenance of the rosters and to obtain the prior approval of the Ministry of Home Affairs for dereserving vacancies and appointing general candidates against them. Ministries/Departments etc. may kindly bring the above instructions to the notice of the appointing authorities under them for strict compliance.

Department of Personnel O.M. No. 16/1/72-Est.(SCT), dated 11th August, 1972 to all Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Furnishing of detailed information in the references for dereservation.

The undersigned is directed to refer to the Ministry of Home Affairs O.M. No. 27/25/68-Est.(C) dated the 13th March, 1968 (copy enclosed) according to which while making the reference for dereservation to the Ministry of Home Affairs, not Department of Personnel (copy of which has to be endorsed to the Commissioner for Scheduled Castes and Scheduled Tribes), full details in support of the proposal for dereservation should be given, as for example, the number of vacancies reserved for Scheduled Castes/Scheduled Tribes, the qualifications, experience etc. prescribed for the post, the number of Scheduled Caste/Scheduled Tribe applicants, the number invited for interview/test, where this was necessary, the efforts made to get suitable

candidates from Scheduled Castes/Scheduled Tribes, the precise reasons for non-selection of Scheduled Castes/Scheduled Tribes candidates etc. Such details are also to be given by the Ministries/Departments to the Commissioner for Scheduled Castes and Scheduled Tribes in the case of purely temporary appointments in respect of which Ministries/Departments are themselves competent to dereserve the vacancy. The Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1969-70:—

Recommendation No. 75

"Despite the orders issued by the Ministry of Home Affairs that detailed information should be given while making a reference for dereservation of reserved posts, these references it is noticed are usually conspicuous by the absence of the vital information, specially in regard to specific reasons for the rejection of qualified Scheduled Castes and Scheduled Tribes candidates."

The instructions contained in the aforesaid O.M. of 13th March, 1968 are therefore again brought to the notice of the Ministries/Departments. It is requested that immediate steps may please be taken for the compliance of these instructions. The Liaison Officer in the Ministry/Department may also ensure that complete information is sent in time both to this Department as well as to the Commissioner for Scheduled Castes and Scheduled Tribes.

Department of Personnel & Administrative Reforms O.M. No. 16/3/74-Estt.(SCT),
dated 26th April, 1974 to all Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Furnishing of detailed information in the references for dereservation.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1970-71:—

Recommendation No. 54:

"Proposals for dereservation of reserved vacancies are very often found lacking in full details, in the absence of which it is difficult to examine the dereservation proposals. It is, therefore, reiterated that all Ministries/Departments of the Government of India should give detailed information while making a reference for dereservation of reserved vacancies."

In pursuance of a similar recommendation made by the Commissioner for Scheduled Castes and Scheduled Tribes in his Report for 1969-70 (Recommendation No. 75), instructions had been issued in this Department's O.M. No. 16/1/72-Estt.(SCT), dated the 11th August, 1972, (copy enclosed) emphasising the need to furnish full details while sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes. The instructions contained in the aforesaid O.M. of 11th August, 1972, are once again brought to the notice of the Ministry/Department etc. It is requested that suitable steps may be taken for the compliance of these instructions, and to see that detailed information is invariably given while making proposals for dereservation of reserved vacancies.

Department of Personnel & Administrative Reforms O.M. No. 16/2/74-Estt.(SCT),
dated 8th May, 1974 to all Ministries etc.

Subject:—Representation of Scheduled Castes and Scheduled Tribes in Services—Strict observance of the relevant reservation orders before making proposals for dereservation of reserved vacancies.

The undersigned is directed to invite a reference to the instructions contained in the Ministry of Home Affairs Office Memorandum No. 1/6/67-Estt.(SCT), dated the 20th September, 1967 (copy enclosed) regarding the procedure for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes and to say that

the Commissioner for Scheduled Castes and Scheduled Tribes recommended in his Report for the year 1970-71 in recommendation No. 55 that the Department of Personnel and Administrative Reforms of the Government of India should issue strict instructions for ensuring compliance by the appointing authorities concerned with the reservation orders before a reserved vacancy is proposed for dereservation. The above recommendation has been accepted and accordingly the Ministry of Finance etc. are requested to ensure that before a reference is made by them to this Department for dereservation of reserved vacancy(ies) included in the roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely, all the steps prescribed to secure Scheduled Caste/Scheduled Tribe candidates for appointment against these reserved vacancies are invariably taken and fully followed by the appointing authority concerned and that the claims of eligible candidates of these communities have been duly considered. Dereservation should be proposed only when such a course becomes inevitable due to non-availability of Scheduled Caste/Tribe candidates for appointment against reserved vacancies after having fully observed the procedures prescribed in this behalf. These procedures are detailed (i) in respect of posts filled by direct recruitment, in paras 26 to 31 of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes, 3rd edition, 1972 and (ii) in respect of posts filled by promotion, in Ministry of Home Affairs Office Memorandum No. 1/12/67-Estt.(C) dated 11-7-1968 and Department of Personnel Office Memorandum No. 27/2/71-Estt.(SCT) dated 27-11-1972. Similarly, care should also be taken by the Ministries/Departments before vacancies reserved for Scheduled Castes/Scheduled Tribes included in the roster for purely temporary appointments which have no chance of becoming permanent or continuing indefinitely, are dereserved by them in accordance with the orders in the Ministry of Home Affairs Memorandum No. 31/10/63-SCT(I), dated the 27th March, 1963.

Department of Personnel & A.R. O.M. No. F. 16/27/74-Estt.(SCT), dated the 12th November, 1975 to all Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Concurrence of the Liaison Officer concerned before sending proposals for dereservation.

The undersigned is directed to invite reference to the instructions contained in the Ministry of Home Affairs Office Memorandum No. 1/6/67-Estt.(C), dated the 20th September, 1967, regarding the procedure for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes and to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1971-72 and 1972-73:—

"In spite of the appointment of the Liaison Officers to ensure proper working of service safeguards for the Scheduled Castes and Scheduled Tribes, a large number of vacancies are being dereserved year after year due, at times, to lack of proper implementation of relevant orders. It should, therefore, be made one of the duties of the Liaison Officers to see that all prescribed steps are taken to attract persons from amongst these communities before seeking dereservation of reserved vacancies. The recruiting authorities while sending proposals for dereservation of vacancies, should be instructed to record a note to the effect that the proposal is being made with full knowledge and concurrence of the Liaison Officer concerned."

2. The above recommendation has been considered in this Department. Ministry of Finance etc. are requested that in future, whenever a reference is made to this Department for dereservation of reserved vacancies (a copy of which is also to be sent to the Commissioner for Scheduled Castes and Scheduled Tribes), besides giving information, as usual, a note should also be recorded to the effect that the proposal is being made with the full knowledge and concurrence of the Liaison Officer concerned.

3. Ministry of Finance etc. may kindly bring the above decision to the notice of all appointing authorities under them.

Department of Personnel & A.R. O.M. No. 28/14/74-Estt.(SCT), dated the 12th July, 1976 to all the Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Proforma for sending proposals for dereservation to the Department of Personnel and Administrative Reforms with copy to the Commissioner for Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that according to the instructions contained in the Ministry of Home Affairs Office Memorandum No. 31/10/63-SCT(I), dated the 27th March, 1963, whenever a vacancy reserved for Scheduled Castes or Scheduled Tribes which is included in the roster for permanent appointments and that for temporary appointments likely to become permanent or continue indefinitely, is to be dereserved, i.e. filled by a general candidate, prior approval of this Department is required to be obtained. Further, according to the instructions contained in the Ministry of Home Affairs, Office Memorandum No. 1/6/67-Estt.(C), dated the 20th September, 1967, all references for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes have to be sent by the Ministry/Department concerned to this Department in a self-contained U.O. note or an Office Memorandum and a copy thereof is to be endorsed simultaneously to the Commissioner for Scheduled Castes and Scheduled Tribes, Ramakrishnapuram, New Delhi-22. The need for furnishing full details while furnishing proposals for dereservation of reserved vacancies was also emphasised in this Department's Office Memorandum No. 16/1/72-Estt. (SCT), dated the 11th August, 1972 and No. 16/3/74-Estt.(SCT), dated the 26th April, 1974. It has, however, been noticed that the proposals for dereservation sent to this Department do not always contain full details and they have to be obtained before the proposals for dereservation could be considered. To facilitate effective scrutiny with the least delay, of the proposals for dereservation in the original Ministry/Department, in this Department and in the Office of the Commissioner for Scheduled Castes and Scheduled Tribes, different proformae for sending proposals for dereservation to this Department have now been revised as follows, copies of which are enclosed.

Proforma I(a): For posts filled by direct recruitment through Union Public Service Commission.

Proforma I(b): For posts filled by direct recruitment through Employment Exchanges etc.

Proforma II: For posts filled by promotion on the basis of selection/seniority-cum-fitness/limited departmental competitive examination.

Proforma III: For confirmation (in posts filled by direct recruitment only).

2. All proposals for dereservation should, in future, be sent in the above referred proforma only. Also Ministries may kindly observe the following while sending proposals for dereservation:

(i) Proposals for dereservation of reserved vacancies in respect of posts under attached/subordinate offices etc. should not be sent to this Department direct. Such proposals should be sent to administrative Ministry/Department who will examine the proposal and send them to this Department after satisfying itself that the prescribed procedures have been followed.

(ii) A copy of the proposal (in the appropriate proforma) for dereservation should be endorsed simultaneously to the Commissioner for Scheduled Castes and Scheduled Tribes.

3. The Ministries already have powers to dereserve, by taking all the prescribed steps, purely temporary vacancies which have no chance whatever of becoming permanent or continuing indefinitely. Intimation of such dereservations is required to be sent to the Commissioner for Scheduled Castes and Scheduled Tribes. In this connection, attention is drawn to paragraph 2 of the Ministry of Home Affairs Office Memorandum No. 1/6/67-Estt.(C), dated the 20th September, 1967. The Commissioner for Scheduled Castes and Scheduled Tribes has brought to the notice of

this Department that he is frequently not getting this information from the Ministries/Departments. It is, therefore, requested that all the Ministries/Departments may kindly ensure that the information regarding dereservation of purely temporary vacancies is sent to the Commissioner for Scheduled Castes and Scheduled Tribes (in the appropriate proforma now prescribed in para 1 *Supra*) as enjoined in the Home Ministry's Office Memorandum quoted above.

Department of Personnel & A.R. O.M. No. 36022/18/76-Estt.(SCT), dated the 25th September, 1976 to all Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Recommendation No. 18 of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes contained in its 41st Report.

The undersigned is directed to say that the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes has made the following recommendation in its 41st Report:—

Recommendation No. 18:

"The Committee are distressed to find that a large number of vacancies have been dereserved in Central Government Services during the years 1971, 1972 and 1973, depriving employment to many a Scheduled Caste and Scheduled Tribes. The Committee are unable to accept that even for Class IV vacancies, Scheduled Caste/Tribes candidates are not available. The Committee apprehend that neither the strict compliance of the extant orders on the subject has been ensured nor earnest efforts have been made to appoint Scheduled Caste and Scheduled Tribe candidates only against reserved vacancies. The Committee are firmly of the opinion that vacancies reserved for Scheduled Castes and Scheduled Tribes, especially in Class III and in Class IV should in no case be dereserved. Even for dereservation of vacancies in the case of Class I and Class II, the extant orders on the subject should be made more stringent, so that dereservation could only be resorted to when such a course become inescapable".

2. In this connection, attention is invited to this Department's O.M. No. 16/2/74-Estt.(SCT), dated 8-5-1974 in which the Ministries/Departments were requested to ensure that before a reference is made by them to this Department for dereservation of reserved vacancy(ies) included in the roster for permanent appointments or temporary appointments likely to become permanent or continue indefinitely, all the steps prescribed to secure Scheduled Caste/Scheduled Tribe candidates for appointments against the reserved vacancies are invariably taken and fully followed by the appointing authority concerned and that the claims of eligible candidates of these communities have been duly considered, and that dereservation should be proposed only when such a course becomes inevitable due to non-availability of Scheduled Caste/Tribe candidates for appointment against reserved vacancies after having fully observed the procedure prescribed in this regard. Attention of the Ministries/Departments is also invited to the instructions contained in this Department's O.M. No. 16/27/74-Estt. (SCT) dated 12-11-75 according to which whenever any reference is made to this Department for dereservation of reserved vacancies besides giving full information, a note should be recorded on it to the effect that the proposal is being made with the full knowledge and concurrence of the Liaison Officer concerned. A proforma for sending proposals for dereservation of reserved vacancies to this Department has also been prescribed in this Department's O.M. No. 28/14/74-Estt. (SCT) dated 12-7-1976.

3. The recommendation of the Committee reproduced in para 1 above is specifically brought to the notice of the Ministries/Departments. While it may not be possible to stop "dereservation" totally as sufficient number of Scheduled Caste and Scheduled Tribes candidates may not be always available for appointment against vacancies reserved for them even in certain posts in Class III and IV, filled by direct recruitment, promotion or confirmation, it should be ensured that the instructions referred to in para 2 above are strictly followed and dereservation of reserved vacancies is proposed only when such a course becomes inevitable due to non-availability of Scheduled Caste/Tribe candidates against reserved vacancies after taking all the prescribed steps and after applying the relaxed standards in their favour.

Ministry of Home Affairs letter No. U 15038/35/76 PLG, dated 20th December, 1976 to Union Territory Administration

Subject:—Dereservation of reserved vacancies in posts/services under the Union Territory Administrations—Procedure for.

In continuation of this Ministry's letter of even number dated the 6th August, 1976, on the subject mentioned above, I am directed to say that in accordance with the existing instructions Ministries/Departments of the Central Government are required to obtain prior approval of the Department of Personnel & Administrative Reforms for dereservation of vacancies (other than purely temporary vacancies) reserved for Scheduled Castes/Scheduled Tribes. No clear guidelines were hitherto available for dereservation of reserved vacancies in the Union Territories. It has now been decided, in consultation with the Department of Personnel & Administrative Reforms, that the following authorities shall exercise the powers of dereservation of reserved vacancies in posts/services under the Union Territory Administration:

- (i) For vacancies in Class III (Group C) and Class IV (Group D):—
- | | |
|---|--------------------|
| (a) in Chandigarh | —Home Secretary |
| (b) in Dadra and Nagar Haveli | —Collector |
| (c) in Lakshadweep | —The Administrator |
| (d) in the case of all other Union Territories. | —Chief Secretary |
- (ii) For vacancies in Class II (Group B):—
in all Union Territories—Administrator
- (iii) For vacancies in DANI Civil Service and DANI Police Service cadres—
Ministry of Home Affairs.

Copies of orders dereserving vacancies issued by the above authorities should in all cases be endorsed to the Commissioner for Scheduled Castes and Scheduled Tribes, R. K. Puram, New Delhi.

2. The powers to deserve the vacancies reserved for Scheduled Castes/Scheduled Tribes in all Class I (Group A) posts/services under the Union Territory Governments/Administrations, both where the appointing authority is the President or the Administrator, will be exercised by the Administrative Ministries concerned with the posts/services, in consultation with the Department of Personnel and Administrative Reforms. Copies of proposals for dereservation of vacancies in Class I (Group A) posts/services sent to the Administrative Ministries should be endorsed simultaneously to the Commissioner for Scheduled Castes and Scheduled Tribes. The Administrative Ministries should wait for the views, if any, of the Commissioner on such proposals for a fortnight and examine the proposals thereafter in the light of such views, if received, before referring the proposals to the Department of Personnel and Administrative Reforms.

Department of Personnel & Administrative Reforms O.M. No. 36034/16/76-Estt. (SCT), dated 5th February, 1977 to all Ministries etc.

Subject:—Annual Statement regarding dereservation of reserved vacancies for Scheduled Castes and Scheduled Tribes included in the roster for purely temporary appointments.

The undersigned is directed to refer to the Ministry of Home Affairs Office Memorandum No. 16/1(1)/65-Estt.(C), dated the 20th July, 1965 read with Office Memorandum No. 27/4/67-(11)-Estt.(SCT), dated the 24th September, 1968 according to which the Ministries/Departments are to send to this Department every year an annual statement showing the number of reserved vacancies included in the roster for purely temporary appointments which are expected to last for 45 days or more but which have no chance whatever of becoming permanent or continuing indefinitely, and have been treated as dereserved during the preceding year. It is requested that consolidated statement in this regard in respect of the Ministry/

Department including all its attached and subordinate offices, as in the attached proforma, may please be sent to this Department as early as possible and latest by the 1st April, 1977.

Proforma

Ministry/Department/_____

(including attached and subordinate offices)

Statement showing reserved vacancies included in the roster for purely temporary appointments which are expected to last for 45 days more but which have no chance whatever of becoming permanent or continuing indefinitely, treated as dereserved by the Ministries/Departments

1st January to 31st December.....

Groups (Class) of post	Scheduled Castes		Scheduled Tribes		Brief Remarks reasons for dereser- vation	
	Total number of vacancies reserved for Scheduled Castes filled during the year	Number of reserved vacancies in col. 2 treated as dereserved i.e. filled by non-Scheduled Castes	Total number of vacancies reserved for Scheduled Tribes, filled during the year	Number of reserved vacancies in col. 4 treated as dereserved i.e. filled by non-Scheduled Tribes		
1	2	3	4	5	6	7
Group A (Class I)						
Group B (Class II)						
Group C (Class III)						
Group D (Class V)						

Department of Personnel & Administrative Reforms O.M. No. 36011/3/76-Estt. (SCT), dated 22nd January, 1977 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—Dereservation and carrying forward of reservations.

The undersigned is directed to refer to this Department's (Ministry of Home Affairs) Office Memorandum No. 8/1/69-Estt.(SCT), dated the 28th January, 1969 and to say that instances have come to the notice of this Department where prior approval of this Department for dereservation of reserved vacancies was not obtained before appointing general candidates against such vacancies on the assumption that unfilled reservations are only required to be carried forward and approval for dereservation is to be obtained in the third year of carry forward. It is clarified that a vacancy reserved for Scheduled Castes or Scheduled Tribes for which a candidate belonging to that community is not available even after taking all the prescribed steps has first to be dereserved before filling it by a general candidate. Prior approval of this Department is necessary for dereservation of a reserved vacancy included in the roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely. Reserved vacancies included in the roster for purely temporary appointments which have no chance of either becoming permanent or continuing indefinitely can be dereserved by the Ministries themselves after ensuring that the prescribed steps have been taken to secure Scheduled Caste/Scheduled Tribe candidates and that such candidates are still not available.

2. After a reserved vacancy is dereserved in accordance with the procedure mentioned in para 1 above, the reservation is to be carried forward to subsequent three recruitment years. The 'carry forward' of reservation means that in the subsequent year, an equal number of vacancies will be reserved in addition to the normal reservations becoming due in that year according to the roster. Any recruitment of Scheduled Castes/Scheduled Tribes candidates in such year of carry forward is first to be counted against the reservation brought forward from the previous years and then against the normal reservations accruing during the year. The procedure for dereservation mentioned in para 1 above should be followed every time when a vacancy which is treated as reserved, either on account of carried forward reservation or on account of a fresh reserved point in the roster, has to be filled by a general candidate due to non-availability of candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be. The reservation is due for getting lapse only after it is carried forward for three recruitment years. Approval of this Department is not necessary for the lapsing of the reserved vacancy at the end of the third year of carry forward.

3. As will be seen from para 2 above, an approval of this Department for dereservation, is necessary in respect of all vacancies treated as reserved in a particular recruitment either on account of carried forward reservations or on account of fresh reserved points in the roster, for which suitable candidates belonging to Scheduled Castes/Scheduled Tribes could not become available. The proposals for dereservation should be sent in the proforma prescribed in this Department's Office Memorandum No. 28/14/74-Estt.(SCT), dated the 12th July, 1976.

Department of Personnel & A.R. O.M. No. 36013/5/78-Estt.(SCT), dated the 19th December, 1978 to all Ministries etc.

Subject:—Dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes—Need for taking all prescribed steps and need for obtaining prior approval for dereservation—Recommendations No. 41 and 42 in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the years 1975-76 and 1976-77.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made following recommendations in his Report for the years 1975-76 and 1976-77.

Recommendation No. 41:

An unhappily trend that has been noticed regarding dereservation of reserved vacancies in Class III posts. Department of Personnel & Administrative Reforms should, therefore, advise the authorities concerned to ensure that action is taken in accordance with the instructions contained in the Brochure on Reservations for Scheduled Castes and Scheduled Tribes, before agreeing to dereservation of these reserved vacancies.

Recommendation No. 42:

Orders seeking prior approval for dereservation of reserved vacancies before appointing general candidates exist since 1963, but cases of violation of orders under one pretext or the other are still coming to notice. Department of Personnel & Administrative Reforms should reiterate their instructions and emphasise the need for seeking their prior approval before filling reserved vacancies by general candidates.

In para 3.57 of the Report on which the recommendation No. 41 above is based, the Commissioner for Scheduled Castes and Scheduled Tribes has observed that out of a total of 1515 Scheduled Tribes vacancies proposed for dereservation, Scheduled Tribe candidates available for as many as 254 such vacancies for Class III posts were declared unsuitable for appointment and that it was strange that this should have happened in the case of Class III vacancies when there are special instructions that the candidates belonging to Scheduled Castes and Scheduled Tribes are to be judged by relaxed standards. He has also observed that in this category, most of the posts are non-technical or quasi-technical for which there is an additional provision (*vide* Ministry of Home Affairs O.M. No. 24/7/67-(1) Estt.(SCT) dated 24-9-1968) to the effect that if Scheduled Caste/Scheduled Tribe candidates are not available to utilise fully the vacancies reserved for them in the direct recruitment quota even by relaxed standards, the best among them fulfilling the minimum educational qualifications are to be selected for appointment to the extent of vacancies reserved for them. In order to bring such candidates to the minimum standards necessary for the maintenance of efficiency of administration, they are to be given in-service training.

2. In this connection, attention is invited to the Ministry of Home Affairs O.M. No. 24/7/67-(1) Estt.(SCT) dated 24-9-1968. Attention is also invited to O.M. No. 16/2/74-Estt.(SCT) dated 8-5-1974 in which the Ministries/Departments were requested to ensure that before a reference is made by them to this Department for dereservation of reserved vacancies included in the roster for permanent appointments or temporary appointments likely to become permanent or continue indefinitely all the steps prescribed to secure Scheduled Caste/Scheduled Tribe candidates for appointment against the reserved vacancies are invariably taken and fully followed by the appointing authorities concerned and that the claims of eligible candidates of these communities have been duly considered and that dereservation should be proposed only when such a course become inevitable due to non-availability of Scheduled Caste/Tribe candidates for appointment against reserved vacancies. A proforma for sending proposals for dereservation of reserved vacancies to this Department has been prescribed in this Department's O.M. No. 28/14/74 Estt.(SCT) dated 12-7-1976. A note is also required to be recorded by the Liaison Officer that the proposal for dereservation has been made with his full knowledge and concurrence. Attention is also invited in this regard to the instructions issued in this Department's O.M. No. 36022/18/76-Estt.(SCT) dated 25-9-1976 bringing to the notice of the Ministries/Departments etc, a recommendation made by the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes in this regard.

3. With reference to the recommendation No. 42 in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes referred to above, attention is invited to this Department's O.M. No. 8/1/69-Estt.(SCT) dated 28-1-1969 as also to O.M. No. 36011/3/76-Estt.(SCT) dated 22-1-1977 in which it has been clarified that a vacancy reserved for Scheduled Castes or Scheduled Tribes for which a candidate belonging to that community is not available even after taking all the prescribed steps, has first to be dereserved before filling it by a general candidate and that prior approval of the Department of Personnel & A.R. is necessary for dereservation of a reserved vacancy included in the roster for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely.

4. The two recommendations of the Commissioner for Scheduled Castes and Scheduled Tribes are specifically brought to the notice of the Ministries/Departments. It should be ensured that the instructions in this regard are strictly followed and dereservation of reserved vacancies is proposed only when such a course become inevitable and prior approval of the Department of Personnel & Administrative Reforms for dereservation where necessary is invariably obtained by following the prescribed procedure.

Department of Personnel & A.R. O.M. No. 36011/20/79-Estt.(SCT), dated 2-11-1979
to all Ministries and Departments etc.

Subject:—Deservation of vacancies reserved for Scheduled Castes/Scheduled Tribes—
Proforma for sending proposals for dereservation to the Department of Personnel & A.R. with a copy to the Commissioner for Scheduled Castes and Scheduled Tribes.

The undersigned is directed to invite the attention of the Ministries/Departments to this Department's O.M. No. 28/14/74-Estt.(SCT) dated the 12th July, 1976 on the subject mentioned above and to say that it is considered necessary that the various proformae already prescribed for sending proposals for dereservation to this Department need a revision in order to make the columns more explicit and also to add additional points of scrutiny in the light of the instructions issued after the date of issue of the aforesaid O.M. Accordingly 4 revised proformae are enclosed herewith. The Ministry of Finance etc., are requested kindly to bring them to the notice of all their subordinate appointing authorities and to ensure that hereafter all proposals for dereservation are sent in the appropriate revised proforma.

2. It has been seen occasionally that the proposals for dereservation received by the Ministries/Departments from their subordinate authorities are passed on to the Department of Personnel & A.R. without proper scrutiny. This invariably results in delay in disposing of these proposals as certain information and other clarification have often to be called for from the Ministries who further call for the same information from their subordinate organisations.

3. It needs hardly to be emphasised that primarily it is the responsibility of the administrative Ministries/Departments (proper) to ensure the proper implementation of the reservation orders by their subordinate appointing authorities. Before, therefore, any proposal for dereservation is made to this Department, the Ministry/Department and their Liaison Officer should ensure that the information given in the proforma containing proposal for dereservation is complete and correct, in all respects, and that all the prescribed steps have been taken by the appointing authorities concerned for securing Scheduled Caste/Scheduled Tribe candidates for appointment against the reserved vacancies and also that, in the light of the Government's orders, there is no alternative but to seek dereservation. Ministry of Finance etc. are accordingly requested kindly to ensure that the proposals are properly scrutinised in consultation with the Liaison Officer of the Ministry/Department (proper) before these proposals are sent to this Department and copies thereof are endorsed to the Commissioner for Scheduled Castes and Scheduled Tribes.

Proforma I (a)

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by DIRECT RECRUITMENT ON AN INDIA BASIS.

1. Name of the Ministry/Department
2. Name of the Service/Office to which the vacancies relate.
3. Designation, classification, Group and Scale of Pay of the post in respect of which dereservation is sought.

3.1 Designation : _____ 3.2 Group (i.e. Class) _____

3.3 Scale of Pay : _____

4. *Mode of recruitment and the roster applicable*

- 4.1 Through open competitive examination held by UPSC or other authority (please name the other authority concerned) (40 point roster vide appendix I to the Brochure). Yes/ No.
- 4.2 Through UPSC by selection otherwise than through a competitive examination (40 point roster vide Appendix I to the Brochure) Yes/ No.
- 4.3 Through selection otherwise than through UPSC or through an open competitive examination (40 point roster vide appendix II to the Brochure). Yes/ No.

5. *Particulars of total vacancies*

5.1 Total number of vacancies (reserved and general) _____
being filled in the present recruitment :

5.2 Points in the 40 point roster against which these vacancies fall and the number of the current cycle.

Cycle	Points	
	No.	From To

6. *Particulars of reserved vacancies*

6.1 Number of vacancies reserved out of Col. _____

5.1 above :

(a) Due to carried forward reservations (separately for each year of carry forward). In III yr. _____
In II yr. _____
In I yr. _____

(b) Due to fresh reservation according to the roster. _____

(c) Net reservations out of total of (a) & (b) above after applying the restriction of 50% where applicable in the light of the instructions contained in Deptt. of Personnel & A.R. O.M. No. 16/3/73-Estt (SCT) dated 27-12-1977 (Please see notes No. 2 & 3 below). _____

(d) Number of vacancies out of (c) above which being _____
in the third year of carry forward are mutually exchangeable between SC & ST.) _____

- 6.2 Number of vacancies in 6.1 (c) for which SC/ST candidates _____
have become available ;
- 6.3 Number of vacancies proposed for dereservation (*vide*
Note No. 1 below).

Notes :

(1) While filling up reserved vacancies mentioned in Col. 6.1 it should be ensured that reservations brought forward from an earlier year are utilised first. For instance, if the figures mentioned in Col. 6.1(c) includes reservation brought forward from recruitment years 1975 and 1976, then reservation brought forward from 1975 would be utilised first before utilising reservations brought forward from 1976 and the current reservations. Also please refer to the instructions contained in para 3 of MHA's O.M. No. 27/25/68-Estt. (SCT) dated 25-3-70 and Department of Personnel & A.R. O. M. No. 16013/2/79-Estt. (SCT) dated 2-4-79.

(2) The total reservation cannot exceed the total number of vacancies, the excess reservation, if any, being carried forward direct to the next recruitment year.

(3) The limit of 50% on reservation of vacancies for Scheduled Castes and Scheduled Tribes in any recruitment *can be exceeded only if*, the Scheduled Castes and Scheduled Tribes in the cadre/grade/post concerned are under-represented.

7. *If recruitment is through competitive examination, please indicate .*

7.1 Date of publication of the rules for the examination

7.2 Date on which the examination was held SC ST

7.3 Number of SCs/STs who qualified in the written examination. _____

7.4 Number of SCs/STs out of 7.3 above who appeared for the interview (if any, prescribed) _____

7.5 Number of SCs/STs finally selected : _____

(a) on own merit _____

(b) by relaxed standards of suitability _____

(c) TOTAL : _____

7.6 Number of SC/STs who took up the appointment SC ST

8. *If the recruitment is through selection (i.e. otherwise) than through competitive examination), please indicate :*

8.1 Whether the vacancies were first advertised as exclusively reserved for SC/ST only (*vide* instructions in O.M. No. 1/1/70-Estt (SCT) dated 31-7-70) and if so;

- (i) the date of publication of the advertisement;
- (ii) the number of SC/ST candidates appeared ; SC ST
- (iii) Number of SC/ST candidates found fit after applying relaxed standards. SC ST

8.2 Whether the vacancies were re-advertised, simultaneously inviting applications from others as well, if so :

(i) the date of re-advertisement;	-----	-----
(ii) Number of SC/ST candidates interviewed	SC	ST
(iii) Number of SC/ST candidates found fit after applying relaxed standards.	SC	ST

9. Whether SCs/STs were interviewed separately, i.e., on a day or in a sitting of the selection committee other than the one on/in which general candidates were interviewed.
10. Whether as a result of the second advertisement general candidates have already been selected and are available for appointment against the reserved vacancies sought to be dereserved.
11. If ex-post-facto approval is being sought for dereservation of vacancies, please indicate:
- (i) the reasons for not having obtained prior approval for derservation.
- (ii) level at which a decision was taken to fill the reserved vacancies without prior dereservation.
12. Additional information/remarks, if necessary. (If this post is grouped with other posts for applying reservations, please indicate whether the grouping has been approved by the DOP & AR and whether the provisions of para 6.5 of the Brochure have been kept in view).

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed by this Ministry/Department (proper) to the Commissioner for Scheduled Castes and Scheduled Tribes, R. K. Puram, New Delhi-110022.

Signature*.....

Designation

Ministry/Department of

Telephone No.

1. Department of Personnel & A.R. (Personnel Wing--SCT Section), Government of India, North Block, New Delhi.
2. Commissioner for Scheduled Castes and Scheduled Tribes, West Block No. 1, Wing No. 7, First Floor, R. K. Puram, New Delhi.

 Ministry/Department of..... U. O. No.
dated.....

*To be signed by an Officer of the status of Under Secretary or above in the Ministry, Department (proper).

Proforma I(b)

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by Direct recruitment through employment Exchanges etc. on local or regional basis.

1. Name of the Ministry/Department.
2. Name of the Service/Office to which the vacancies relate.
3. Designation, Classification and Scale of pay of the post in respect of which dereservation is sought.
 - 3.1 Designation
 - 3.2 Group (Class)
 - 3.3 Scale of pay
 - 3.4 Technical/Non-technical
- 4.1 State /Region/U.T. in which the vacancies are located.
- 4.2 Indicate points reserved for SCs & STs in the roster used if different from those given in appendix 3 of the Brochure.
5. *Particulars of total vacancies :*
 - 5.1 Total number of vacancies being filled in the present recruitment :

- 5.2 Indicate the cycle No. of the roster (40 or 100 point) and the points against which these vacancies fall :

Cycle No.	Points	
	From	To

6. *Particulars of reserved vacancies :*

- 6.1 Number of vacancies out of 5.1. above :

	SC	ST
(a) Due to carried forward reservations (separately for each year of carry forward) :		
In III year	-----	-----
In II year	-----	-----
In I year	-----	-----
(b) Due to fresh reservations according to the roster.	-----	-----
(c) Net reservations out of total of (a) and (b) above after applying the restriction of 50% (if applicable in the light of instruction contained in Deptt. of Personnel & A.R. O.M. No. 16/3/73-Estt. (SCT) dated 27-12-1977).	-----	-----
(d) Number of vacancies out of (c) above which being in the third year of carry forward are mutually exchangeable between SC and ST.	-----	-----

- 6.2 Number of vacancies in 6.1 (c) for which SC/ST candidates have become available : -----
- 6.3 Number of vacancies proposed for dereservation. -----
-

Notes :

(1) While filling up reserved vacancies mentioned in col. 6.1 it should be ensured that reservation brought forward from an earlier year are utilised first. For instance, if the figure mentioned in col. 6.1 (c) includes reservations brought forward from recruitment years 1975 and 1976 these reservations brought forward from 1975 would be utilised first before utilising reservations brought forward from 1976 and current reservation. Further, attention is also drawn to the Deptt. of Personnel & A.R. O.M. No. 36013/2/79-Estt. (SCT) dated 2-4-1979.

(2) The total reservation cannot exceed the total number of vacancies, the excess reservation, if any, being carried forward direct to the next recruitment year.

(3) The limit of 50% on reservation of vacancies for Scheduled Castes and Tribes in any recruitment can be exceeded only if the Scheduled Castes and Scheduled Tribes in the cadre/grade/post concerned are under-represented.

7.1 Whether non-availability certificate was obtained from the Employment Exchange; if so, the date thereof.

7.2 Whether after receipt of non-availability certificate, the reserved vacancies were advertised and if so when and with what results.

7.3 Whether reserved vacancies were intimated/copies of advertisements were endorsed to :

- (i) the recognised associations of Scheduled Castes & Scheduled Tribes [vide para 8.1 (iii) of Brochure Edition V]; and
- (ii) the Director (s) of Welfare/SC & ST Welfare of the State Government/U.T concerned [vide paras 8.1 (V) *ibid*].

7.4 Whether simultaneously with the notification of the vacancies to the Employment Exchange and advertisements through the Press, they were also notified to the appropriate station of the All India Radio for announcement over the radio, if so indicate :

- (i) the A.I.R. station over which the vacancies were announced.
- (ii) the date of announcement (vide para 8.1. (iv) *ibid*).

7.5 Whether there is a provision for relaxation of experience qualification in the recruitment rules, if any prescribed, in favour of Scheduled Castes and Scheduled Tribes (vide para 7.4 *ibid*).

	SC	ST
1. Total number of candidates who passed in the written test (if any held)	---	---
2. The number of Scheduled Castes/ Scheduled Tribes candidates interviewed (if interview prescribed)	---	---
3. Number of candidates finally selected after applying relaxed standards (as required in O.M. No. 1/1/70-Estt. (SCT) dated 25-7-1970.		
(i) Number selected on own merits.	---	---
(ii) By application of relaxed standards.	---	---
TOTAL :	---	---
9. Whether SCs/STs were interviewed separately, i.e., on a day or in a sitting of the selection committee other than the one on which general candidates were interviewed (vide para 7.9 ibid).		
10. In cases involving ex-post-facto approval to dereservation, indicate :		
(i) the reasons for not having obtained prior approval for the dereservation.		
(ii) the level at which decision taken to fill vacancies without prior dereservation.		
11. In the case of Group C (Class III) and Group D (Class IV) non-technical and quasi-technical posts filled otherwise than through examination, i.e., on the basis of the interview only, please also indicate :—	SC	ST
(1) Total number of candidates who fulfilled the minimum qualifications prescribed in the recruitment rules.	---	---
(2) Number of candidates called for interview.	---	---
(3) Number of candidates selected after application of the principles contained in MHA's O.M. No. 24/7/67 (i)-Estt. (SCT) dated 24-9-1968 and No. 16/8/69-Estt. (SCT) dated 31-10-1969.	---	---
(4) Reason why for the remaining reservations, candidates of SC/ST possessing the minimum qualifications could not be selected.	---	---
(5) Number of candidates out of (3) above who took up appointments.	---	---
12. Whether general candidates have already been selected for appointment against the vacancies sought to be dereserved.		
13. Additional information, if any: (If this post is grouped with other posts for applying reservations, please indicate whether the grouping has been approved by the DOP & AR and whether the provisions of para 6.5 of the Brochure have been kept in view).		

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed to the Commissioner for Scheduled Castes & Scheduled Tribes, R.K. Puram, New Delhi.

Signature* _____

Designation _____

Ministry/Department of _____

Telephone No. _____

1. Department of Personnel & A.R. (Personnel Wing-SCT Section), Government of India, North Block, New Delhi.
2. Commissioner for Scheduled Castes and Scheduled Tribes, West Block No. 1, Wing No. 7, 1st Floor, R.K. Puram, New Delhi. _____
Ministry/Department of _____
U.O./ENDT. No. _____ Dated _____

*(To be signed by an Officer of Under Secretary or higher status in the Ministry/Department proper.)

Proforma-II

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

1. Name of the Ministry/Department
2. Name of the Office/Organisation to which the vacancies relate.
3. Particulars of the post/grade/service in which the vacancies are sought to be dereserved.
- 3.1 Designation:
- 3.2 Group (Class):
- 3.3 Scale of pay:
4. Mode of promotion i.e. whether by selection, seniority cum fitness or through a departmental qualifying or limited competitive examination.
5. Criteria for determining eligibility for promotion (as prescribed in Recruitment Rules)
6. *Particulars of total vacancies:*
- 6.1 Total number of vacancies being filled in the present recruitment.

Cycle No.	Points	
	From	To

- 6.2 Number of cycle and points in the roster against which these vacancies fall. (vide roster given in Appendix I of the Brochure).

7. *Particulars of reserved vacancies:*

- 7.1 Number of vacancies reserved out of 6.1 above.;

	SC	ST
(a) Due to carried forward reservations (separately for each year of carry forward).	_____	_____
In III yr.	_____	_____
In II yr.	_____	_____
In I yr.	_____	_____

(b) Due to fresh reservation according to the roster.

(c) Net reservations out of total of (a) and (b) above after applying the restriction of 50% where applicable in terms of this Department's O.M. No. 16/3/73—Estt. (SCT) dated 27-12-1977 (vide Note No. 2 below col. 7.4).

(d) Number of vacancies out of (c) above which are mutually exchangeable between SC & ST. -----

7.2 Number of vacancies in col. 7.1(c) for which SC/ST candidates have become available. -----

7.3 Number of vacancies proposed for dereservation¹ -----

NOTE:

1. While filling up reserved vacancies mentioned in col. 7.1 it should be ensured that reservations brought forward from an earlier year are utilised first. For instance, if the figure mentioned in col.6(i)(c) includes reservations brought forward from recruitment years 1975 and 1976, then reservation brought forward from 1975 would be utilised first before utilising reservations brought forward from 1976 and current reservations. Further, the instructions contained in the MHA's O.M. No. 27/25/68—Estt (SCT) dated 25-3-1970 and this Department's O.M. No. 36013/2/79—Estt(SCT) dated 2-4-1979 may be kept in view for appointment of candidates against exchangeable vacancies.

2. Reservation can exceed 50% of vacancies in any recruitment only if SCs/STs are under-represented in the cadre/grade concerned.

8. *In the case of promotions on the basis of seniority subject to fitness; (vide Department of Personnel & A.R. O.M. No. 27/2/71—Estt(SCT) dated 27-11-72).*

8.1 Whether the SC/ST candidates who are eligible for promotion including those holding lower positions in the general seniority list were considered for promotion on the basis of their separate seniority lists for filling the reserved vacancies.

SC ST

8.2 Number of SC/ST candidates considered fit for promotion. -----

8.3 Number of SC/ST candidates considered *not* fit for promotion. -----

8.4 If sufficient number of SC/ST candidates were not eligible for promotion, the date on which the senior-most SC/ST candidate in the grade will become eligible for promotion. -----

9. *In the case of promotion by selection in Group C (Cl. III) and Group D (Cl. IV) posts (vide MHA's O.M. No. 1/12/67—Estt(C) dated 11-7-1968).*

9.1 Size of the normal zone of consideration for all candidates, i.e. 3 times, 5 times the number of vacancies, etc. followed for making promotions to the post in question.

SC ST

9.2 Number of SC/ST candidates within the normal zone of consideration found fit for promotion on the same basis as others (vide para 3(1) of O.M. dated 11-7-1968 cited above.)

- | | SC | ST |
|---|---------|----|
| Number of SC/ST candidates who were in the separate zone of consideration for reserved vacancies, (Note : For reserved vacancies the zone of consideration is separate for SCs/STs. i.e. if for general list, the zone of consideration is 5 times of the number of vacancies likely to be filled, the zone of consideration for separate lists of SCs/STs. will be 5 times the number of reserved vacancies, subject to the condition that officers coming within such zone are eligible by length of service etc. as prescribed, for being considered for promotion). | | |
| 9.4 Were separate lists drawn of SC/ST candidates and such candidates judged separately for inclusion in the select list without comparing their merit with other officers. | Yes/No. | |
| | SC | ST |
| 9.5 Number of SC/ST candidates considered fit for promotion (including those mentioned in col. 9.2 above) | | |
| 9.6 Number of SC/ST candidates considered <i>not</i> fit for promotion. | | |
| 9.7 If sufficient number of SC/ST candidates were not eligible for promotion, the date on which the senior-most SC/ST candidate will become eligible for promotion. | | |
| 10. In the case of promotions by selection from Group C (Class III) to Group B (Class II), within Group B (Class II) and from Group B (Class II), to the lowest rung of category in Group A (Class I) (vide Department of Personnel & A.R. O.M. No 10/41/73-Estt. (SCT) dated 20-7-1974). | | |
| 10.1 Size of the normal zone of consideration for all candidates <i>i.e.</i> 3 times, 5 times the number of vacancies etc. | | |
| | SC | ST |
| 10.2. Number of SC/ST candidates in the normal zone of consideration (For promotions by selection in Class II and to the lowest rung of Class I, SC/ST candidates within the normal zone of consideration alone are to be considered and there is no separate zone of consideration for SC/ST). | | |
| 10.3. Number of SC/ST candidates considered fit for promotion, | | |
| 10.4. Number of SC/ST candidates considered <i>not fit</i> for promotion. | | |
| 10.5 Number of— | | |
| SC vacancies filled by ST: | | |
| ST vacancies filled by SC : | | |
| (Note : In promotions of this Category, reservations are exchangeable between SC and ST candidates in the first year itself). | | |
| 11. <i>In the case of promotion through Departmental qualifying or limited departmental competitive examination,</i> | | |

- | | SC | ST |
|---|-------|-------|
| 11.1 Number of SC/ST candidates who appeared at the examination. | ----- | ----- |
| 11.2 Number of SC/ST candidates who qualified in the examination on the basis of their own merit. | ----- | ----- |
| 11.3 Number of SC/ST candidates who qualified in the examination on the basis of relaxed standards (vide instructions contained in Department of Personnel & A.R. O.M. No. 8/12/69-Estt. (SCT) dated 23-12-70; O.M. No. 36021/10/76-Estt. (SCT) dated 21-1-77 and O.M. No. 36011/6/79-Estt. (SCT) dated 19-4-79). | ----- | ----- |
| 12. Whether approved general category candidates are available in the Select List for appointment to vacancies sought to be dereserved and date of commencement of the Select List. | | |
| 13.1 Whether SC/ST candidate considered unfit had any adverse entries in their C.R.s considered by the D.P.C. | | |
| 13.2 Whether such adverse entries were communicated in time to the SC/ST officer (s) concerned; if not what action has been taken against those responsible for their non-communication. | | |
| 13.3 Whether the cases of the eligible SC/ST candidates not found fit for promotion against reserved vacancies have been submitted /reported to the authorities prescribed in Department of Personnel & A.R. O.M. No. 36012/3/75-Estt. (SCT) dated 6-10-1976. | | |
| 14. Where interviews are prescribed, whether SC/ST candidates were interviewed on a day or sitting of the Selection Committee other than the day/sitting on/in which general candidates were interviewed. | | |
| 15. (i) If ex-post-facto approval is sought to the dereservation of vacancies, the reasons why proposals for prior dereservation were not made, and what steps have been taken to prevent its recurrence. | | |
| (ii) The level at which it was decided to fill the vacancies without prior dereservation. | | |
| 16. Additional instruction (if any) : | | |

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed by the Ministry/Department (proper) to the Commissioner for Scheduled Castes and Scheduled Tribes, R.K. Puram, New Delhi-22.

Signature* -----
 Designation -----
 Ministry/Department of -----
 Telephone No. -----

1. Department of Personnel & A.R. (Personnel Wing | SCT Section), Govt. of India North Block, New Delhi.
2. Commissioner for Scheduled Castes and Scheduled Tribes, West Block No. 1, Wing No. 7, 1st floor, R.K. Puram, New Delhi.

Ministry/Department of ----- dated -----
 U.O./ENDT. No. -----

*To be signed by an officer of Under Secretary or higher level in the Ministry/Department (proper).

Proforma-III

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Caste and Scheduled Tribes in posts filled by CONFIRMATION in posts filled by direct recruitment only

1. Name of the Ministry/Department.
2. Name of the Office/Service to which the vacancies relate.
3. Designation, Classification and scale of pay of the post/service in respect of which dereservation is sought.

- (a) Designation
- (b) Group (Class)
- (c) Scale of pay

4. Particulars of vacancies :

- (i) Total number of permanent vacancies against which confirmations are being made and against which persons are already working in the Department on a temporary basis.

	Total No.	Sch. Castes	Sch. Tribes
(ii) Number out of (i) above which have become available by conversion of temporary posts; and the number out of them reserved for SCs/STs as per the roster maintained at the time of initial recruitment against the concerned temporary posts.	_____	_____	_____

- (iii) Number out of (i) above which have become available for other reasons e.g. due to death, retirement, resignation etc., and number out of them reserved for SCs & STs as per the current roster.

- (iv) Total number of vacancies and those which are reserved for SC and ST (i.e. (i)+(ii) above).

- (v) Number of SC and ST available for confirmation.

- (vi) Number of vacancies to be dereserved.

5. In the case of permanent vacancies which are not physical vacancies and have become available due to conversion of temporary post into permanent ones please indicate:

- (i) The serial number of the points in the relevant rosters on which the corresponding temporary vacancies when initially filled had fallen and those out of them which were reserved for SC/ST.
- (ii) Whether the vacancies referred to above which fell on reserved points were actually filled by persons of the reserved category concerned.
- (iii) If reply to (ii) above is in the negative and all the reserved vacancies were not filled by the reserved category candidates, whether all the remaining reserved vacancies in question were got formally dereserved at the time of initial appointment according to the procedure then in force in this regard.

- (iv) If the reserved vacancies referred to above were neither filled by reserved category candidates nor formally got dereserved at the time of initial appointment, please indicate the reasons for the same.
6. In the case of confirmation against permanent vacancies which have become available due to reasons other than conversion of temporary posts:
- (1) Which roster is in use for recruitment to the post in question. As in Appendix 1 to the Brochure.
As in Appendix 2 to the Brochure.
As for _____ State/U.T.
in Appendix 3 to the Brochure.
- (2) Cycle No. and the points in the roster against which the total vacancies in col. 4 (iii) above fall. Cycle No. From Points To
- (3) Do the reserved vacancies shown against col. 4 (iii) above include any carried forward reservation, if so, give details.
7. Number of SC/ST persons working in the grade on temporary basis who are eligible for confirmation on the crucial date irrespective of their position in the general seniority list. SC ST
8. Are all SC/ST candidates in col. 7 above being considered for confirmation? If not, please indicate the reasons for not considering them for confirmation.
9. If ex-post facto approval is sought, for dereservation of vacancies, please indicate why proposals for prior dereservation were not made.
10. Additional information, if any.

C E R T I F I C A T E S

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed to the Commissioner for Scheduled Castes and Scheduled Tribes, R. K. Puram, New Delhi-22.

Signature _____

Designation _____

Ministry/Department of _____

Telephone No. _____

1. Department of Personnel & A. R. (Personnel Wing-SCT Section), Govt. of India North Block, New Delhi.
2. Commissioner for Scheduled Castes & Scheduled Tribes -West Block No. 1, Wing No. 7 1st Floor, R. K. Puram, New Delhi-22.

Ministry/Department of _____

U. O./ENDT. No. _____ dated _____

To be signed by an officer of the status of Under Secretary or above in the administrative Ministry/Department.

Department of personnel & A.R.O.M No. 36011/25/79-Estt. (SCT) dated 16-11-79 to all Ministers and Departments etc.

SUBJECT:—Simplification of the procedure of dereservation of vacancies reserved for SCs/STs — delegation of powers for dereservation to ministries/departments of the Government of India in certain specified cases.

The undersigned is directed to say that as clarified in this Department's O. M. No. 28/14/74-Estt (SCT) dated 12-7-76, the approval of this Department has to be obtained in all cases before a reserved vacancy can be treated as dereserved and utilised for the appointment of a general category candidate except in the following cases:

- (1) Reserved vacancies in purely temporary posts which have no likelihood of becoming permanent or continuing indefinitely;
- (2) Reserved vacancies in scientific and technical posts.

2. Of late, it has been felt that the provision regarding seeking prior approval to dereservation from this Department has been resulting in considerable delays in giving effect to the promotion of the approved candidates (including SC and ST candidates in some cases) on the Select List, apart from casting a heavy burden of work upon this Department. It has, therefore, been considered necessary that in certain selected cases the possibility of authorising the ministries/departments of the Government of India themselves to dereserve the vacancies subject to certain safeguards, should be explored. It has accordingly been decided that hereafter the ministries/departments of the Government of India may themselves accord approval to the dereservation of reserved vacancies only recruitment made by promotions subject to following conditions:

- (1) There is neither a SC nor a ST candidate available or eligible for promotion in the feeder cadres (s) specified in the relevant service/recruitment rules/orders;
- (2) A copy of the proposal for dereservation in the appropriate prescribed proforma is sent for information immediately to (i) The Commissioner for SCs and STs and (ii) to this Department.
- (3) The proposal for dereservation has been seen and concurred in by the Liaison Officer of the Ministry/Department.
- (4) The proposal for dereservation is agreed to at a level not lower than that of Joint Secretary to the Government of India, in the administrative Ministry/Department (Proper) concerned.
- (5) In the event of a disagreement between the appointing authority and the Liaison Officer the advice of this Department has been obtained.

3. The Ministry of Finance etc. are requested kindly to bring the above instructions the notice of all the appointing authorities under their administrative control. It may be specifically made clear to them that except in the case of Dereservation of reserved vacancies in promotional posts satisfying all the above conditions, all other cases of dereservation of vacancies will be, as hitherto, continue to be referred to this Department for prior approval.

Department of Personnel & A.R. O.M. No. 36011/27/79-Estt.(SCT) dated 4-1-80
to all Ministries and Departments etc.

Subject:—Dereservation of reserved vacancies in the decentralised Central Secretariat Services.

As the Ministry of Finance etc. are aware, the CS. Division of the Department of Personnel and A.R. has been coordinating direct recruitment as well as promotion through departmental competitive examination to the various decentralised grades in the Central Secretariat Services as detailed below:—

I—Central Secretariat Service

- (a) Section Officer Grade (i) Direct recruitment through Union Public Service Commission.
(ii) Departmental Examination through Union Public Service Commission.
- (b) Assistants' Grade Direct recruitment through Union Public Service Commission.

II—Central Secretariat Stenographers' Service

- (a) Grade B Departmental Examination through Union Public Service Commission.
- (b) Grade C (i) Direct recruitment through Union Public Service Commission.
(ii) Department Examination through Staff Selection Commission.
- (c) Grade D Direct recruitment through Staff Selection Commission.

III—Central Secretariat Clerical Service

- (i) U. D. C. Departmental Examination through Staff Selection Commission.
- (ii) L. D. C. (a) Direct recruitment through open market and ;
(b) from among Group D employees through SSC.

In respect of the above examinations, the requirement of the various cadres, indicating (except in the case of Section Officers' grade, Assistants' Grade and Grade B of Central Secretariat Stenographers' Service where roster is maintained by the CS Division) the vacancies meant for general candidates, reservation for SC/ST and carried over vacancies from the earlier years for SC/ST, is collected from the various cadres and communicated to the Union Public Service Commission or Staff Selection Commission as the case may be for selecting and recommending candidates for appointment to the Services. After the recommendations are received, dereservation of the reserved vacancies, to the extent required, is got done on a consolidated basis by the CS Division by taking up the matter with the SCT Division of this Department as well as the Commissioner for Scheduled Castes and Scheduled Tribes. Whereas, normally, the cadre authorities themselves are supposed to get dereservation done with a certificate that such proposals are being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department concerned, it was decided to make a consolidated reference in respect of recruitments to the various grades mentioned above in order not only to reduce the work involved in this Department as well as in the office of the Commissioner for Scheduled Castes/Scheduled Tribes which would otherwise have been the case if the individual cadres were to make reference for dereservation, but also to have a correct and overall idea of the extent of dereservation that is being resorted to in a grade/cadre.

2. The Liaison Officer of the Department of Personnel and Administrative Reforms who has been functioning as the Liaison Officer in respect of the dereservation proposals moved by the CS Division has been finding it difficult to satisfy himself about the utilisation of the carry forward vacancies for Scheduled Castes/Scheduled Tribes by the various Ministries in the decentralised set-up. The procedure regarding dereservation of vacancies in the decentralised cadres has consequently been reviewed. It has been felt that normally it is the responsibility of the cadre controlling agencies as appointing authorities to propose to obtain the approval for dereservation. However, if each cadre authority is to make a reference to this Department in this regard, the work here would be voluminous and further, there would be delay because the clearance of such proposals will have to be given not only by the CS Division (the nodal agency for cadre management) but also by the SCT Section (the nodal agency for govts.' reservation policies for Scheduled Castes and Scheduled Tribes). At the same time, it has been considered that the Liaison Officers of the cadre authorities should have a more positive role to play in the matter of proper recruitment against the reserved quotas and application of the reservation orders. Therefore, in order to meet both the points i.e. to make the Liaison Officer of the cadre authorities responsible for proper regulation of reservation for Scheduled Castes and Scheduled Tribes, recruitment in accordance with the existing instructions, and to avoid delay in getting the dereservation done, where required, it has been decided to follow, in future, the procedure as laid down below:—

- (a) At the time the vacancies for recruitment through the Examination(s) are reported by the cadre authorities to the Department of Personnel and Administrative Reforms, the requirement indicating the general vacancies, vacancies reserved for Scheduled Castes/Scheduled Tribes, carried over vacancies for Scheduled Castes/Scheduled Tribes from the earlier years and all other relevant details would be furnished by the cadre controlling authorities with the required certificate through the Liaison Officer of the Department concerned in the Form Annexed hereto.
- (b) The reported vacancies will be consolidated by the CS Division of the Department of Personnel and Administrative Reforms and communicated to the Examining bodies, namely, the Union Public Service Commission or the Staff Selection Commission, as the case may be, for recommending candidates through the examinations.
- (c) On receipt of the recommendations of the Union Public Service Commission/Staff Selection Commission, the proposals for dereservation, if required, will be made by the CS Division to the SCT Division of this Department, on the basis of the actual availability of Scheduled Caste/Scheduled Tribe candidates recommended with reference to the number of reserved vacancies including the carried-forward vacancies. The Liaison Officer(s) of the various cadre authorities will not be consulted at this stage nor will there be any Liaison Officer in the Department of Personnel and Administrative Reforms for this purpose.
- (d) On receipt of clearance from SCT Division, the allocation of candidates to the various cadres will be made by the CS Division.
- (e) Where more candidates are allotted to a cadre to meet shortfall, if any, which may arise out of failure of the nominated candidates to take up the appointment, such surplus candidates belonging to the general category will not be adjusted against such shortfall in the vacancies reserved for Scheduled Caste/Scheduled Tribe. The vacancies caused by drop outs of Scheduled Caste/Scheduled Tribe in their reserved quota will not be filled, but will be added to the vacancies of the following year.

3. The undersigned is, accordingly, to request the Ministry of Finance, etc., to follow the above procedure in respect of recruitment to the reserved vacancies in the aforementioned decentralised cadres of the Central Secretariat Services, SSS and CSCS, the recruitment to which is co-ordinated by the CS Division of this department. It may, however, be clearly understood that it will be the responsibility of the cadre controlling authorities to maintain the 40 point roster carefully and of the L.O. of the Ministry/Department concerned to ensure before the vacancies are reported to the CS Division of this Department for arranging recruitment against them, that the reservation orders have been applied correctly and the computation of the vacancies reserved for Scheduled Castes/Scheduled Tribes being reported by the cadre authority is correct in all respects.

ANNEXURE

Form for reporting the numbers of vacancies to the CS Division of the Department of Personnel and Administrative Reforms.

- (1) Name of the Cadre:
- (2) Name of Service to which the recruitment is to be made:
- (3) (a) Mode of recruitment:
(b) Quota, if any, prescribed:
- (4) Total vacancies available for recruitment:
- (5) Points in the Roster on which these vacancies fall:
- (6) No. of vacancies out of Col. (4) above to be reserved for Scheduled Castes and Scheduled Tribes:—

(a) Due to carry-forward reservations giving year-wise break up—	SC	ST
Vacancies in the 3rd year of carry-forward	..	..
Vacancies in the 2nd year of carry-forward	..	..
Vacancies in the first year of carry-forward	..	..
Total carried forward	..	..
(b) Due to fresh reservations according to the current roster points: (vide Col. 5 above)	..	..
(c) Net reservations out of the total of (a) & (b) above after applying the restriction of 50% where applicable in accordance with the DOP & AR O.M. No. 16/3/73-Estt.(SCT) dated 27-12-1977. (The total reservation should not exceed the total number of vacancies available for recruitment).	..	..
(d) Number of vacancies out of (c) above which are mutually exchangeable between SCs/STs.	..	..

Date

Signature of the cadre Controlling Authority.

CERTIFICATE OF THE LIAISON OFFICER

Certified that I have checked up the 40 point roster maintained by the cadre authority in respect of recruitment to the aforesaid cadre of the Central Secretariat... Service, through the mode and for the quota (if any) as indicated above and find that the position regarding reservation of vacancies including carry-forward reserved vacancies indicated above by the Cadre Authority is correct.

(Signature)

Date

Liaison Officer.

Ministry/Department

Department of Personnel A.R. O.M. No. 36011/20/79-Estt.(SCT) dated 27-3-80
to all Ministries and Departments etc.

Subject:—Dereservation of reserved vacancies—Revised proforma.

The undersigned is directed to invite the attention of the Ministries/Departments to this Department's O.M. of even number dated the 2nd November, 1979 on the above subject and to say that it has been brought to our notice by the Commissioner for Scheduled Castes and Scheduled Tribes that a number of subordinate offices under several Ministries and Departments, endorse copies of the dereservation proposals to the concerned Ministries/Departments for examination to the Commissioner for Scheduled Castes and Scheduled Tribes direct.

2. It may be pointed out that the correct procedure is that all the proposals of dereservation are to be examined in the respective Ministries/Departments before submitting the same to this Department. While forwarding such proposals to the Department a copy should be sent to the Commissioner for Scheduled Castes/Scheduled Tribes. Moreover, proposals regarding dereservation of vacancies in promotion posts where Scheduled Castes/Scheduled Tribes candidates are not available if the feeder cadres are to be approved by the Ministry/Department concerned. Instructions on the proper procedure for processing dereservation proposals already exist in this Department's O.M. No. 36011/20/79-Estt.(SCT) dated 2-11-79 and No. 36011/25/79-Estt. (SCT) dated 16-11-79. Once again they are brought to the notice of all Ministries/Departments so as to emphasise that no subordinate formation should send copies of the dereservation proposals, meant for further examination at the respective Ministries/Departments level, to the Commissioner for SC/ST directly at that stage.

Department of Personnel & Administrative Reforms letter No. 36011/15/79-Estt (SCT) dated 6-1-1981.

Subject:—Decisions taken by individual Ministries/Departments not to dereserve reserved vacancy and fill up by general community candidate—keep the reserved vacancies unfilled till a person belonging to the reserved categories is available.

Sir,

Reference UPSC's letter No.16/12/(5)/78-R(C & P) dated 29-1-1979 on the above subject. I am directed to say that the decision taken by some Ministries/Departments seems to be based on the mis-apprehension that if the reserved vacancy goes to a general category candidate, consequent on the non-availability of the reserved community candidate, the vacancy is lost to the SC/ST. This, however, is not so because of the mechanism of the carry forward of reservations to three subsequent recruitment years. Dereservation is the mechanism before filling up a reserved vacancy by a non-reserved candidate and carry forward is the modality for safeguarding the SC/ST interests. In fact, efforts have to be made to find out SC/ST candidates for a total period of four recruitment years, taking into consideration the original recruitment year and the three years of carry forward. Four recruitment years should be considered to be a sufficiently long and reasonable period to look for a reserved category candidate. Thus, the mechanism of dereservation has three functions, firstly, to keep the reservation alive for four years during which efforts could be made to find out suitable SC/ST candidates, secondly, Administration does not suffer because the vacancy need not be kept vacant till the search for a SC/ST candidate has produced result and can be filled up by a general category candidate and thirdly, general community candidate can also get appointed against a reserved vacancy which is only in public interest but without causing any long term harm to SC/ST candidates when they are not available.

2. The decision to keep a vacancy unfilled for more than one year in anticipation of SC/ST candidate has serious implications on the maintenance and operation of the reservation roster. According to the present rules, no gaps could be left in the roster and if the reserved vacancies are kept unfilled for a number of years, it will give rise to many gaps in the roster. If any Ministry/Department decides to keep a reserved vacancy unfilled in a particular year, that Ministry or Department will have to stop making recruitment in any subsequent year, till they fill up the reserved vacancy in the previous year and complete the points in the roster. So the Ministries and Departments will have to take this decision at the risk of no further recruitments in the subsequent years till the reserved vacancies of the earlier years have been fixed up by SC/ST candidates.

3. The point now remains as to whether in the face of clear instructions of this Department in this regard, Ministries/Departments are empowered to take any different decision which does not conform to the orders of this Department. According to the Government of India (Allocation of Business) Rules, 1961, as amended from time to time, Department of Personnel is the nodal agency empowered to issue policy directives regarding reservations for SC/ST. The Law Ministry, who have also been consulted in this matter, has opined that Department of Personnel is competent to

lay down the policies relating to reservation for SC/ST under the said Allocation of Business Rules, and other Ministries/Depts. are bound to follow them. If other Departments intend to depart from the said policies laid down by the Department of Personnel it is mandatory for them to consult the Department of Personnel in terms of sub-rule (4) of rule 4 of the Transaction of Business Rules; otherwise, the policies laid down by the Department of Personnel are binding on them.

4. Another fallacy in the decision of the Ministries etc. is that the Departments concerned would seem to be under the impression that if a reserved community candidate is not available, the vacancy itself need not be filled—which connects an administrative need for recruitment against a post, already decided on public interest, with the communal character of the candidate or even his availability, whereas, in reality, the need for filling up the vacancy has to be determined independently and, once determined, further action should be initiated. To say that the 'administration' would not have any necessity for the filling up of a post, which falls on a reserved point just because a suitable candidate from the scheduled communities is not available will amount to reconstructing facts and reversal of logic, besides taking a limited view, of the concept of 'public interest'.

5. Thus, it may be seen that the decisions in question taken by the individual Ministries/Departments in keeping the reserved vacancies unfilled till the SC/ST candidates are available, do neither help much the SC/ST whose interests are well protected by the present rules nor do they sub-serve the interests of administration which would have to go without persons to discharge the duties of the posts for which recruitment exercise was in fact initiated. On the other hand, they give rise to situations which if pressed to their logical conclusions would complicate matters needlessly, without commensurate advantage.

6. The above position is being brought to the notice of the concerned Ministries/Departments who have taken separate decisions in this regard.

Department of Personnel A.R. O.M. No. 36011/5/81-Estt. (SCT) dated 7-4-81

Subject:—Simplification of the procedure of dereservation of vacancies reserved for SC/ST—Delegation of powers of dereservation—clarifications regarding.

The undersigned is directed to draw attention to Department of Personnel's O.M. No. 36011/25/79-Estt.(SCT) dated 16-11-1979 regarding delegated powers of dereservation to Ministries/Departments in cases of promotion and to say that the copy of the proposal in the prescribed proforma should be sent to the Department of Personnel, and the Commissioner for Scheduled Caste/Scheduled Tribe by the administrative Ministry/Department concerned, and not by any attached and subordinate offices. It is further stated that the Ministry/Department concerned should wait for a period of at least two weeks after sending the proforma to the Department of Personnel and the Commissioner for SC/ST, for their comments, if any, before the reserved vacancies are dereserved by them, under the delegated authority.

2. Ministry of Finance etc. are requested to bring the above clarifications to the notice of all the appointing authorities under their control.

CHAPTER 11

CARRYING FORWARD OF RESERVATIONS AND EXCHANGE OF RESERVATIONS BETWEEN SCHEDULED CASTES AND SCHEDULED TRIBES.

11.1. *Carry forward of reservations*

If sufficient number of Scheduled Castes and Scheduled Tribes candidates fit for appointment against reserved vacancies are not available, such vacancies can be dereserved after following the prescribed procedure for dereservation as in Chapter 10 and such reserved vacancies can be filled by candidates of other communities. After such dereservation, reservations are carried forward to subsequent three recruitment years except in the case of reservations in promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group A where carrying forward of reservations are not permitted.

NOTE (1): 'Recruitment year' shall mean a 'calendar year' and for purposes of the three years limit for carry forward of reserved vacancies shall mean the year in which recruitment is actually made.

MHA
O.M. No. 2/24/63-
Estt (D)
dated 4-12-63,
No. 1/4/64-
SCT (I)
dated 2-9-64
and
O.M. No. 27/25/68
Estt.
(SCT)
dated 25-3-70
and
DP & A/
O.M. No. 16-5-74
Estt.
(SCT)
dated 11-6-74,
No. 1-9-74
Estt.
(SCT)
dated 29-4-75
and
O.M. No. 16/3/73-
Estt
(SCT)
dated 27-12-77*
M.H.A.
O.M. No. 27/25/68-
Estt
(SCT)
dated 25-3-70.

11.2. *Exchange of reservation between Scheduled Castes and Scheduled Tribes. . . .*

While vacancies reserved for Scheduled Castes and Scheduled Tribes may continue to be treated as reserved for the respective community only, Scheduled Tribes candidates may also be considered for appointment against a vacancy reserved for Scheduled Castes candidates and vice-versa where such a vacancy could not

* Modified by Department of Personnel & AR O.M. No. 36012/3/78 Estt (SCT) dated 9.2.82

be filled by a Scheduled Caste or Scheduled Tribe candidate even in the third year to which the reservation is carried forward. The normal provision is that the exchange is permissible only for the reservations which have been carried forward to third and subsequent year of recruitment. In case of promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group A where carrying forward of reservations are not permitted, vacancies can be exchanged between Scheduled Castes and Scheduled Tribes in the same year of recruitment.

NOTE (2): Any recruitment of Scheduled Castes Scheduled Tribes candidates will first be counted against the additional quota brought forward from the previous years in their chronological order. If Scheduled Castes/Scheduled Tribes candidates are not available for all the vacancies, the older carried forward vacancies should be filled first and the comparatively later carried forward vacancies should be further carried forward.

For example, suppose in a particular recruitment year there are 50 vacancies out of which 22 are reserved for Scheduled Castes and Scheduled Tribes taking into consideration the carry forward and fresh reservation in the following manner:—

	Scheduled Castes	Scheduled Tribe
Third year	1	5
Second year	—	2
First year	1	1
Fresh	8	4
	<hr/> 10	<hr/> 12

Against the reserved vacancies of 10 for Scheduled Castes and 12 for Scheduled Tribes, suppose 8 Scheduled Castes and one Scheduled Tribes are available. As the oldest carried forward reservations have to be adjusted first the one Scheduled Tribe candidate will be adjusted against the oldest carried forward i.e. the third year. The remaining 4 reservations for Scheduled Tribes in the third year of carry forward will be exchangeable with Scheduled Castes. Out of the 8 Scheduled Castes candidates, 4 will be adjusted against the exchangeable vacancies, one against the third year for Scheduled Castes, one against the first year for Scheduled Castes and 2 against the fresh reservation for Scheduled Castes. So dereservation will be required for 6 vacancies for Scheduled Castes and 7 vacancies for Scheduled Tribes (2 of second year, one of first year, 4 fresh reservations).

Deptt. of Personnel The total number of reservations not exceeding normally 50 per cent of the total number of vacancies filled in that year. J.M. No. The surplus, if any, above 50 per cent, when the ceiling of

50 per cent is applied, shall be carried forward to the subsequent year of recruitment, subject, however, to the condition that the particular vacancies carried forward do not become time-barred due to their becoming more than three years old.

36012/
3/78-
Estt.
(SCT)
dated
9-2-82

11.3. Reservation and carry forward of a single vacancy arising in a year.

In cases where only one vacancy occurs in the initial recruitment year and the corresponding roster point happens to be for a Scheduled Caste or a Scheduled Tribe, it should be treated as unreserved and filled accordingly and the reservation carried forward to subsequent three recruitment years, but in the subsequent recruitment year(s), even if there is only one vacancy, it should be treated as "Reserved" against the carried forward reservation from the initial recruitment year, and a Scheduled Caste/Scheduled Tribe candidate, if available, should be appointed in that vacancy, although it may happen to be the only vacancy in that recruitment year(s). This provision applies also to promotion by selection to Group C to Group B, within Group B and from Group B to the lowest rung of Group A where if there is a single vacancy it may be treated as unreserved and the reservation carried forward to three subsequent recruitment years even though carrying forward of reservations are not permitted in this particular promotion.

Deptt of
Personnel
& A.R.
O.M.No.
1/9/74-
Estt.
(SCT)
dated
29-4-75
& No.
36011/39/
81-Estt.
(SCT)
dated
30-11-81

If a single vacancy falls at a reserved point for SC/ST and is filled by SC/ST candidate on the basis of his own merit or seniority it need not be treated as unreserved and reservation should not be carried forward. In these cases, the provisions of orders of 29-4-1975 will not be applicable. Further, if a single vacancy falls at a reserved point for SC/ST and is filled up by a candidate of the other reserved community on the basis of his own merit or seniority as the case may be, the vacancies will be treated as unreserved and treated as if it is filled by a general candidate, and the vacancy shall also be carried forward. In these cases, the instructions contained in this Department O.M. dated 29-4-1975, referred to above, shall apply.

11.4. Exchange of reservations between Scheduled Castes and Scheduled Tribes in services under certain Union Territories:

In (i) direct recruitment to Group A (Class I) and Group B (Class II) posts/services under the Union Territories of Arunachal Pradesh and Mizoram and (ii) in promotions in posts/services under these two Union Territories as well as in the U.T. of Andaman & Nicobar Islands, Lakshadweep and Dadra & Nagar Haveli; to which the scheme of reservation in promotion applies, the unutilized vacancies reserved for Scheduled Castes in the respective categories of posts/services may be exchanged in favour of Scheduled Tribes every year, instead of only in the third year of carry forward under the general instructions referred to in para 11.2 above.

MHA
letters
Nos. dt
13019/1
75-AP
dated
28-9-77
and
29-9-77

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 11

O.M. No. 2/24/63-Estt. (D)	4-12-63
O.M. No. 1/4/64-SCT-(I)	2-9-64
O. M. No. 27/25/68-Estt. (SCT)	25-3-70
O.M. No. 16/5/74-Estt. (SCT)	11-6-74
O.M. No. 1/9/74-Estt. (SCT)	29-4-75
Letter No. U. 13019/1/75-AP	28-9-77
Letter No. U. 13019/1/75-AP	29-9-77 .
O.M. No. 16/3/73-Estt. (SCT)	27-12-77 After Chapter 4
O.M. No. 36013/2/79-Estt. (SCT)	2-4-79
O. M. No. 36011/39/81-Estt. (SCT)	30-11-81
O.M. No. 36012/3/78-Estt. (SCT)	9-2-82

Ministry of Home Affairs O.M. No. 1/7/62-SCT(I), dated 24th September, 1962, to all Ministries etc.

Subject:—Reservation in services for Scheduled Castes and Scheduled Tribes—Instructions contained in the Brochure regarding—clarification whether positions reserved for Scheduled Tribes should, in the event of suitable Scheduled Tribe candidates not being available, be reserved for Scheduled Castes and vice versa.

In para 2 of this Ministry's Office Memorandum No. 42/32/53-NGS(SCT), dated the 7th December, 1954, it was stated that in the case of vacancies reserved for Scheduled Castes, if a sufficient number of Scheduled Castes candidates was not available, the vacancies that remained unfilled could be treated as reserved for Scheduled Tribes and vice versa, subject to future adjustment. The Scheduled Areas and Scheduled Tribes Commission recommended that the existing orders of the Union Government which permit the appointment of Scheduled Castes candidates in the vacancies reserved for Scheduled Tribes, where suitable qualified candidates are not available, should be rescinded.

2. In view of the recommendation of the Scheduled Areas and Scheduled Tribes Commission, the provision made earlier in the aforesaid O.M. of 7-12-54 in regard to treating of vacancies reserved for Scheduled Tribes as reserved for Scheduled Castes in case of non-availability of Scheduled Tribes and vice versa has not been included in the Brochure issued vide this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27th April, 1962, and is, therefore, no longer in force. In other words, the position now is that vacancies reserved for Scheduled Tribes for which suitable Scheduled Tribes are not available cannot be treated as reserved for Scheduled Castes and vice versa. Vacancies reserved for Scheduled Castes and Scheduled Tribes for which candidates of the respective class are not available can be treated as unreserved in accordance with para 15-17 of the brochure referred to above.

Ministries may kindly bring the above clarification to the notice of all appointing authorities under them.

Ministry of Home Affairs O.M. No. 2(24)/63-Est.(D), dated 4th December, 1962, to all Ministries etc.

Subject:—Measures for securing increased representation of Scheduled Castes and Scheduled Tribes in the Central Services. Review of the "carry forward" rule.

The undersigned is directed to refer to para II of this Ministry's Office Memorandum No. 2/11/55-RPS, dated the 7th May, 1955, laying down the "carry forward" rule, according to which if a sufficient number of suitable candidates belonging to Scheduled Castes and Scheduled Tribes eligible for the reserved vacancies is not available from the respective classes in a particular year, such vacancies are to be treated as unreserved vacancies during that year; and such shortfall in the number of Scheduled Castes and Scheduled Tribes is to be carried forward up to two subsequent recruitment years before the reservation is finally treated as lapsed. Since this rule does not provide for any restriction on the number of vacancies reserved for Scheduled Castes and Scheduled Tribes, being carried forward to the two successive years, there have been instances where the number of reserved vacancies has even exceeded 50% of the vacancies available during the year. Thus, the "carry forward" rule is capable of offending against the provisions of Article 16(1) and (2) of the Constitution as it can lead to excessive reservation, practically denying to members of other communities a reasonable opportunity of employment. Although the Constitution does not specifically restrict the extent to which the power conferred by Article 16(4) of the Constitution should be exercised, the power has to be exercised in such a manner as to keep intact the guarantees provided under Article 16(1) and (2) of the Constitution. In other words, Article 16(4), being a special provision, cannot be utilised in a manner which has the effect of over-riding the provisions of Article 16(1) and (2).

2. The Government of India have, therefore, revised their policy and decided as follows:—

If a sufficient number of suitable candidates eligible for reserved vacancies is not available from the appropriate classes on any occasion of recruitment

ment, such vacancies may be treated and filled as unreserved vacancies but shall be carried forward for subsequent occasions of recruitment. However, on no such subsequent occasion, shall the number of normal reserved vacancies and the "carried forward" reserved vacancies together exceed 45 per cent of the total number of vacancies. Nevertheless if there be only two vacancies one of them may be treated as a reserved vacancy. But if there be only one vacancy, it shall be treated as unreserved.

The allocation of the "carried forward" vacancies within this limit among the Scheduled Caste/Scheduled Tribe candidates shall be in proportion to the total "carry forward" reserved vacancies of the two classes.

The surplus above 45% shall be carried forward to the subsequent occasion of recruitment, subject, however, to the condition that the particular vacancies carried forward do not become time barred due to their becoming more than two years old.

3. The instructions contained in this Ministry's Office Memorandum dated 7th May, 1955 referred to above should be deemed to be superseded to the extent indicated above. These orders will take effect from the date of issue and all appointments to be made hereafter will be made subject to the provisions of this O.M.

Ministry of Home Affairs O.M. No. 1/4/64-SCT(I), dated 2nd September, 1964 to all Ministries etc.

Subject:—Reservation of vacancies for Scheduled Castes and Scheduled Tribes in the Central Services.

In para 2 of this Ministry's O.M. No. 2/24/63-Estt.(D), dated 4th December, 1963, it has been provided *inter-alia* that on any occasion of recruitment the number of normal reserved vacancies and the 'carried forward' reserved vacancies shall not together exceed 45 per cent of the total number of vacancies and if there be only two vacancies, one of them may be reserved. The question whether it would not be more convenient to relate reservations of vacancies for Scheduled Castes and Scheduled Tribes to 'a year of recruitment' instead of to 'each occasion of recruitment' has been considered. It has been decided that the allocation of reserved vacancies should hereafter be related to 'a year of recruitment'. The decision contained in para 2 of this Ministry's O.M. No. 2/24/63-Estt.(D), dated 4th December, 1963 is accordingly revised as follows:

If a sufficient number of suitable candidates eligible for reserved vacancies are not available from the appropriate classes in any year of recruitment, such vacancies may be treated and filled as unreserved vacancies but shall be carried forward to subsequent years of recruitment. However, in any recruitment year, the number of normal reserved vacancies and the 'carried forward' reserved vacancies together shall not exceed 45 per cent of the total number of vacancies. Nevertheless, if there be only two vacancies, one of them may be treated as a reserved vacancy. But if there be only one vacancy, it shall be treated as unreserved. Within any year of recruitment, the conditions of eligibility by age or otherwise should remain the same even if recruitment is made, more than once in that year *i.e.*, a person who was eligible on the 1st of January of a particular year shall not be disqualified on the ground that he was no longer eligible by the time the relevant vacancy (against which he could be appointed) arose later in that year. The allocation of the 'carried forward' vacancies within the aforesaid limit, among the Scheduled Caste/Scheduled Tribe candidates shall be in proportion to the total 'carried forward' reserved vacancies of the two classes.

The surplus above 45% shall be carried forward to the subsequent year of recruitment, subject however, to the condition that the particular vacancies carried forward do not become time barred due to their becoming more than two years old.

Note:—"Recruitment year" shall mean a 'calendar year' and for purposes of the two-year limit for carry forward of reserved vacancies shall mean a year in which recruitment is actually made.

2. It would be seen that these decisions require the *first* vacancy occurring in any recruitment year to be treated as unreserved invariably *i.e.* irrespective of the point in the roster against which the first vacancy in any year occurs. The *second* vacancy may be treated as reserved if either (i) the first vacancy fell at a reserved point and had to be treated as unreserved as required above or (ii) the second vacancy occurs against a reserved point in the roster in the ordinary course. The *third* vacancy would again have to be unreserved if the second vacancy has been treated as reserved; in such an event, if the third vacancy (according to the roster) should have been reserved in the ordinary course, the reservation will shift to the fourth point for the year.

3. Ministries etc. may kindly bring the above decision to the notice of all appointing authorities under them. The instructions issued in earlier orders and the 'Brochure' enclosed with this Ministry's O.M. No. 1/2/61-SCT(1), dated 27th April, 1962 should be taken to have been modified to the extent necessary, by the above decision.

**Ministry of Home Affairs O.M. No. 27/25/68-Estt.(SCT), dated 25th March, 1970
to all Ministries etc.**

*Subject:—Reservations for Scheduled Castes and Scheduled Tribes in Services—
Revision of Percentages and period of carrying forward of such reservations—
Utilisation of vacancies reserved for Scheduled Castes in favour of
Scheduled Tribes and vice-versa.*

Revision of percentage of reservation for Scheduled Castes and Scheduled Tribes in services.

The question of revising the percentages of reservation in favour of Scheduled Castes and Scheduled Tribes in posts and services under the Government of India in the light of the population of these communities as shown in the 1961 Census has been under the consideration of Government for some time. It has now been decided to revise these percentages as indicated in the Ministry of Home Affairs Resolution No. 27/25/68-Estt.(SCT) dated 25th March, 1970 (copy enclosed).

Period for carrying forward of reservations.

2. According to the instruction in this Ministry's O.M. No. 1/4/64-SCT(1) dated 2nd September, 1964, vacancies reserved for Scheduled Castes and Scheduled Tribes which are not filled by candidates of the appropriate communities due to non-availability of candidates of these communities are required to be carried forward to subsequent two recruitment years. It has now been decided by Government that the period for carrying forward of the reserved vacancies should be increased from two to three subsequent recruitment years. Accordingly, if a vacancy arising, say, in the year 1970 is reserved for Scheduled Castes/Scheduled Tribes and no suitable candidate of the appropriate community is forthcoming, the reservation would be carried forward to the next recruitment year and if during that year also no suitable candidate of the appropriate community is forthcoming the reservation would be similarly carried forward to the next two recruitment years before it is treated as lapsed.

Exchange of vacancies between Scheduled Castes and Scheduled Tribes in the last year to which the reserved vacancies are carried forward.

3. The question of utilisation of vacancies reserved for Scheduled Castes, in favour of Scheduled Tribes and *vice-versa* has also been considered by Government, and it has been decided, in modification of the orders contained in this Ministry's O.M. No. 1/7/62-SCT(1), dated 24th September, 1962 that while vacancies reserved for Scheduled Castes and Scheduled Tribes may continue to be treated as reserved for the respective community only, Scheduled Tribes candidates may also be considered for appointment against a vacancy reserved for Scheduled Castes candidates where such a vacancy could not be filled by a Scheduled Caste candidate even in the third year to which the vacancy is carried forward. While advertising or notifying a vacancy which has been carried forward to the third year, it should therefore be made clear in the advertisement/requisition that while the vacancy is reserved for Scheduled Castes, Scheduled Tribe candidates would also be eligible for con-

sideration in the event of non-availability of suitable Scheduled Caste candidates. This arrangement will likewise apply also in the case of vacancies reserved for Scheduled Tribes.

4. In view of the decisions in paras 2-3 above, all vacancies arising on or after the date of issue of this O.M. which are reserved for Scheduled Castes and Scheduled Tribes but are not filled by members of the respective community shall be carried forward to three subsequent recruitment years instead of two recruitment years, as at present. Reserved vacancies which had arisen prior to the date of issue of this O.M. and which have already been carried forward for one year will now be carried forward to two more recruitment years and similarly reserved vacancies which have been carried forward for two years will be carried forward to the third recruitment year as well. In the third year of carry forward of reserved vacancies candidates from both Scheduled Castes and Scheduled Tribes will be considered against reserved vacancies in accordance with the provisions in para 3 above.

5. Ministry of Finance etc. are requested to bring the above decisions also to the notice of all authorities under them, including the public sector undertakings and the semi-Government bodies with which they are administratively concerned.

Department of Personnel & Administrative Reforms O.M. No. 16/5/74-Estt.(SCT), dated 11th June, 1974 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—period of carrying forward of such reservations.

The undersigned is directed to invite the attention to the instructions contained in the Ministry of Home Affairs (now Department of Personnel & A.R.) O.M. No. 1/4/64-SCT(1) dated the 2nd September, 1964 and No. 27/25/68-Estt.(SCT) dated the 25th March, 1970, which provide, *inter-alia*, that vacancies reserved for Scheduled Castes and Scheduled Tribes which are not filled up due to non-availability of candidates belonging to these communities are required to be carried forward to subsequent three recruitment years. For this purpose, recruitment year means a calendar year and for the purpose of three years limit for carry forward of reserved vacancies, it means a year in which recruitment is actually made.

2. The Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1970-71:

"Recommendation No. 56:

The rationale behind carrying forward of vacancies for the three years is that during each year of the "Carry-forward" some attempt must be made to secure a suitable Scheduled Caste/Tribe candidate for the reserved vacancy, so that the vacancy is not allowed to lapse. If no attempt has been made at all during a particular recruitment year, it cannot be legitimately treated as a recruitment year, for the purpose of carrying it forward. For these reasons, it is hoped that the Department of Personnel will reconsider their stand and agree to treat such recruitment years during which only a single vacancy arose and filled as unreserved will not be effective year for the purpose of carrying the vacancy forward."

This recommendation has been considered in this Department and accepted. It has therefore been decided that with effect from the calendar year 1974, a recruitment year during which only a single vacancy arose and hence it has to be treated as unreserved, need not be counted as an effective year towards the period for which a reserved vacancy is to be carried forward. Accordingly, if a vacancy arising, say, in the year 1974 is reserved for Scheduled Castes/Scheduled Tribes and no suitable candidate of the appropriate community is forthcoming, the reservation would be carried forward to the next three effective recruitment years which will be determined after ignoring the years in which either no recruitment takes place or no reservation can be made for Scheduled Castes/Scheduled Tribes because of a single vacancy arising in those years.

3. Ministry of Finance etc. are requested to bring the above decision to the notice of all authorities under them, including the public sector undertakings, and semi-Government bodies with which they are administratively concerned.

Department of Personnel & A.R. O.M. No. 1/9/74-Estt.(SCT), dated 29th April, 1975
to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in services—
Single vacancy arising in a recruitment year.

Attention of the Ministry of Finance, etc. is invited to Ministry of Home Affairs O.M. No. 2/24/63-Estt.(D), dated the 4th December, 1963 read with O.M. No. 1/4/64-SCT(1), dated 2nd September, 1964, which provide *inter alia* that, if there be only one vacancy in any recruitment year, it should be treated as unreserved, irrespective of its falling at a reserved point. This provision results in a situation whereby in small cadres, where recruitment is occasional and generally not more than one vacancy arises at a time, the Scheduled Castes and Scheduled Tribes are unable to get any benefit out of the orders providing reservations for them.

2. The matter has been considered in the light of the judgement of the Supreme Court dated the 11th October, 1973 in the case of Areti Ray Choudhury vs. Union of India (Railway Ministry) and others, and it has now been decided that in partial modification of the O.M., dated 4th December, 1963, and 2nd September, 1964, referred to in para 1 above, while in cases where only one vacancy occurs in the initial recruitment year and the corresponding roster point happens to be for a Scheduled Caste or Scheduled Tribe, it should be treated as unreserved and filled accordingly and the reservation carried forward to subsequent three recruitment years as hitherto, in the subsequent year(s), even if there is only one vacancy, it should be treated as "Reserved" against the carried-forward reservation from the initial recruitment year and a Scheduled Caste/Scheduled Tribe candidate, if available, should be appointed in that vacancy, although it may happen to be the only vacancy in that recruitment year(s). For instance, if a single vacancy arises in the initial recruitment year 1975, and it falls at a reserved point in the roster, it will be treated as 'unreserved' and filled accordingly in that year but the reservation would be carried forward to subsequent recruitment year(s). In the first subsequent year, i.e., 1976, if again, a single vacancy occurs, then it should be treated as reserved against the reservation carried forward from 1975, and a Scheduled Caste/Scheduled Tribe candidate, as the case may be, should be appointed against that vacancy, in spite of the fact that the vacancy happens to be the only vacancy in that recruitment year. In the event of a Scheduled Caste/Scheduled Tribe candidate not being available to fill the reserved vacancy in 1976, the reservation would be further carried forward to 1977 and 1978, when also a single vacancy, if any, arising in those years should be treated as "reserved" against the carried-forward reservation, whereafter, the reservation will lapse.

3. In this Department's O.M. No. 16/5/74-Estt.(SCT), dated 11-6-1974, it was clarified that a recruitment year during which only a single vacancy arises and hence gets treated as unreserved need not be counted as an effective year towards the period for which the reserved vacancy is to be carried forward. Since a single vacancy arising in a year will now also be treated as reserved in the manner indicated in para 2 above, the orders contained in this Department's O.M., dated 11-6-1974 are hereby cancelled. The year in which no vacancy arises will, however, continue to be ignored, as at present, for purposes of counting the effective years towards the period of carry-forward.

4. In this Department's O.M. No. 10/37/74-Estt.(SCT), dated 3rd February, 1975, it has been clarified that, although in the case of promotions by selection from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I there is no carry-forward of reservation from year to year, when a vacancy falling on a reserved point in the roster is treated as unreserved due to its being the only vacancy during the year of promotion, the reservation so due against the reserved point should be carried forward to the subsequent three recruitment years. These orders would continue to apply to the promotions to the posts mentioned therein, and in conjunction with the instructions contained in para 2 of this O.M. the single vacancy occurring in the year, subsequent to the initial year of recruitment should be treated as reserved even though it may be a single vacancy being only one vacancy during the initial year of promotion, should be adjusted by treating the vacancy arising in the subsequent year(s) as reserved, even though there might be only a single vacancy in that subsequent year(s).

5. The note below the roster in Annexure I and note (2) below the roster in Annexure II to Ministry of Home Affairs O.M. No. 1/11/69-Estt.(SCT), dated 22-4-70 and note (1) below the roster prescribed in Department of Personnel and Administrative Reforms O.M. No. 1/3/72-Estt.(SCT), dated 12-3-1973 may be amended as follows:—

"If there are only two vacancies to be filled in a particular year, not more than one may be treated as reserved. If there be only one vacancy, in a particular year which falls on a reserved point in the roster, it will be treated as unreserved in the first instance and filled accordingly but the reservation should be carried forward to subsequent year(s). In the subsequent year(s) of recruitment, the reservation should be applied by treating the vacancy arising in that year as reserved even though there might be only a single vacancy in that subsequent year(s)."

6. The instructions contained in this O.M. relate only to the reservations and "carry-forward" in respect of a single vacancy. In cases other than those relating to a single vacancy, instructions relating to reservation and "carry-forward" as contained in MHA OMs. dated 4-12-1963 and 2-9-1964 read with O.M. No. 27/25/68-Estt.(SCT), dated 25-3-1970 and O.M. No. 1/4/70-Estt.(SCT), dated 11-11-1971 will continue to apply.

7. Ministry of Finance etc. are requested to bring the above instructions to the notice of all the concerned authorities under their control.

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Ministry of Home Affairs letter No. U. 13019/1/75-AP dated 28-9-1977 to the Chief Secretaries to the Government of Arunachal Pradesh and Mizoram.

Subject:—Percentage of reservation for Scheduled Tribes in appointments made by direct recruitment and by promotion in the Services under the Union Territories of Arunachal Pradesh, Mizoram—Exchange of reserved vacancies.

I am directed to say that the question whether the reservations for Scheduled Tribes in direct recruitment to Group A (Class I) and Group B (Class II) posts/services under the Union Territory of Arunachal Pradesh where the vast majority of the population consists of Scheduled Tribes and there are no Scheduled Castes in the Union Territory could be enhanced had been raised at the meeting of the Home Minister's Advisory Committee on Arunachal Pradesh held on 16th November, 1974 when it was agreed that it should be examined whether the vacancies reserved for Scheduled Castes could be utilised for Scheduled Tribes in the same year, instead of after 3 years. The matter has been examined and Government of India have now decided that as there is a large population of Scheduled Tribes in the Union Territories of Arunachal Pradesh and Mizoram and as Groups A and B posts/services under these two Union Territories are also exempt from the purview of the Union Public Service Commission, while the prescribed percentages of reservation viz., 15% for Scheduled Castes and 7½% for Scheduled Tribes in direct recruitment on an all India basis by an open competition (and 16-2/3% for Scheduled Castes and 7½% for Scheduled Tribes in direct recruitment on an all India basis otherwise than by an open competition) should continue to apply to direct recruitment to Group A (Class I) and Group B (Class II) posts/services under these two Union Territories, the unutilised vacancies reserved for Scheduled Castes in the respective categories of posts/services under the two Union Territory Administrations may be exchanged in favour of Scheduled Tribes every year, instead of only in the third year of carry forward as under the existing instructions contained in para 3 of the Ministry of Home Affairs Office Memorandum No. 27/25/68-Estt. (SCT), dated 25-3-1970. The period of carry forward of the remaining unutilised reserved vacancies if any after the exchange referred to above, will still continue to be 3 years, as before.

2. It has also been decided by the Govt. of India that the same principle of exchanging every year, the unutilised reserved vacancies for Scheduled Castes in favour of Scheduled Tribes, instead of only in the third year of carry forward may be applied also to posts filled by promotion in the services of the Union Territories of Arunachal Pradesh and Mizoram, to which the scheme of reservation, in promotion applies. In the case of promotion by selection in or to Group B (Class II) and to the lowest rung of Group A (Class I), there is already a provid

sion for unutilised reserved vacancies for Scheduled Castes being exchanged for Scheduled Tribes and *vice-versa* every year, *vide* O.M. No. 10/41/73-Estt.(SCT), dated 20-7-74. In regard to the other categories of posts also filled by promotion in the services under these two U.T. Administrations, to which the scheme of reservation applies, i.e. in (i) groups B, C, D, (Class II, III and IV) posts filled by promotion through limited departmental competitive examinations, (ii) Groups C & D (Classes III and IV) posts filled by promotion by selection; and (iii) Groups A, B, C & D (Classes I, II, III & IV) posts filled by promotion on the basis of seniority subject to fitness, in grades or services in which the element of direct recruitment if any, does not exceed 66-2/3%, the unutilised vacancies reserved for Scheduled Castes in the respective categories of posts/services may be exchanged for Scheduled Tribes every year instead of only in the third year of carry forward; in these cases, the period of the carry forward of the remaining unutilised reserved vacancies if any, after the exchange referred to above will still continue to be 3 years, as before.

Ministry of Home Affairs letter No. U. 13019/1/75-AP, dated 29-9-77 to the Andaman and Nicobar Islands, Lakshdweep and Dadra & Nagar Haveli Administrations.

Subject:—Percentages of reservation for Scheduled Tribes in appointments made by promotion in the services under the Union Territories of Lakshdweep, Dadra & Nagar Haveli and Andaman & Nicobar Islands—Exchange of reserved vacancies.

I am directed to say that the question of introducing some measures with a view to raising the reservation available for Scheduled Tribes in posts filled by promotion in the services under the Union Territories of Lakshdweep, Dadra & Nagar Haveli and Andaman & Nicobar Islands where there is a large population of Scheduled Tribes had been under consideration of the Government of India for some time. It has now been decided that while the prescribed percentages of reservation *viz.* 15% for Scheduled Castes and 7½% for Scheduled Tribes in posts filled by promotion should continue to apply to promotion to posts/services under these Union Territories, the unutilised vacancies reserved for Scheduled Castes in the respective categories of posts/services may be exchanged in favour of Scheduled Tribes every year, instead of only in the third year of carry forward, as at present. In case of the promotion by selection in or to Group B (Class II) and to the lowest rung of Group A (Class I) there is already a provision for unutilised reserved vacancies for Scheduled Castes being exchanged for Scheduled Tribes and *vice-versa* every year, *vide* O.M. No. 10/41/73-Estt.(SCT), dated 20-7-74. In regard to the other categories of posts also filled by promotion in the services under these three Union Territory Administrations to which the scheme of reservation applies *viz.* in (i) Groups B, C, D (Classes II, III & IV) posts filled by promotion through limited departmental competitive examinations, (ii) Groups C and D (Classes III & IV) posts filled by promotion by selection and (iii) Groups A, B, C & D (Classes I, II, III & IV) posts filled by promotion on the basis of seniority subject to fitness, in grades or services in which the element of direct recruitment does not exceed 66-2/3%, the unutilised vacancies reserved for Scheduled Castes in the respective categories of posts/services may be exchanged for Scheduled Tribes every year, instead of only in the third year of carry forward; in these cases the period of carry forward of the remaining unutilised reserved vacancies, if any after the exchange referred to above will still continue to be 3 years as before.

Department of Personnel & A.R. O.M. No. 36013/2/79-Estt.(SCT), dated the 2nd April, 1979 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—carry forward of unfilled reservations and exchange of reservations between Scheduled Castes and Scheduled Tribes in the third year.

The undersigned is directed to refer to paras 2 and 3 of Ministry of Home Affairs O.M. No. 27/25/68-Estt.(SCT) dated 25-3-1970 according to which while vacancies reserved for Scheduled Castes and Scheduled Tribes are treated as reserved for the respective community only, Scheduled Tribe candidates are also to be considered for appointment against a vacancy reserved for Scheduled Caste candidates

where such a vacancy could not be filled by a Scheduled Caste candidate even in the third year to which the vacancy is carried forward. This arrangement likewise applies also in the case of vacancies reserved for Scheduled Tribes. Further, if Scheduled Caste/Tribe candidates are not available for all the vacancies, the older carried forward vacancies should be filled first and the later vacancies which have been carried forward should be further carried forward *vide* note (2) below para 11.1 of the Brochure on Reservation for SC and ST 5th Edition, 1978. Instances have come to the notice of this Department where although there were carried forward reserved vacancies for Scheduled Tribes in the third year *i.e.* they were exchangeable in favour of Scheduled Castes, such vacancies were being treated as lapsed without adjusting the Scheduled Castes candidates who had become available against such vacancies. To cite an instance, there were 13 vacancies reserved for Scheduled Castes and 24 for Scheduled Tribes under an appointing authority. Twenty-two of the 24 vacancies for Scheduled Tribes had been carried forward to the third year of recruitment and were, therefore, exchangeable in favour of Scheduled Castes. There were actually 23 Scheduled Caste candidates available against 13 vacancies reserved for them (and no Scheduled Tribe candidates were available). The appointing authority proposed that only the 10 (23-13) surplus Scheduled Caste candidates may be adjusted against 10 of the 22 exchangeable reserved vacancies and the remaining 12 vacancies for ST carried forward in the third year may be treated as lapsed. The interpretation of the orders sought to be made in the above manner by the said appointing authority was not correct and this was pointed out to it by the Commissioner for Scheduled Castes and Scheduled Tribes and by this Department. The correct interpretation in such a case is that the 22 of the 23 of Scheduled Caste candidates should first be adjusted against the vacancies for Scheduled Tribes carried forward in the third year and the remaining one Scheduled Caste candidate should be adjusted against one of the 13 vacancies reserved for Scheduled Castes. Thus, none of the carried forward vacancies for Scheduled Tribes should have lapsed in the case cited and the unutilised vacancies *i.e.* 12, reserved for Scheduled Castes would be carried forward. It is requested that the correct interpretation of the orders as indicated above may be kept in view when any such cases arise while making recruitment against reserved vacancies.

Department of Personnel & A R O.M. No. 36011/39/81-Estt.(SCT), dated 30-11-1981
to all Ministries etc.

Subject:—Reservation for SC/ST candidates in promotion vacancies—Single vacancy arising in a recruitment year.

Attention is invited to this Department O.M. No. 1/9/74-Estt.(SCT), dated 29-4-1975 which stipulates that where only one vacancy occurs in the initial recruitment year and the corresponding roster point happens to be for a SC or ST candidate, it should be treated as unreserved and filled accordingly and the reservation carried forward to subsequent three recruitment years, but in the subsequent year(s), even if there be only one vacancy, it should be treated as 'reserved' against the carried forward reservation from the initial recruitment year, and a SC/ST candidate, if available, should be appointed in that vacancy, although it may happen to be the only vacancy in that recruitment year(s).

2. A doubt has been raised as to how a single vacancy shall be treated if it falls on a reserved point and is filled by a reserved category candidate according to his own merit or seniority being the seniormost in the list as the case may be. It is clarified that if a single vacancy falls at a reserved point for SC/ST and is filled by SC/ST candidate on the basis of his own merit or seniority it need not be treated as unreserved and reservation should not be carried forward. In these cases, the provisions of orders of 29-4-1975 will not be applicable.

3. Further, if a single vacancy falls at a reserved point for SC/ST and is filled up by a candidate of the other reserved community on the basis of his own merit or seniority as the case may be, the vacancies will be treated as unreserved and treated as if it is filled by a general category candidate, and the vacancy shall also be carried forward. In these cases, the instructions contained in this Department O.M. dated 29-4-1975, referred to above, shall apply.

Department of Personnel I & A.R. O.M. No. 36012/3/78-Estt.(SCT), dated 9-2-82.

Subject:—Reservation for SC/ST in services—stipulation of 50% limit for fresh and carry forward reservations with reference to the total vacancies in a recruitment year.

The undersigned is directed to refer to the Department of Personnel & A.R. Office Memorandum No. 16/3/73-Estt.(SCT) dated 27-12-1977 in which it has been stated that the carried forward reserved vacancies would be available together with the current reserved vacancies for utilisation even where the total number of such reserved vacancies exceed 50% of the vacancies filled in that year provided that the overall representation of SC and ST in the total strength of the concerned grade or cadre is found to be inadequate *i.e.*, the total number of Scheduled Caste/ Scheduled Tribe candidates in that grade has not reached the prescribed percentages of reservation for SC/ST respectively in the grade, as a whole.

2. The validity of this Office Memorandum has been reconsidered in the light of the judgement delivered by the Supreme Court on 14-11-1980 in Writ Petition No 1041-1044 of 1979 (Akhil Bharatiya Soshit Karmachari Eangh V.s. Union of India). In this case, all the three judges constituting the Division Bench have remarked that the total reservation on a particular occasion should not exceed 50% of the total vacancies. It has now been decided in modification to the instructions contained in the Office Memorandum dated 27-12-1977 that in *future, fresh reservation along with carry forward reservation should not exceed 50% of the total vacancies available on a particular occasion.*

3. It may happen that due to this 50% limit, it will not be possible to accommodate all the reservations which have accumulated due to the carry forward principle. Hence the surplus above 50% shall be carried forward to the subsequent years of recruitment, subject, however, to the condition that they do not become 'three recruitment years old' which is the maximum period for carrying forward the reservations from year to year and Lapse Hence, to save the lapsing of the reservations, it will be proper to accommodate the oldest carry forward reservations first.

For example, there are 5 carried forward reservations spreading over three preceding recruitment years in the following manner:—

	SC	ST
Third Year		
Second Year	1	-
First Year	1	1
	-	2

Suppose 6 vacancies occur in the succeeding year, 3 should be reserved, taking into consideration the 50% limit. As the oldest carried forward reservations have to be accommodated first, one SC of third year and one SC and one ST of second year are to be reserved out of the 6 vacancies available. The two ST reservations of first year will be carried forward to next recruitment year and they will be considered as in the second year of carry forward in the next recruitment year.

4. This order, however, will not affect this Department's Office Memorandum No. 1/9/74-Estt.(SCT) dated 29-4-1975, which governs the procedure regarding filling up of single vacancy, occurring in a recruitment year. Ministries/Departments should make the necessary modifications in the dereservation proposals while sending them to the Department of Personnel & A.R. and to the Commissioner for SC/ST. It is further clarified that no dereservation will be necessary for further carrying forward of reservations which could not be accommodated in any recruitment year due to the 50% limit.

5. The above instructions take effect from the date of the issue of these orders except where selections to posts to be filled by direct recruitment or promotion have already been finalised prior to the issue of these orders.

6. Ministry of Finance etc. are requested to bring the above instructions to the notice of all attached and subordinate offices under them for compliance.

After Note (1) below para 11.1, the following paragraph should also be read as Note (2):

"Recruitment year in cases of promotion when the panel prepared by the DPC spreads into more than one calendar year will be the year in which the first recruitment is made from the select list prepared by the Departmental Promotion Committee.

(Relevant instruction quoted below)

Department of Personnel & A.R. O.M. No. 36011/4/82-Estt (SCT) dated 15-3-82 to all Ministries/Departments.

Subject: Calculation of recruitment year in cases of promotion where the panel prepared by DPC spreads into two calendar years.

The undersigned is directed to refer to the subject mentioned above and to say that clarifications have been sought from this Department as to what would be the recruitment year in cases of promotion when the panel prepared by the DPC spreads into more than one calendar year. The matter has been examined in this Department and it has been decided that the first recruitment which is made from the Select list prepared by the DPC should be the recruitment year for the purpose of promotion in cases where the DPC select list might have been prepared in one year, but appointment from it made in the next year. It is also possible that the first appointment is made in a year but other appointment from the same select list continues, and spills over, to the next calendar year. In such cases, the year where the first appointment is made from the select list will be the recruitment year in so far as that D.P.C. panel is concerned, for purpose of reckoning reservation, carry forward, recruitment year etc. For example, if a DPC has been held in the month of September, 1981 for preparing a select list for vacancies taking into account anticipated vacancies of 1982 also, the actual appointments spill over to 1982 and if the first promotion is from the select test made in November 1981, then 1981 will be the recruitment year for this purpose. If, however, the first promotion from the select list though prepared in September 1981 is made in January 1982, then 1982 will be the recruitment year for this purpose.

Ministry of Finance etc. are requested to bring the content of this O.M. to the notice of all their attached and subordinate offices.

CHAPTER 12

PROMOTIONS—RESERVATIONS AND CONCESSIONS

MHA OM 12.1 *Promotion through limited departmental competitive examinations*
No. 1/12/67-Est.

(C) dt. 11/7/68 and Resolution No. 27/25/68-Est. (SCT) @ dated 25-3-70 and Deptt. of Personnel & A.R. O.M. No. 36021/7/75-Est. (SCT) dated 25-2-1976

As indicated in para 2.1 (iii)(a), there is a reservation of 15 per cent and 7½ per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examination limited to departmental candidates, in Groups B, C and D (Class II, III and IV) posts, in grades or services in which the element of direct recruitment, if any, does not exceed 66-2/3 per cent, (Detailed instructions for filling such reserved vacancies are given in Appendix 13).

Deptt. of Personnel O.M. No. 8/12/69-Est. (SCT) dated x23-12-70.

In promotions through departmental competitive examinations, Scheduled Castes/Scheduled Tribes candidates who have not acquired the general qualifying standard should also be considered for promotion provided they are not found unfit for such promotion. The qualifying standard in such examination should be relaxed in favour of Scheduled Castes and Scheduled Tribes candidates in keeping with the above criterion.

For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in such promotions, a separate roster on the lines of the roster prescribed in Annexure I to O.M. No. 1/11/69-Est.(SCT) dated 22-4-1970 (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes) should be followed.

@ Please see after Chapter II

* Please see after Chapter 7

12.2 Promotion by selection method

12.2 (a) Promotions by selection within Group A (Class I).

In promotions by selection to posts within Group A (Class I) which carry an ultimate salary of Rs. 2,000/- per month, or less, (Rs. 2,250 per month or less in the revised scale) there is no reservation, but the Scheduled Castes/Scheduled Tribes Officers, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn up, would be included in that list provided they are not considered unfit for promotion. Their position in the select list would, however, be the same as assigned to them by the Departmental Promotion Committee on the basis of their record of service. They would not be given, for this purpose, one grading higher than the grading otherwise assignable to them on the basis of their record of service.

MHA OM
No.
1/9/69.
Estt.
(SCT)
dated
26-3-70.
and
Deptt. of
Personnel
& A.R.
O.M.
No.
1/10/74-
Estt.
(SCT)
dated
23-12-74

In order to improve the chances of Scheduled Castes and Scheduled Tribes officers for selection to the higher categories of posts in Group A (Class I).

- (i) Scheduled Castes/Scheduled Tribes officers in Group A (Class I) Services/posts should be provided with more opportunities for institutional training and for attending seminars/symposia/conferences. Advantage could also be taken of the training facilities available at the Lal Bahadur Shastri National Academy of Administration, Mussoorie, National Police Academy, Hyderabad, Indian Institute of Public Administration, New Delhi, the Administrative Staff College, Hyderabad etc. and
- (ii) It would be the special responsibility of the immediate superior officers of the Scheduled Castes/Scheduled Tribes officers in Class I to give advice and guidance to the latter to improve the quality of their work.

12.2 (b) Promotions by selection to Group B, within Group B and from Group B to the lowest rung in Group A (to Class II, within Class II and from Class II to the lowest rung in Class I)

As indicated in para 2.1 (iii) (b), there is reservation at 15 per cent and 7-1/2 per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions by selection from Group C to Group B, within Group B and from Group B to the lowest rung or category in Group A (from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I) in grades or services in which the element of direct recruitment, if any, does not exceed 66-2/3 per cent.

Deptt. of
Personnel
& A.R.
O.M. No.
10/41/73-
Estt.
(SCT)
dated
20-7-74
OM No.
36011/8
75 Estt.

(T) The following instructions will apply to the filling up of vacancies reserved for Scheduled Castes and Scheduled Tribes in such promotions:—

Sl. No.
21/7/
Estt.
CT)
led
2-1976.

- (i) Selection against vacancies reserved for Scheduled Castes and Scheduled Tribes will be made only from among those Scheduled Castes/Scheduled Tribes officers who are within the normal zone of consideration. (For such promotions there is no separate zone of consideration for reserved vacancies. The zone in such cases would therefore be the one fixed with reference to the total number of vacancies (inclusive of the reserved vacancies) for which a select list is being drawn. Only those Scheduled Castes/Scheduled Tribes candidates who are within such normal zone of consideration would be considered for promotion against the reserved vacancies. As an illustration, if a selection is being made for 30 vacancies, and there are five reserved vacancies out of the total of 30, there will be only one zone of consideration for all the 30 vacancies together i.e. 30X5 or 6 times. There will be no separate zone of the 5 reserved vacancies (5X5 or 6 Scheduled Caste or Scheduled Tribe candidates) alone.
- (ii) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of merit with due regard to seniority, on the same basis as others, less number of vacancies than that reserved for them, the difference should be made up by selecting candidates of these communities who are in the zone of consideration irrespective of merit but who are considered fit for promotion.
- (iii) A select List should then be prepared in which the names of all the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of merit and seniority according to the general principles for promotion to selection posts laid down in the Ministry of Home Affairs O.M. No. 1/4/55-RPS, dated 16th May, 1957, i.e. by placing the names in the three categories viz. 'Outstanding', 'Very-Good' and 'Good' in that order, without disturbing the seniority *inter se* within each category. This Select List should, thereafter, be followed for making promotions in vacancies as and when they arise during the year.
- (iv) For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in a Select List, a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No. 1/11/69-Estt.(SCT) dated the 22nd April, 1970, (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 for Sche-

duled Tribes) should be followed. If, owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be it becomes necessary to dereserve a reserved vacancy, action should be taken in accordance with OM No. 36011/25/79-Estt.(SCT) dated 16-11-79.®

- (v) There will, however, be no carry forward of reservations from year to year in the event of an adequate number of Scheduled Caste/Scheduled Tribe candidates not being available in any particular year.
- (vi) While vacancies reserved for Scheduled Castes and Scheduled Tribes will continue to be reserved for the respective community only, a Scheduled Caste Officer may also be considered for appointment against a vacancy reserved for Scheduled Tribes or *vice versa*, in the same year itself in which the reservation is made, where the appropriate reserved vacancy could not be filled by a Scheduled Tribe or a Scheduled Caste candidate, as the case may be.
- (vii) Although in such promotions, there is no carry-forward of reservations from year to year *vide* sub-para (v) above, as an exception, when a vacancy falling on a reserved point in the roster is treated as unreserved due to its being the only vacancy during the year of promotion, the reservation so due against the reserved point should be carried forward to subsequent three recruitment years and the provisions of para 11.2 regarding reservation of a single vacancy in the year of carry forward will apply in such cases. Accordingly, the reservation carried forward on account of there being only one vacancy during the initial year of promotion, should be adjusted by treating the vacancy arising in the subsequent year(s) as reserved, even though there might be only a single vacancy in that subsequent year(s). Deptt. Person. & A.R. O.M. No. 10/37/ Estt. (SCT) dated 3-2-19 and No. 1/9/74 Estt. (SCT) dated *29-4-1975.
- (viii) Where promotions in the above manner are first made on a long-term officiating basis, confirmations should be made according to the general rule viz. that an officer who has secured earlier officiating promotion on the basis of his place in the select list should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an appropriate standard *vide* para 1(iii) of Ministry of Home Affairs Office Memorandum No. F. 1/155-RPS dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

® Please see after chapter 10

* Please see after Chapter 9

Deptt. of Personnel O.M. No. 36011/12/80-Estt. (SCT) date 11-80.

(ix) Some times promotions are made directly from Group B (Rs. 650—1200) to the senior scale of Group A (Rs. 1100—1500 or Rs. 1200—1600). Questions has also been passed whether, in these situations, the senior scales of Group A will be covered by the expression "lowest rung or category of Group A" used in the order dated 20-7-74.

In the situations mentioned in orders dated 20-7-74 will be applicable and reservations for SC/ST at the rate of 15 per cent and 7 1/2 per cent respectively will be provided when promotions are made from Group B to the senior scale of Group A directly by passing any intermediate grade (Rs. 700—1300) in between.

MHA OM No. 1/12/67-Estt. (C) *dt. 11-7-68 and Reso- lution No. 27/25/68-Estt.

12.2(c) Promotions by selection in Group C&D (Class III & IV) appointments:

As indicated in para 2.1 (iii)(b), there is a reservation at 15 per cent and 7½ per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in Group C and D (Class III and IV) posts, in grades or services in which the element of direct recruitment, if any, does not exceed 66 2/3 per cent.

(SCT) *dated 25-3-70. and Deptt. of Personnel & A.R. O.M. No. 36021/7/75 Estt. (SCT) dated *25-2-1976.

For such posts, the Select List of Scheduled Castes/Scheduled Tribes officers should be drawn up separately to fill the reserved vacancies. Officers belonging to these classes should be adjudged separately and not alongwith other officers and if they are fit for promotion, they should be included in the list irrespective of their merit as compared to other officers. Promotions against reserved vacancies will be subject to the candidates satisfying the prescribed minimum standards.

For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes, a separate roster on the lines of the roster prescribed in Annexure I to O.M. No. 1/11/69-Est (SCT) dated 22-4-1970 (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes) should be followed.

The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes in such promotions:—

- (1) (a) Scheduled Caste and Scheduled Tribe Officers who are within the normal zone of consideration should be considered for promotion along with others and adjudged on the same basis as others and those Scheduled Castes and Scheduled Tribes amongst them who are selected on that basis may be included in the general select list in addition to their being considered for

* Please see after chapter 2

separate select lists for Scheduled Castes and Scheduled Tribes respectively.

- (b) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of their positions in the aforesaid general select list, less vacancies than are reserved for them, the difference should be made up by selected candidates of these communities who are in the separate select lists for Scheduled Castes and Scheduled Tribes respectively.
- (2) In the separate select lists drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, Officers belonging to Scheduled Castes or Scheduled Tribes, as the case may be, will be adjudged separately amongst themselves and not along with other officers, and, if selected, they should be included in the concerned separate select list, irrespective of their merit as compared to other officers. It is needless to mention that officers not belonging to Scheduled Castes and Scheduled Tribes will not be considered whilst drawing up separate select lists for Scheduled Castes and Scheduled Tribes. For being considered for inclusion in the aforesaid separate select lists, the zone of consideration for Scheduled Castes and Scheduled Tribes, as the case may be, would be of the same size as that for the general select list, that is, if for the general select list, the zone of consideration is 5 times the number of vacancies likely to be filled, the zone for consideration for the separate list for Scheduled Castes will also be 5 times the number of reserved vacancies for them, and likewise for Scheduled Tribes, subject of course to the condition that officers coming within such zone are eligible, by length of service etc. as prescribed, for being considered for promotion.
- (3) If, owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, action should be taken in accordance with O.M. No. 36011|25|79-Estt. (SCT) dated 16-11-79* subject to the reservations being carried forward to three subsequent recruitment years and subject to exchange of vacancies between Scheduled Castes and Scheduled Tribes in the

*Please see Chapter 10.

last year to which reserved vacancies are carried forward.

- (4) Where promotions in the above manner are first made on a longterm officiating basis, confirmations should be made according to the general rules *viz.*, That an officer who has secured earlier officiating promotion on the basis of his place in the select lists should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an appropriate standard *vide* para. 1(iii) of the Ministry of Home Affairs Office Memorandum No. F. 1/1/55-RPS, dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

Deptt. of
Personnel
O.M. No.
27/2/71-
Estt.
(SCT)
dated
27-11-72,
and
O.M. No.
36021/
7/75-
Estt.
(SCT)
dated
25-2-1976.

12.3 Promotions on the basis of seniority Subject to fitness .

As indicated in para 2.1 (iii) (c), there is a reservation of 15 per cent and 7 1/2 per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of seniority subject to fitness in appointments to all Group A, Group B, Group C and Group D (Class I, Class II, Class III and Class IV) posts in grades or services in which the element of direct recruitment, if any, does not exceed 66 2/3 per cent.

The principles of zone of consideration is not applicable to promotions by seniority subject to fitness. While referring proposals to the Departmental Promotion Committee for promotion on the basis of seniority subject to fitness in respect of vacancies expected to arise during a year, the following procedure should be followed to give effect to the reservations mentioned above.

- (i) A separate 40-point roster to determine the number of reserved vacancies in a year should be followed on the lines of the roster prescribed in Annexure-I to the Ministry of Home Affairs OM No. 1/11/69-Estt. (SCT), dated the 22nd April, 1970, in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes.
- (ii) Wherever according to the points in the roster there are any vacancies reserved for Scheduled Castes and Scheduled Tribes separate lists should be drawn up of the eligible Scheduled Castes or the Scheduled Tribes officers, as the case may be, arranged in order of their *inter-se* seniority in the main list.

- (iii) The Scheduled Castes and Scheduled Tribes Officers should be adjudged by the Departmental Promotion Committee separately in regard to their fitness.
- (iv) When the Select Lists of officers in the general category and those belonging to Scheduled Castes and Scheduled Tribes have been prepared by the Departmental Promotion Committee, these should be merged into a combined Select List in which the names of all the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of their *inter-se* seniority in the original seniority list of the category or grade from which the promotion is being made. This combined select list should thereafter be followed for making promotions in vacancies as and when they arise during the year.
- (v) If the number of eligible candidates belonging to Scheduled Castes/Scheduled Tribes found fit for promotion falls short of the number of vacancies reserved for either of them during the year, action for dereservation should be taken in accordance with O.M. No. 36011|25|79-Estt.(SCT) dated 16-11-79, subject to the reservation being carried forward to three subsequent recruitment years and exchange of vacancies between Scheduled Castes and Scheduled Tribes in the final year of carry forward.

12.4 *Appointments to Selection Grade*

Since appointment to Selection Grade also constitutes promotion, the appropriate orders relating to reservations/concessions for Scheduled Castes and Scheduled Tribes in promotions made by 'selection' or on the basis of 'seniority subject to fitness' mentioned in this Chapter earlier would apply to appointments to the Selection Grade according as such appointments are made on the basis of 'selection' or 'seniority subject to fitness'.

12.5 *Vacancies which should be taken into account for drawing up a select list of promotion*

The instructions relating to reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion apply only to the regular vacancies. It is, therefore, essential that a select list for promotions should be drawn up after carefully assessing the number of vacancies as accurately as possible. Purely short term vacancies should not be taken into account for this purpose; nor should any addition be made to cover unforeseen

Deptt. of
Personnel
& A.R.
O.M. No.
8/11/73-
Estt.
(SCT)
dated
12-9-74.
Deptt. of
Personnel
& A.R.
O.M. No.
22011/
2/76-
Estt. (D)
dated
30-4-1976

vacancies. At the same time, it is also necessary to ensure that the number of vacancies is not unnecessarily reduced and select lists are drawn only for a smaller number of vacancies than required because this would seriously affect the chances of Scheduled Castes and Scheduled Tribes. All clear vacancies arising due to death, retirement, resignation and long term promotion of incumbents from one post/grade to a higher post/grade should be taken into account while fixing the number of vacancies and the number reserved for Scheduled Castes and Scheduled Tribes. Detailed instructions as to how the no. of vacancies are to be calculated are contained in D.O.P.A.R. O.M. No. 22011/2/76-Estt(D) dt. 30-4-76.

12.6 *Ad-hoc promotions—consideration of claims in.*

Deptt. of
Personnel
& A.R.
O.M. No.
15034/2/76
Estt.
(d) dated
15-7-1976.

The instructions relating to reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion apply only to the regular vacancies. Instances had come to the notice of the Department of Personnel & A.R. where Ministries/Departments had made large number of *ad-hoc* promotions in a particular grade on a long term basis against regular vacancies either because of pending Court cases or unresolved seniority disputes within the Department. It has, therefore, been brought to the notice of the Ministries/Departments that no *ad-hoc* appointments should be made except in short-term vacancies. Resorting to *ad-hoc* promotions/appointments on a long term basis deprives the rightful persons of their promotion for long periods and also tends to create a vested interest for the *ad-hoc* promotees to continue. If there are any difficulties in preparing a regular panel, they should be sorted out in inter-departmental meetings at appropriate levels in which if need be, the Union Public Service Commission should also be associated. Where cases are pending in Courts, the administrative Ministries may have to move the Courts to expedite the disposal. Sometimes, *ad-hoc* promotions are continued for long periods due to non-framing of recruitment rules. The delays in this regard should be eliminated. In other words, all possible steps should be taken to ensure that as far as possible, no *ad-hoc* appointments are made at all except in short-term vacancies.

Deptt. of
Personnel
& A.R.
O.M. No.
36021/
8/76-
Estt.
(SCT)
dated
20-4-1978
and
36021/
7/78-
Estt.
(SCT)
dated
*16-4-79.

12.6(i) Special steps should be taken to ensure that *ad-hoc* promotions are kept to the barest minimum and that they do not continue for long periods. However, in cases where such *ad-hoc* promotions become inescapable in public interest, the claims of officers belonging to Scheduled Castes and Scheduled Tribes who are eligible should also be duly considered alongwith others eligible in the field though there is to be no normal reservation for Scheduled Castes and Scheduled Tribes in *ad-hoc* promotions.

*Please see after Chapter-VII

12.7 *Safeguards against supersession of Scheduled Castes/Scheduled Tribes in promotion*

In posts filled by promotion (by selection or on the basis of seniority subject to fitness) wherever the orders regarding reservation apply *vide* paras 12.2(b), (c) and 12.3 the following procedure should be observed by the appointing authorities, in regard to cases where eligible Scheduled Castes/Scheduled Tribes candidates, though available, are not appointed/selected for the reserved vacancies.

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Person
& A.R.
O.M. N
36012/
3/75-
Estt.
(SCT)
dated
6-10-76.

- (i) *In promotions to Group A and within Group A.*— Such cases should be submitted to the Minister, Minister of State/Deputy Minister concerned, as the case may be.
- (ii) *In promotions to Group B and within Group B.*— Such cases should be reported to the Minister/Minister of State/Deputy Minister concerned, as the case may be, within a period of one month of the finalisation of the select list.
- (iii) *In Promotions to and in Group C and Group D.*— such cases should be reported to the Head of the Department, if the appointing authority is lower than the level of the Head of the Department and where the Head of the Department is himself the appointing authority, to the Secretary of the administrative Ministry/Department.

Notes (The eligibility of Scheduled Castes/Scheduled Tribes candidates for consideration against reserved vacancies is to be determined in accordance with the provisions of the appropriate orders relating to reservations for Scheduled Castes and Scheduled Tribes in promotions by selection/seniority-cum-fitness etc., as the case may be, *vide* parts 12.2(b), (c) and 12.3).

In regard to promotions by selection to posts within Group A (Class I) which carry an ultimate salary of Rs. 2250/- per month or less *vide* para 12.2(g), where there is no reservation but the Scheduled Castes/Scheduled Tribes officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn, are to be included in that list provided they are not considered unfit for promotion, cases where eligible Scheduled Castes/Scheduled Tribes candidates, though available in the seniority list within the number of vacancies for which the select list is drawn are not selected, should be submitted to the Minister/Minister of State/Deputy Minister concerned as the case may be.

12.8 Procedure to be followed in cases where the findings of the Departmental Promotion Committee are kept in sealed cover

According to the instruction contained in the Ministry of Home Affairs office memorandum No. 39|3|59-Estt(A) dated the 31st August, 1960 in cases of persons where the findings of the Departmental Promotion Committee are kept in sealed cover because they are under suspension or vigilance enquiries are pending against them, a vacancy should be kept reserved for them and it should be filled only on officiating basis till the finalization of the departmental proceedings. If the officer is completely exonerated and the charges levelled against him are proved to be wholly unjustified then he should be promoted thereafter to the vacancy which had been filled on an officiating basis and which was reserved for him. In such cases, the junior-most officer officiating in the grade i.e. the officer occupying the lowest position in the panel is reverted. Where such reversion becomes necessary the reversion should be made in such a manner that the total number of reservation for SC|ST in the select list is not reduced.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 12

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O.M. No. 36011/12/80-Estt (SCT).	10-11-80
O.M. No. 36013/6/80 Estt (SCT).	28-1-82

PROMOTION BY SELECTION

Promotion by selection and application of reservation orders therein from Group C to Group B, within Group B and from Group B to the lowest rung of Group A is governed by Department of Personnel & A.R.O.M. No. 10/41/73-Estt(SCT) dated 20-7-1974 mentioned at para 12.2 (b) of this Brochure. Promotion by selection to Group C and D is governed by O.M. No. 1/12/67-Estt(C) dated 11-7-1968. On 24-12-1980, orders (as quoted below) have been issued by this Department governing the zone of consideration in promotion by selection. Now, the zone of consideration in promotion by selection for Groups A & B (cf. Para 12.2 (b) of this Brochure) will be governed by the order of 24-12-1980. However, procedures mentioned in para 12.2 (c) will continue to apply to the system of promotion by selection to Group C and D till specific clarifications in this regard are issued by the Department of Personnel & A.R.

Department of Personnel & A.R. O.M. No. 22011/3/76-Estt(D) dated 24-12-80 to all Ministries/Departments,

Subject:—Principles for promotion to 'Selection' posts.

Large number of clarifications are being sought by the various Ministries/Departments on various aspects while preparing a panel for posts to be filled on the basis of Selection. The various points raised are as below:—

- (1) The absence of clearly defined limits in the matter of fixation of the zone of consideration has led to lack of uniformity of practice between the various DPCs;
- (2) In a number of cases the meetings of the DPCs are not held annually as required even though there were vacancies resulting in the bunching of vacancies which in turn enlarged the field of choice and upset the relative seniority positions in the higher grade on account of supersessions.
- (3) In a number of cases some of the senior officers even though included in the panel for promotion do not get promotion due to their being away from the parent department and at the same time are also not eligible for proforma promotion under the NBR due to the application of the one to one correspondence or due to the fact that they are being the junior most in the panel there is no junior in the panel below them and this has resulted in their reconsideration by the next DPC thereby resulting in loss of seniority to them;
- (4) In certain cases Recruitment Rules are amended when a panel already prepared is still in operation and therefore whether the panel can still be operated after the amendment.

2. All the above aspects have been carefully considered and the following instructions are issued for the guidance of all Ministries.

3. Zone of consideration for promotion to posts filled by selection.

Reference is invited to the Ministry of Home Affairs (now Department of Personnel & A.R) O.M. No. 1/4/55]-RPS dated 16.5.57 laying down certain principles for promotion. In the operation of these principles it has been observed that the absence of clearly defined limits on the extent of the field of choice has led to lack of uniformity in the practices being followed by the DPCs. Similarly it is felt that a large field of choice might result in excessive supersessions. Again, despite repeated instructions of the Government to hold DPCs annually there have been quite a few cases of delays resulting in vacancies being bunched. This would enlarge the field of choice and upset the relative seniority positions in the higher post with reference to the positions which would not have resulted had the DPCs met at the appropriate

time. In view of these considerations it has been decided in consultation with the UPSC as under in supersession of this Department's O.M. No. 1/4/55-RPS dated 16-5-57 and all other memoranda having any bearing on the matter herein dealt with.

(a) The Departmental Promotion Committee (DPC) shall for the purpose of determining the number of officers who should be considered from out of those eligible officers in the feeder grade(s) restrict the field of choice as under, with reference to the number of clear regular vacancies proposed to be filled in the year.

<i>No. of vacancies</i>	<i>No. of officers to be considered</i>
(1)	(2)
1	5
2	8
3	10
4 or more	three times the number of vacancies.

(b) Where, however, the number of eligible officers in the feeder grade (s) is less than the number in Col. (2) above, all the officers so eligible should be considered.

(c) Where adequate number of SC/ST candidates are not available within the normal field of choice as above, the field of choice may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other) coming within the extended field of choice, should also be considered against the vacancies reserved for them.

Officers belonging to SC/ST selected for promotion against vacancies reserved for them from out of the extended field of choice under sub para (c) above, would, however be placed en bloc below all the other officers selected from within the normal field of choice.

4. Preparation of year-wise panels by DPC where they have not met for a number of years.

(a) Instructions already exist that DPC's should meet at regular annual intervals for the preparation of select lists and where no such meeting is held in any year, the appointing authority should record a certificate that there were no vacancies to be filled during the year. Administrative Ministries should obtain periodical information/certificates on the regular holding of DPC's.

(b) Where, however, for reasons beyond control, DPC could not be held in any year(s) even though the vacancies arise during that year (or years), the first DPC that meets thereafter should follow the following procedure:

- (i) Determine the actual number of regular vacancies that arose in each of the previous year/years immediately preceding and the actual number of regular vacancies proposed to be filled in the current year separately.
- (ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.
- (iii) Prepare a 'select list' for each of the years starting with the earliest year onwards.
- (iv) Prepare a consolidated 'select list' by placing the select list of the earlier year above the one for the next and so on.

Illustration: DPC meets in 1980. Number of vacancies in the year 1978 and 1979 were 8 and 7 respectively. It is proposed to fill also 9 more vacancies during 1980. There are 100 eligible officers.

Panel for 1978

No. of vacancies.....	8
Field of choice.....	24
Take officers	1 to 24
DPC classified	Sl. No. 20 as 'outstanding' and Sl. Nos 7, and 15 'not fit' and rest 'Very Good.'
Panel list will be	Sl. Nos. 20, 1, 2, 3, 4, 5, 6; 8.

Panel for 1979

No. of vacancies 7, field of choice 21. This Comprises officers Nos. 7, 9 to 19, 21, to 29 (total, . . . 21). The DPC classified No. 7 as 'not yet fit' and rest 'Very Good.' Panel will comprise of S. Nos. 9 to 15.

Panel for 1980

No. of vacancies 9—Field of choice 27. This will comprise Nos. 7, 16 to 19, 21 to 42.

No. 40 is graded 'Very Good' and the rest as 'Good.'

Consolidated select list—Sl. Nos. 20, 1 to 6, 8, 9 to 15, 40, 7, 16 to 19, 21 to 23.

(c) For the purpose of evaluating the merit of the officers the record of service of the officers for the purpose of considering for inclusion in the panel relevant to any of the earlier years as contemplated in clause (b) above should be limited to the record that would have been available had the DPC met at the appropriate time; for instance, for preparing the panel relating to the vacancies of 1978, records of service of the officers only upto 1978 should be taken into account and not the subsequent ones. However, if on the date of actual DPC (1980 in the illustration) Departmental proceedings are in progress and under the existing instructions sealed cover procedure is to be followed, such procedure should be observed even if no such proceedings were in existence in the year to which the vacancy related (e.g. if in the illustration, in respect of officer No. 6 empanelled against a 1978 vacancy even though the disciplinary proceedings were started only in 1980 (prior to DPC meeting), his name has to be kept in the sealed cover till the proceedings are finalised.)

(d) While promotions will be made in the order of the consolidated select list, such promotion will have only prospective effect, even in the cases where the vacancy relates to an earlier year.

5. *Consideration of the cases of officers who are away on deputation by the DPC where they have been empanelled by the earlier DPC but not eligible for benefits under the N.B.R.*

Under this Department's O.M.No. 14/55-RPS dated 16 May 1957, the select list prepared for the purpose of promotion should be periodically reviewed and the names of those officers who have already been promoted (otherwise than a local or purely temporary basis) and continue to officiate should be removed from the list as having been promoted and rest of the names alongwith others who may now be included in the field of choice should be considered for the select list for the subsequent period. Again, in this Department's O.M.No. 1/25/65-Estt(D) dated 11.10.1966, it has been laid down that a select list drawn by the DPC should normally be operative only for one year and in any case it would cease to be in force after 18 months or when the fresh list is prepared whichever is earlier.

The effect of these circulars would be that every officer included in the panel who at the time of expiry of the validity of the earlier panel or at the time of the fresh DPC does not hold a regular promotion post needs to be reconsidered and every officer who holds such a regular post on these crucial dates need not be so considered by the DPC.

In this Department's O.M. No. 22011/6/75-Estt(D) dated 30-12-1976 [Para V (5)], it has been laid down that DPC should consider the claims of all officers who are on deputation or on foreign service in public interest or on their own volition. Thus their names would be considered for inclusion in the panel based on their records of service along with others holding posts within the Department concerned. However, in Para X(4) of the circular dated 30.12.76 referred to above, it has been envisaged that such officers who had gone on deputation/foreign service in the public interest should be protected to enable them to regain their temporarily lost seniority in their higher grades on return to his cadre. In the case of others who have taken up ex-cadre posts on their own volition, such protection is not available and they could be considered for promotion only after they return to their parent cadre.

The application of this Department O.M. dated 11th October 1966 and 16th May 1957, referred to above has caused certain anomalies in the case of persons proceeding on deputation or foreign service etc. in public interest, in the matter of protecting their seniority in the higher grade. In respect of such officers who, while on deputation/foreign service are given proforma promotion under the NBR with reference to the date of promotion of their juniors no problem of maintaining their panel seniority would arise. In other cases where, the number of officers out-side the line exceeds the number of juniors who are promoted within the cadre, proforma promotion under NBR could not be given all such seniors in view of the condition of one-to-one correspondence under the guiding principles of NBR.

The effect of this would be that those of the officers higher in the panel and on deputation who could not be given NBR will continue to be shown as working in the lower posts while junior officers within the department would continue to be shown against higher posts. In a case where this position continues after the validity period of panel or at the time of a fresh DPC the juniors would not be required to be considered by the fresh DPC while the senior who is shown against the lower post and not actually officiating against a higher post even under NBR may have to be considered by the DPC.

In order to avoid such an anomalous situation, it has been decided that Para X(4) of this department O.M. No. 22011/6/75-Estt (D) dated 30th December 1976 may be amended as under:

"4 If the panel contains the name of a person who has gone on deputation or on foreign service in the public interest including the person who has gone on study leave, provision should be made for his regaining the temporary lost seniority in the higher grade on his return to the cadre. Therefore, notwithstanding the provision of Sub Para 3 above as well as the provision of Para XII below, such officers need not be reconsidered by a fresh DPC, if any, subsequently held, while they continue to be on deputation/foreign service/study leave so long as any officer junior to him in the panel is not required to be so considered by a fresh DPC irrespective of the fact whether he might or might not have got the benefit of proforma promotion under the NBR. The same treatment will be given to an officer included in the panel who could have been promoted within the currency of the panel but for his being away on deputation."

In the case the officer has gone on ex-cadre post on his own volition by applying in response to advertisements, he should be required to revert to his parent cadre immediately when due for promotion, failing which his name shall be removed from the panel. On his reverting to the parent cadre after the period of two years or the extended period, if any, he will have no claim for promotion to the higher grade on the basis of that panel. He should be considered in the normal course along with other eligible officers when the next panel is prepared and he should be promoted to the higher grade according to his position in the fresh panel. His seniority, in that event shall be determined on the basis of the position assigned to him in the fresh panel with reference to which he is promoted to the higher grade. (If the panel contains the name of an officer on study leave, he should be promoted to the higher post on return from the study leave. He should also be given seniority according to his position in the panel and not on the basis of the date of promotion.)

Ministry of Home Affairs O.M. No. 5/4/55-SCT(I), dated the 4th January, 1957 to all Ministries etc.

Subject:—Reservation for members of the Scheduled Castes and Scheduled Tribes in posts filled on the basis of departmental examination of a competitive nature.

As the Ministry of Finance etc. are aware reservations in the public services are made in favour of members of the Scheduled Castes and Scheduled Tribes in posts which are filled by direct recruitment from the open market but not in those filled by departmental promotion. The procedure to be followed in making selections against the reserved vacancies filled by direct recruitment from the open market as well as against the vacancies filled by departmental promotion in the case of members of the Scheduled Castes and Scheduled Tribes has been laid down in this Ministry's Office Memorandum No. 2/11/55-RPS dated the 7th May, 1955. Where promotion is made on the principle of seniority subject to the rejection of the unfit or subject to the passing of departmental tests of a qualifying nature, the instructions are that officers belonging to the Scheduled Castes and Scheduled Tribes should be judged in a sympathetic manner and the standards applied to them need not be unduly high.

2. It has been represented to the Ministry of Home Affairs from time to time that the existing instructions do not ensure adequate representation of the Scheduled Castes and Scheduled Tribes in the higher grades of the public services. As a result, for recruitment to Grade III of the Central Secretariat Service through the limited competitive examination prescribed under the Scheme, an *ad hoc* reservation of vacancies, in relaxation of the normal rules, has been agreed to in favour of candidates of the Scheduled Castes and Scheduled Tribes. Similar reservations exist also in certain cadres in the Posts and Telegraphs Department which are filled on the basis of competitive examinations restricted to the departmental candidates serving in lower grades. In the interest of securing uniformity of practice and procedure, it has now been decided that the principle of reservation should be extended to all grades in all services which are filled by promotion through competitive examination limited to departmental candidates, and that the quantum of reservation in each case should be the same as has been prescribed for posts filled by direct recruitment through open competitive examination, viz. 12½ per cent for the Scheduled Castes and 5 per cent for the Scheduled Tribes. As in the case of direct recruitment by examination the appointing authority, the Union Public Service Commission, or other recruiting authority as the case may be, will have full discretion to appoint, or recommend for appointment, candidates of Scheduled Castes and Scheduled Tribes who may have obtained comparatively low places in the examinations except where such authority considers that the minimum standard necessary for the maintenance of the efficiency of the administration has not been reached. Where candidates are selected in this manner, the appointing authorities will make necessary arrangements to give them additional training and coaching so that they may come up to the standard of the others appointed along with them.

Ministry of Home Affairs O.M. No. 1/10/61-Estt.(D), dated the 8th November, 1963 to all Ministries, etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

In posts filled by promotion through competitive examinations limited to departmental candidates, reservations at 12½% and 5% of vacancies were provided for Scheduled Castes and Scheduled Tribes respectively *vide* this Ministry's O.M. No. 5/4/55-SCT(I), dated 4th January, 1957 and para 3(iii) of the Brochure issued with O.M. No. 1/2/61-SCT(I), dated the 27th April, 1962. In regard to promotions on the basis of seniority, subject to fitness, and those by selection no reservations were provided, but certain concessions were allowed to persons belonging to Scheduled Castes and Scheduled Tribes *vide* Ministry of Home Affairs Office Memoranda No. 2/11/55-RPS, dated 7th May, 1955 (as amended from time to time), No. 1/1/58-RPS, dated 17th March, 1958 and No. 1/4/60-RPS, dated 5th March, 1960 and paras 20 and 21 of the aforesaid Brochure.

2. The Government of India have reviewed their policy in regard to reservation and other concessions granted to Scheduled Castes and Scheduled Tribes in posts filled by promotion and have, in supersession of all previous Orders in this regard decided as follows:—

(1) *Class I and Class II appointments:*

- (a) There will be no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion to a Class II or a higher service or post, whether on the basis of seniority-cum-fitness, selection, or competitive examination limited to departmental candidates.
- (b) In the case of promotions made in or to Class I or II on the basis of seniority, subject to fitness, cases, involving supersession of Scheduled Caste and Scheduled Tribe Officers will, however, continue to be submitted for prior approval to the Minister or Deputy Minister concerned.

(2) *Class III and IV appointments:*

- (a) In the case of Class III and IV appointments in grades or services to which there is no direct recruitment whatever, there will be reservation at 12½% and 5% of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by (i) selection or (ii) on the results of competitive examinations limited to departmental candidates.
- (b) Lists of Scheduled Caste and Scheduled Tribe Officers should be drawn up separately to fill the reserved vacancies; officers belonging to these classes will be adjudged separately and not along with other officers; and if they are suitable for promotion, they should be included in the list irrespective of their merit as compared to that of the other officers. Promotions against reserved vacancies will continue to be subject to the candidates satisfying the prescribed minimum standards.
- (c) There will be no reservation in appointments made by promotion on the basis of seniority subject to fitness; but cases involving supersession of Scheduled Castes and Scheduled Tribes officers, if any, will as at present be reported within a month to the Minister or Deputy Minister concerned for information.

3. The above decisions take effect from the date of issue of these orders except where selections by the Departmental Promotion Committee under the old order have already been made or rules for a competitive examination published.

4. Ministry of Finance etc. are requested to bring the above decisions to the notice of all concerned.

Ministry of Home Affairs O.M. No. 1/12/67-Estt.(C), dated 11th July, 1961
to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

In this Ministry's Office Memorandum No. 1/10/61-Estt.(D) dated 8th November, 1963, reservations at 12½% and 5% of the vacancies were provided for Scheduled Castes and Scheduled Tribes in Class III and IV posts filled by promotion based on (i) selection or (ii) the results of competitive examinations limited to departmental candidates, in grades or services to which there was no direct recruitment whatsoever. The aforesaid Office Memorandum of 8-11-1963 also provided that there would be no reservations for Scheduled Castes and Scheduled Tribes in appointments made by promotion to a Class II or a higher service or post, whether on the basis of seniority-cum-fitness, selection or competitive examinations limited to departmental candidates.

2. The Government of India have reviewed their policy in regard to reservations and other concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion and have, in supersession of the orders in the aforesaid Office Memorandum dated 8-11-1963, decided as follows:—

A. Promotions through limited departmental competitive examinations:

There will be reservations at 12½% and 5% of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examination limited to departmental candidates, within or to Class II, III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50%.

Promotion by selection method:

(a) Class I and II appointments:

In promotions by selection from Class III to Class II and within Class II and from Class II to the lowest rung or category in Class I, the following procedure will be adopted:—

In promotions made by selection, employees in the zone of consideration numbering 5 or 6 times the estimated number of vacancies are normally considered for inclusion in the select list, *vide* Ministry of Home Affairs' Office Memorandum No. 1/4/55-RPS, dated 16-5-1957. After rejecting those who are unfit for promotion, the Departmental Promotion Committee proceeds to categorise the remaining eligible employees into three categories namely, 'Outstanding', 'Very Good' and 'Good'. Thereafter, the Committee draws up a Select List placing all employees in the 'Outstanding' category at the top, followed by those categorised as 'Very Good' and then by those categorised as 'Good', the *inter se* seniority within each category being maintained. As a measure of improving representation of Scheduled Castes/Scheduled Tribes in services it has now been further decided that:—

- (i) If within the zone of consideration, there are any Scheduled Castes and Scheduled Tribes employees, those amongst them who are considered unfit for promotion by the Departmental Promotion Committee will be excluded from consideration. Thereafter, the remaining Scheduled Castes and Scheduled Tribes employees will be given by the Departmental Promotion Committee one grading higher than the grading otherwise assignable to them on the basis of their record of service *i.e.*, if any Scheduled Caste or Scheduled Tribe employee has been categorised by the Committee on the basis of his record of service as 'Good', he should be recategorised by the Committee as 'Very Good'. Likewise, if any Scheduled Caste or Scheduled Tribe employee is graded as 'Very Good' on the basis of his record of service, he will be recategorised by the Committee as 'Outstanding'. Of course, if any Scheduled Caste or Scheduled Tribe employee has already been categorised by the Committee on the basis of his record of services as 'Outstanding', no recategorisation will be needed in his case.

The above concession would be confined to only 25% of the total vacancies in a particular grade or post filled in a year from the Select list. While making promotions from the Select List the appointing authority should, therefore, check up that the Scheduled Castes/Scheduled Tribes employees promoted in a year on the basis of this concession are limited to 25% of the posts filled in a year from the Select List prepared according to the procedure outlined above; and

- (ii) Those Scheduled Castes/Scheduled Tribes employees who are senior enough in the zone of consideration so as to be within the number of vacancies for which the Select List has to be drawn, should be included in the Select List, if they are not considered unfit for promotion and should also be given one grading higher than the grading otherwise assignable to them on the basis of their record of service and their place in the Select List determined on the basis of this higher categorisation. This would imply that even where, in some cases, the Select List were to consist of, say, only 'Outstanding' non-Scheduled Caste/Scheduled Tribe candidates, adequate number of them being available from the zone of consideration, those Scheduled Caste/Scheduled Tribe candidates who are high up in the zone of consideration and are within the number of estimated vacancies for which the Select List is being prepared will, even if they are only 'Good' and after higher categorisation by one degree

are categorised as 'Very Good', have to be included in the Select List, but they will be placed below the 'Outstanding' candidates in the Select List.

(b) Class III and IV appointments:

There will be reservation at 12½% and 5% of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in or to Class III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50%.

Select Lists of Scheduled Castes/Scheduled Tribes officers should be drawn up separately to fill the reserved vacancies as at present; officers belonging to these classes will be adjudged separately and not along with other officers; and if they are fit for promotion, they should be included in the list irrespective of their merit as compared to other officers. Promotions against reserved vacancies will continue to be subject to the candidates satisfying the prescribed minimum standards.

C. Promotions on the basis of seniority subject to fitness:

There will be no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, but cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and II appointments will, as at present, be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class III and IV appointments will, as at present, be reported within a month to the Minister or Deputy Minister concerned for information.

3. The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes under the orders contained in this Office Memorandum:—

- (1) (a) Scheduled Caste and Scheduled Tribe Officers who are within the normal zone of consideration should be considered for promotion along with others and adjudged on the same basis as others and those Scheduled Castes and Scheduled Tribes amongst them who are selected on that basis may be included in the general Select List in addition to their being considered for separate Select Lists for Scheduled Castes and Scheduled Tribes respectively.
- (b) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of their positions in the aforesaid general Select List, less vacancies than are reserved for them, the difference should be made up by selected candidates of these communities who are in the separate Select Lists for Scheduled Castes and Scheduled Tribes respectively.
- (2) In the separate Select Lists drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, officers belonging to Scheduled Castes or Scheduled Tribes as the case may, will be adjudged separately amongst themselves and not along with other officers, and, if selected, they should be included in the concerned separate Select List, irrespective of their merit as compared to other officers. It is needless to mention that officers not belonging to Scheduled Castes and Scheduled Tribes will not be considered whilst drawing up separate Select Lists for Scheduled Castes and Scheduled Tribes. For being considered for inclusion in the aforesaid separate Select Lists, the zone of consideration for the Scheduled Castes and Scheduled Tribes, as the case may be, would be of the same size as that for the general Select List, that is, if for the general Select List the zone of consideration is 5 times the number of vacancies likely to be filled, the zone of consideration for the separate list for Scheduled Castes will also be 5 times the number of reserved vacancies for them and likewise for Scheduled Tribes, Subject of course to the condition that officers coming within such zone are eligible, by length of service etc as prescribed, for being considered for promotion.
- (3) For giving effect to the reservations in promotions prescribed in this Office Memorandum, it has been decided that a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No. 1/13/63-SCT(1), dated the 21st December, 1963 (in which point

1, 9, 17, 25 and 33 are reserved for Scheduled Castes and points 4 and 21 for Scheduled Tribes) should be followed. If, owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, a reference for dereservation should be made to this Ministry indicating whether claims of Scheduled Castes/Scheduled Tribes candidates eligible for promotion in reserved vacancies have been considered in the manner indicated in (1) and (2) above. When dereservations are agreed to by this Ministry, the reserved vacancies can be filled by other candidates, subject to the reservations being carried forward to two recruitment years in accordance with this Ministry's Office Memorandum No. 1/4/64-SCT(1), dated the 2nd September, 1964.

- (4) Where promotions in the above manner are first made on a long-term officiating basis, confirmations should be made according to the general rule viz. that an officer who has secured earlier officiating promotion on the basis of his place in the Select List should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an appropriate standard *vide* para 1(iii) of this Ministry's Office Memorandum No. F. 1/1/55-RPS, dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

4. The above instructions take effect from the date of issue of these orders except where selections by the Departmental Promotion Committee under the old orders have already been made, or rules for a competitive examination have already been published.

5. Ministry of Finance etc. are requested to bring the above decisions to the notice of all concerned.

6. In so far as officers working in offices under the C. & A.G. are concerned separate orders will issue in due course.

Ministry of Home Affairs O.M. No. 10/9/69-Estt.(SCT), dated 8th July, 1969
to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

In para 2 B(a)(i) of this Ministry's Office Memorandum No. 1/12/67-Estt.(C) dated 11th July, 1968, it has been provided that in promotions by selection from Class III to Class II, within Class II, and from Class II to the lowest rung or category in Class I, the Scheduled Castes and Scheduled Tribes employees in the zone of consideration, excluding those who are considered unfit for promotion, should be given by the Departmental Promotion Committee one grading higher than the grading otherwise assignable to them on the basis of their record of service. Thus, if any Scheduled Caste or Scheduled Tribe employee has been categorised by the Committee on the basis of his record of service as 'Good' he would be recategorised by the Committee as 'Very Good' and likewise, if any Scheduled Caste or Scheduled Tribe employee is graded as 'Very Good' on the basis of his record of service he would be recategorised by the Committee as 'Outstanding'. The above concession is, however, to be confined to 25% of the total vacancies in a particular grade or post filled in a year from the Select List, and while making promotions from the Select List, the appointing authority has to check up that the Scheduled Castes/Scheduled Tribes employees promoted in a year from the Select List. The concession is limited to 25% of the vacancies filled in a year from the Select List. The question as to how the exact number of vacancies on the basis of 25% formula should be calculated for purpose of the aforesaid concession has been considered and the position in this regard is clarified below.

The concession of higher grading to Scheduled Castes and Scheduled Tribes envisaged in para 2 B(a)(i) of Office Memorandum No. 1/12/67-Estt.(C) dated 11th July, 1968 should be given to one employee of Scheduled Caste/Tribe against every four vacancies. For this purpose a continuous account of vacancies should

be kept showing all vacancies filled from 11th July, 1968. If the number of vacancies in a year is not divisible by four, the remainder should be carried forward to the following year for the purpose of this accounting. For example, if there were six vacancies in the year 1968 (from 11-7-1968 to 31-12-1968), the concession would be given to one employee of Scheduled Caste/Tribe against the first four vacancies and the balance of 2 vacancies would be notionally carried forward to the following year. If in the following year i.e. 1969, there are 3 vacancies, the 2 vacancies brought forward from 1968 would be added to these 3 vacancies of 1969 making a total of 5 and the concession would be given to one employee of Scheduled Caste/Tribe against four of these vacancies and the 5th vacancy would be carried forward to the following year.

2. Ministry of Finance etc. are requested to bring the above decision to the notice of all concerned.

Ministry of Home Affairs O.M. No. 16/8/69-Estt.(SCT) (I), dated 31st October, 1969 to all Ministries etc.

Subject:—Recruitment of Scheduled Castes and Scheduled Tribes—Class III and IV non-technical and quasi-technical posts.

The undersigned is directed to refer to this Ministry's Office Memorandum No. 24/7/67(I)-Estt.(SCT) dated the 24th September, 1968 which provides that in cases where the requisite number of Scheduled Castes/Scheduled Tribes candidates fulfilling even the lower standards are not available to fill the vacancies reserved for them, the selecting authorities should, to the extent of the vacancies reserved for Scheduled Castes/Scheduled Tribes in non-technical and quasi-technical Class III and Class IV Services/posts requiring to be filled by direct recruitment otherwise than by written examination, select for appointment the best among the Scheduled Castes/Scheduled Tribes candidates who fulfil the minimum educational qualifications laid down in the notice for recruitment/advertisement and that in order to bring them upto the minimum standard necessary for the posts and for the maintenance of efficiency of administration, they should be given in-service training. It is requested that Ministry of Finance etc. may instruct all authorities under them to prepare a list of non-technical and quasi-technical posts in Class III and IV under each authority to which the orders in the aforesaid Office Memorandum of 24th September, 1968 would apply. Copy of the consolidated list of such posts in respect of the Ministry/Department and its attached and subordinate offices may be sent to the Commissioner for Scheduled Castes and Scheduled Tribes, Ramakrishnapuram, New Delhi and to the Ministry of Home Affairs.

2. It is also requested that while notifying vacancies in posts referred to in para I above, or advertising them it should be indicated that the posts are non-technical or quasi-technical in Class III and IV.

Ministry of Home Affairs O.M. No. 1/9/69-Estt.(SCT), dated 26th March, 1970.

Subject:—Concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion—Class I Services/posts.

The question of increasing the representation of Scheduled Castes and Scheduled Tribes employees in Class I Services/posts under the Government of India has been under the consideration for some time past. In this Ministry's O.M. No. 1/12/67-Estt.(C), dated 11th July, 1968, certain concessions have been provided to Scheduled Castes and Scheduled Tribes, *inter alia* in the matter of promotion by selection to the lowest rung or category in Class I. It has now been decided that the following concessions and facilities will be provided to Scheduled Castes and Scheduled Tribes officers for their promotions within Class I also.

2. In promotions by selection to posts within Class I, which carry an ultimate salary of Rs. 2,000 per month, or less, the Scheduled Castes/Scheduled Tribes officers, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the Select List has to be drawn up, would be included in that list provided they are not considered unfit for promo-

tion. Their position in the select list would, however, be the same as assigned to them by the Departmental Promotion Committee on the basis of their record of service. They would not be given, for this purpose, one grading higher than the grading otherwise assignable to them on the basis of their record of service.

3. In order to improve the chances of Scheduled Castes/Scheduled Tribes officers for selection to the higher categories of posts in Class I, it has further been decided that:

- (i) Scheduled Castes/Scheduled Tribes officers in Class I services/posts should be provided with more opportunities for institutional training and for attending seminars/Symposia/conferences. Advantage could in this connection be taken of the training facilities available at the National Academy of Administration Mussoorie, National Police Academy, Mount Abu, Indian Institute of Public Administration, New Delhi, the Administrative Staff College, Hyderabad, etc.; and
- (ii) It should be the special responsibility of the immediate superior officers of the Scheduled Castes/Scheduled Tribes officers in Class I to give advice and guidance to the latter to improve the quality of their work.

Ministries/Departments under whom Scheduled Castes/Scheduled Tribes Class I officers might be serving should ensure that these decisions are implemented with expedition. Ministries/Departments (or the Heads of Departments) under whom such officers might be serving may specially watch the progress of these officers so that all appropriate steps are taken, wherever necessary, to improve the efficiency of these officers for the purpose of their selection to higher posts.

4. The orders contained in paragraph 2 above take effect from the date of issue except in respect of selections already made prior to the issue of these orders.

5. Ministry of Finance etc., are requested to bring the above decisions to the notice of all concerned.

6. In so far as persons serving in offices under the Comptroller and Auditor General of India are concerned, separate orders will issue in due course.

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Department of Personnel O.M. No. 27/4(v)/70-Est.(SCT), dated 3rd September, 1970 to all Ministries etc.

*Subject:—*Cases of supersession of Scheduled Castes and Scheduled Tribes in posts filled by promotion—Annual statement regarding.

According to this Ministry's O.M. No. 1/12/67-Est.(C) dated 11-7-1968, while there is no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class I and II appointments are required to be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class III and IV appointment are required to be reported within a month to the Minister or Deputy Minister concerned for information. In order to enable this Ministry to watch the implementation of these orders and since information in this regard is also required by the Commissioner for Scheduled Castes and Scheduled Tribes, the Ministries/Departments are requested to furnish to this Ministry and to the Commissioner for Scheduled Castes and Scheduled Tribes an annual statement in the attached proforma, by 31st March every year. The statement for the year 1969 may be furnished by 30th September, 1970. Ministries/Departments are requested to send only one consolidated statement in respect of the Ministry/Department proper and all its attached and subordinate offices.

Statement showing details of cases of supersession of Scheduled Castes/Scheduled Tribes employees in promotion, for the period

1st January ----- to 31st December -----

Ministry/Department -----

Name of the Office	Grade to which and from which promotion was considered		Class to which the post in Col. 2 belongs	Number of S.Cs. /STs. superseded		Reasons for supersession in each case	Whether cases of supersession were submitted for prior approval to the Minister/Deputy Minister or reported to the Minister/Deputy Minister as required by orders in para 2 (c) of M.H.A. O.M. No. 1/12/67-Est (C) dated 11-7-1968	REMARKS
	Promotion to the grade of	Promotion from the grade of		Sch. Castes	Sch. Tribes			
1	2	3	4	5	6	7	8	9

Signature -----

Designation -----

Department of Personnel O.M. No. 27/2/71-Estt.(SCT), dated 27th November, 1972 to all Ministries etc. ✓

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—Promotions on the basis of seniority subject to fitness.

The undersigned is directed to refer to para 2-C of the Ministry of Home Affairs O.M. No. 1/12/67-Ests.(C) dated the 11th July 1968 according to which there is no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, although cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class I and Class II appointments are required to be submitted for prior approval to the Minister or Deputy Minister concerned and cases of supersession in Class III and Class IV appointments have to be reported within a month to the Minister or Deputy Minister concerned for information.

2. The policy in regard to reservations for Scheduled Castes and Scheduled Tribes officers in posts filled by promotion on the basis of seniority subject to fitness has now been reviewed and it has been decided, in supersession of the orders contained in the aforesaid para 2-C of the O.M. dated 11th July, 1968, that there will be reservation at 15% for Scheduled Castes and 7½% for Scheduled Tribes in promotions made on the basis of seniority subject to fitness, in appointments to all Class I, Class II, Class III and Class IV posts in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

3. The procedure to be followed where promotions are made on the basis of seniority subject to fitness has been laid down in paragraph 1B of Ministry of Home Affairs O.M. No. 1/9/58-RPS, dated the 16th May, 1959, which provides that in such cases a decision has to be taken on the suitability of each individual officer for such promotion although there is no need for a comparative evaluation of their respective merits and that a decision on the fitness or the unfitness of an officer for promotion should be taken by the Departmental Promotion Committee instead of by an individual officer. While, therefore, referring proposals to the Departmental Promotion Committee for promotion on the basis of seniority subject to fitness in respect of vacancies expected to arise during a year, the following procedure may be followed to give effect to the decision mentioned in paragraph 2 above:—

- (i) A separate 40-point roster to determine the number of reserved vacancies in a year should be followed on the lines of the roster prescribed in Annexure I to the Ministry of Home Affairs O.M. No. 1/11/69-Estt. (SCT), dated the 22nd April, 1970, in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes.
- (ii) Wherever according to the points in the roster there are any vacancies reserved for Scheduled Castes and Scheduled Tribes, separate lists should be drawn up of the eligible Scheduled Castes or the Scheduled Tribes officers, as the case may be, arranged in order of their *inter-se* seniority in the main list.
- (iii) The Scheduled Castes and Scheduled Tribes officers should be adjudged by the Departmental Promotion Committee separately in regard to their fitness.
- (iv) When the Select Lists of officers in the general category and those belonging to Scheduled Castes and Scheduled Tribes have been prepared by the Departmental Promotion Committee, these should be merged into a combined Select List in which the names of all the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of their *inter-se* seniority in the original seniority list of the category or grade from which the promotion is being made. This combined select list should thereafter be followed for making promotions in vacancies as and when they arise during the year.
- (v) The select list thus prepared would normally be operative for a period of one year, but this period may be extended by six months to enable

such of the officers included therein, as could not be appointed to the higher posts during the normal period of one year, to be appointed during the extended period.

- (vi) If the number of eligible candidates belonging to Scheduled Castes/Scheduled Tribes found fit for promotion falls short of the number of vacancies reserved for either of them during the year, the extent of such shortfall should be reported to this Department along with proposals, if any, for dereservation of vacancies in respect of which the shortfall has occurred. If on a scrutiny of the data furnished in this regard, any dereservation is agreed to by this Department, the vacancy so dereserved may be filled up by another candidate included in the combined select list subject to the instructions contained in the Ministry of Home Affairs O.M. No. 27/25/68-Est.(SCT) dated the 25th March, 1970, in respect of carry-forward of such reserved vacancy for the subsequent three recruitment years and exchange of vacancies between Scheduled Castes and Scheduled Tribes in the last year to which the reserved vacancies are carried forward.

4. The above instructions take effect from the date of issue of these orders except where a Select List, if any, for promotion by seniority subject to fitness has already been prepared by a Departmental Promotion Committee and approved by the appropriate authority before the date of issue of these orders.

5. The Ministry of Finance, etc. are requested kindly to bring the above decision to the notice of all Attached and Subordinate Offices under them and semi-Government and Autonomous Bodies with which they are administratively concerned.

6. In so far as officers serving under Indian Audit & Accounts Department are concerned, separate orders will issue in due course.

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Department of Personnel & Administrative Reforms O.M. No. 10/41/73-Estt.(SCT), dated 20th July, 1974 to all Ministries etc..

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—Promotions by selection to Class II, within Class II and upto the lowest rung of Class I.

The question whether the scheme of reservations for candidates belonging to Scheduled Castes and Scheduled Tribes in promotions by selection should be extended to posts in Class II services and beyond, and if so to what extent, has been under the consideration of Government. It has now been decided, in supersession of the orders contained in paragraph 2B(a) of the Ministry of Home Affairs O.M. No. 1/12/67-Estt.(C) dated the 11th July, 1968 that there will be reservations at 15% and 74% of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I, in grades or services in which the element of direct recruitment, if any, does not exceed 50%.

2. The following instructions will apply to the filling up of vacancies reserved for Scheduled Castes and Scheduled Tribes in terms of the instructions contained in this Office Memorandum:—

- (i) Selection against vacancies reserved for Scheduled Castes and Scheduled Tribes will be made only from among those Scheduled Castes/Scheduled Tribes officers who are within the normal zone of consideration.
- (ii) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of merit with due regard to seniority, on the same basis as others, less number of vacancies than that reserved for them, the difference should be made up by selecting candidates of these communities who are in the zone of consideration irrespective of merit but who are considered fit for promotion.
- (iii) A Select List should then be prepared in which the names of all the selected officers, general as well as those belonging to Scheduled Castes

and Scheduled Tribes, are arranged in the order of merit and seniority according to the general principles for promotion to selection posts laid down in the Ministry of Home Affairs O.M. No. 1/4/55-RPS, dated 16th May, 1957, i.e. by placing the names in the three categories viz. 'Out-standing', 'Very-Good' and 'Good' in that order, without disturbing the seniority *inter-se* within each category. This Select List should, thereafter, be followed for making promotions in vacancies as and when they arise during the year.

- (iv) For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in a Select List, a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No. 1/11/69-Estt.(SCT) dated the 22nd April, 1970 (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 for Scheduled Tribes) should be followed. If, owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, a reference for dereservation should be made to this Department indicating whether claims of Scheduled Castes/Scheduled Tribes candidates eligible for promotion in reserved vacancies have been considered in the manner indicated in this O.M.
- (v) There will, however, be no carry forward of reservations from year to year in the event of an adequate number of Scheduled Caste/Scheduled Tribe candidates not being available in any particular year.
- (vi) While vacancies reserved for Scheduled Castes and Scheduled Tribes will continue to be reserved for the respective community only, a Scheduled Caste officer may also be considered for appointment against a vacancy reserved for Scheduled Tribes, or vice versa, in the same year itself in which the reservation is made, where the appropriate reserved vacancy could not be filled by a Scheduled Tribe or a Scheduled Caste candidate, as the case may be.
- (vii) Where promotions in the above manner are first made on a long-term officiating basis, confirmation should be made according to the general rule viz. that an officer who has secured earlier officiating promotion on the basis of his place in the select list should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an appropriate standard vide para 1(iii) of Ministry of Home Affairs Office Memorandum No. F. 1/1/55-RPS dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

3. The above instructions take effect from the date of issue of these orders except where a Select List for promotion by selection has already been prepared by the Departmental Promotion Committee and approved by the appropriate authority before the date of issue of these orders

4. Ministry of Finance etc. are requested to bring the above decisions to the notice of all concerned.

5. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General.

Department of Personnel and Administrative Reforms O.M. No. 8/11/73-Est.(SCT) dated 12th September 1974 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion/Appointment to Selection Grade posts.

The undersigned is directed to say that in this Department's O.M. No. 27/2/71-Est.(SCT) dated the 27th November, 1972, reservations have been provided at 15% for Scheduled Castes and 7½% for Scheduled Tribes in posts filled by promotion on the basis of seniority subject to fitness in grades or services in which the element

of direct recruitment, if any, does not exceed 50%. In Ministry of Home Affairs O.M. No. 1/12/67-Est.(C) dated the 11th July, 1968 read with O.M. No. 27/25/68. Est.(SCT) dated the 25-3-1970 and this Department O.M. No. 10/41/73-Est.(SCT) dated the 20th July, 1974, reservations at 15% for Scheduled Castes and 7½% for Scheduled Tribes have been provided in posts filled by promotions on the basis of selection to and/or in posts belonging to class IV, III and II, and from Class II to the lowest rung or category in Class I, in grades or services in which the element of direct recruitment, if any, does not exceed 50%. In Ministry of Home Affairs O.M. No. 1/9/69-Estt.(SCT) dated the 26th March, 1970, certain concessions have been provided to Scheduled Castes and Scheduled Tribes for promotion by selection to posts within Class I which carry an ultimate salary of Rs. 2000 p.m. or less. References have been received in this Deptt. seeking clarification whether the above orders regarding reservations/concessions for Scheduled Castes and Scheduled Tribes in promotion would apply to appointments made to the Selection Grades in various services/posts. The matter has been carefully examined and it is now clarified that since appointment to Selection Grade also constitutes promotion, the appropriate orders relating to reservations/concessions for Scheduled Castes and Scheduled Tribes in promotions made by 'selection' or on the basis of 'seniority subject to fitness' would apply to appointments to the Selection Grade, according as such appointments are made on the basis of "Selection" or "Seniority-cum-fitness".

2. Ministries/Departments etc. may kindly take note of the above clarification for appropriate action.

Deptt. of Personnel and A.R. O.M. No. 10/74-Estt.(SCT), dated 23-12-1974 to all Ministries etc.

Subject:—Concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion by selection—posts within Class I.

The undersigned is directed to invite a reference to the Ministry of Home Affairs Office Memorandum No 1/9/69 Estt.(SCT) dated the 26th March, 1970 which provides that in promotion by selection to posts within Class I, which carry an ultimate salary of Rs. 2000 p.m. or less, the Scheduled Castes/Scheduled Tribe officers, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn up would be included in that list provided they are not considered unfit for promotion and to state that as the scales of pay of Class I posts have been revised on the basis of the recommendations of the Third Pay Commission, the orders in the aforesaid Office Memorandum dated the 26th March, 1970 would apply to promotions by selection to posts within Class I carrying an ultimate salary of Rs. 2250 or less in the revised scale of pay.

2. The Ministry of Finance etc. are requested to bring the above decision to the notice of all concerned.

Department of Personnel & A.R. O.M. No. 10/37/74-Est.(SCT), dated the 3rd February, 1975 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion by selection to Class II, within Class II and from Class I to the lowest rung of Class I—Carry forward of reservations.

The undersigned is directed to refer to this Deptt's. O.M. No. 10/41/73-Estt (SCT), dated 20th July 1974 providing for reservations at 15% for Scheduled Castes and 7½% for Scheduled Tribes in promotions made by selection from Class II to Class II, within Class II and from Class II to the lowest rung or category in Class I in grades or service in which the element of direct recruitment, if any, does not exceed 50%. According to para 2(v) of the said O.M., in such promotions there is no carry forward of reservations from year to year in the event of an adequate number of Scheduled Castes/Scheduled Tribe candidates not being available in any particular year. The question as to whether any exception should be

made in this regard in respect of cases where a vacancy falling on reserved point in the roster is treated as unreserved due to the fact that there is only one vacancy in the year of promotion, has been raised and has been examined. It has now been decided that in partial modification of para 2(v) of the O.M. dated 20th July 1974, in the case of promotions to which the orders in the said O.M., dated 20th July 1974 apply, when a vacancy falling on a reserved point in the roster is treated as unreserved due to its being the only vacancy during the year of promotion, the reservation so due against the reserved point should be carried forward to subsequent three recruitment years.

2. The instructions in para 2(vi) of the aforesaid O.M. dated 20th July 1974 relating to exchange of vacancy reserved for Scheduled Tribes in favour of Scheduled Castes and *vice-versa* in the same year itself in which reservation is made, would remain unaffected. In other words, when in the circumstances mentioned in para 1 above, a reservation is carried forward and vacancy in a subsequent year is actually treated as reserved against a "Carry forward" reservation, the provision relating to exchange of reservation for Scheduled Tribes in favour of Scheduled Castes and *vice-versa* would apply to such reservation.

Department of Personnel & A.R. O.M. No. 36011/6/75-Estt.(SCT), dated the 7th May, 1975 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in promotions made by selection in or to Class II, and upto the lowest rung of Class I—zone of consideration.

The undersigned is directed to say that in para 2(i) of this Department O.M. No. 10/41/73-Estt.(SCT), dated 20th July, 1974, it has been stated that in the case of promotions by selection from Class III to Class II, within Class II and from Class II to the lowest rung of Class I, selection against vacancies reserved for Scheduled Castes and Scheduled Tribes will be made only from among those Scheduled Castes/Scheduled Tribes officers who are within the "normal zone of consideration". Enquiries have been received in this Department seeking clarification whether the words "normal zone of consideration" mean that there would be only a single zone for consideration for all the vacancies including those vacancies reserved for Scheduled Castes and Scheduled Tribes or there would be a separate zone of consideration of the reserved vacancies. It is clarified that in the case of promotions by selection from Class III to Class II, within Class II and from Class II to the lowest rung of Class I, there is no separate zone of consideration, for reserved vacancies. The zone in such cases would therefore be the one fixed with reference to the total number of vacancies (inclusive of the reserved vacancies) for which a select list is being drawn. Only those Scheduled Castes/Scheduled Tribes candidates who are within such normal zone of consideration would be considered for promotion against the reserved vacancies. As an illustration, if a selection is being made for 30 vacancies, (in promotion to Class II or beyond) and there are 5 reserved vacancies, out of the total of 30, there will be only one zone of consideration for all the 30 vacancies together, i.e. 30 X 5 or 6 times. There will be no separate zone for the 5 reserved vacancies (of 5 X 5 or 6 Scheduled Caste or Scheduled Tribe candidates) alone.

2. Ministries/Departments etc. may kindly take note of the above clarification for appropriate action.

Department of Personnel & A.R. O.M. No. 8/7/74-Estt. (SCT), dated the 22nd August, 1975 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—post of industrial workers in the industrial establishment of the Government.

As Ministries/Departments etc. are aware the Government of India's policy has been to make reservations for candidates belonging to Scheduled Castes/Scheduled Tribes for posts/services under the Central Government in accordance with the provisions of Articles 16(4) and 335 of the Constitution. Various instructions have been issued from time to time, in implementation of this policy indicating the

reservations for candidates of Scheduled Castes/Scheduled Tribes in all vacancies in posts/grades under the Central Government filled by direct recruitment, and subject to certain conditions, in vacancies filled also by promotion both on the basis of seniority-cum-fitness and selection. These orders have generally referred to the posts/grades under the Central Government as those belonging to Class I, II, III and IV. In addition there may be posts/grades under the Central Government particularly in the industrial establishments under the Government of India which have not been specifically classified as Class I, II, III and IV, mainly due to historical reasons. Many of the Departments/Ministries and their offices have been applying, *mutatis-mutandis*, the instructions regarding reservations of Scheduled Castes/Scheduled Tribes to the cases of appointments to such grades and posts also. Still enquiries are sometimes being received as to whether the scheme of reservations for Scheduled Castes/Scheduled Tribes covers posts and grades in industrial establishments of Government, which may not have been strictly classified as belonging of Class I, II, III and IV.

2. Government of India's intention has always been that the scheme for reservation for Scheduled Castes/Scheduled Tribes will embrace all the posts and grade under Central Government irrespective of whether they have been classified as Class I, II, III and IV or not, and never to exclude posts in the industrial establishments whether classified or not from the purview of the scheme of reservations. The incumbents of the posts in the industrial establishments whether classified or not, are also governed usually by the normal service rules and regulations of Central Government on the same lines as other employees holding posts in Classes I, II, III and IV. Also the incumbents of such unclassified posts in the industrial establishments are also governed by the provisions of Article 311 of the Constitution, on par with the other employees holding posts in Class I, II, III and IV. As such, there is no doubt that industrial establishments of the Government of India and the posts and grades in such establishments are also covered by the Scheme of reservations. The various instructions of this Department in regard to reservations for SC/STs therefore apply *mutatis-mutandis* to such posts/grades also.

Department of Personnel & A.R. O.M. No. 36021/7/75-Estt.(SCT), dated the 25th February, 1976 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—applicability to grades or services in which the element of direct recruitment does not exceed 66-2/3%.

The question of enlarging the scope of the existing scheme of reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion by extending them to grades or services in which the element of direct recruitment is not more than 66-2/3% (as against the existing limit of 50%) has been under the consideration of Government. Under the existing orders reservations have been provided at 15% and 7½% of the vacancies for Scheduled Castes and Scheduled Tribes respectively (i) in promotions through limited departmental competitive examinations in Groups B, C and D (formerly Classes II, III and IV) (ii) in promotions by selection in Groups B, C and D (formerly Classes II, III and IV) and from 'B' (Class II) to the lowest rung of Group 'A' (Class I) and (iii) in promotion on the basis of seniority subject to fitness in all Groups i.e. Groups A, B, C and D (formerly Classes I, II, III and IV) (in all these cases), in grades or services in which the element of direct recruitment, if any, does not exceed 50%. *vide orders* in para 2A and 2B(b) of the Ministry of Home Affairs (Now Department of Personnel and Administrative Reforms) Office Memorandum No. 1/12/67-Estt.(C) dated 11-7-1968 read with Office Memorandum No. 27/25/68-Estt.(SCT), dated 25-3-1970, Office Memorandum No. 27/2/71-Estt.(SCT), dated 27-11-1972 and Office Memorandum No. 10/41/73-Estt.(SCT), dated 20-7-1974. It has now been decided in partial modification of these orders, that the reservations in posts filled by promotion under the existing scheme as indicated above should be made applicable even to grades or services, in which the element of direct recruitment, if any, does not exceed 66-2/3%.

2. The above instructions take effect from the date of issue of these orders except where a Select List for promotion under the relevant orders has already been prepared by the Departmental Promotion Committee and approved by the appropriate authority, before the date of issue of these orders.

3. Ministry of Finance etc. are requested to bring the above decision to the notice of all concerned.

4. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

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Department of Personnel & Administrative Refers O.M. No. 22011/2/76-Estt.(D) dated 30th April, 1976 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—vacancies which should be taken into account for drawing up a Select List for promotion.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1971-73:—

Recommendation No. 73

"There is a tendency in some of the Central Government Offices to pool together long term and short term vacancies while applying reservation orders. This results in the Scheduled Caste and Scheduled Tribe officers being placed at the bottom of the combined select list and thus getting only *ad hoc* and temporary appointments on the basis of promotion, depriving them of getting appointments against regular temporary vacancies. One such case that came to notice is under correspondence between the Commissioner for Scheduled Castes and Scheduled Tribes and the Ministry of Information and Broadcasting since February, 1970, without any satisfactory result yet. It is necessary that immediate action is taken to issue suitable clarification in the matter pointing out the right procedure to be followed in such cases to the authorities concerned in all Central Government Offices."

2. The above recommendation has been considered. The instructions relating to reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion apply only to the regular vacancies. It is, therefore, essential that a select list for promotion should be drawn up after carefully assessing the number of vacancies as accurately as possible. Purely short-term vacancies should not be taken into account for this purpose; nor should any addition be made to cover unforeseen vacancies. At the same time, it is also necessary to ensure that the number of vacancies is not unnecessarily reduced and select lists are drawn only for a smaller number of vacancies than required, because this would seriously affect the chances of Scheduled Castes and Scheduled Tribes. All clear vacancies arising due to death, retirement, resignation and long term promotion of incumbents from one post/grade to a higher post/grade should be taken into account while fixing the number of vacancies and the number reserved for Scheduled Castes and Scheduled Tribes.

3. As regards vacancies arising out of deputation, it is clarified that the provisions contained in the Ministry of Home Affairs Office Memorandum No. 2/4/67-Estt.'D', dated the 8th June 1967, according to which *inter alia* only vacancies arising out of deputation for periods exceeding 3 years are to be brought on to the recruitment roster, will not be quite relevant in the context of fixing the number of vacancies for promotion and the number of vacancies reserved for Scheduled Castes and Scheduled Tribes, because the purpose of the Office Memorandum in question is mainly to see that direct recruitment is not resorted to in short-term deputation vacancies. For the purpose of drawing up a select list for promotion, therefore, and for reserving therein vacancies in accordance with the scheme of reservations for Scheduled Castes and Scheduled Tribes, in addition to all regular vacancies arising out of circumstances mentioned in the previous paragraph, vacancies arising, out of deputation for periods more than one year should also be taken into account; due note, however, being kept also of the number of deputationists likely to return to the cadre and who have to be provided for.

4. Ministry of Finance etc. are requested to bring the above instructions the notice of all the appointing authorities under them.

Department of Personnel & Administrative Reforms O.M. No. 15034/2/76-Estt.(D)
dated 15th July, 1976 to all Ministries etc.

Subject:—Ah hoc promotions—need to ensure that they are made only in exceptional circumstances and are not continued for inordinately long periods.

Instances have come to the notice of this Department where Ministries/Departments have made large number of *ad hoc* promotions in a particular grade on a long term basis against regular vacancies either because of pending court cases or unresolved seniority disputes within the Department. As the Ministries/Departments are aware, no *ad hoc* appointments should be made except in short-term vacancies. Resorting to *ad hoc* promotions/appointments on a long term basis, deprives the rightful persons of their promotion for long periods and also tends to create a vested interest for the *ad hoc* promotees to continue. It is therefore suggested that if there are any difficulties in preparing a regular panel, they should be sorted out in inter-departmental meetings at appropriate levels in which, if need be, the Union Public Service Commission should also be associated. Where cases are pending in courts, the administrative Ministries may have to move the courts to expedite the disposal. In other words, all possible steps be taken to ensure that as far as possible no appointments are made at all except in short-term vacancies.

2. The Ministry of Finance etc. are requested to bring this to the notice of all cadre controlling authorities for necessary action.

Department of Personnel & A.R. O.M. No. 36012/3/75-Estt.(SCT), dated the 6th October, 1976 to all Ministries etc.

Subject:—Supersession of Scheduled Castes and Scheduled Tribes candidates in promotion—submission/reporting of cases to Minister and other authorities.—Recommendation of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that in its 41st Report, the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has recommended (Recommendation No. 26) that all cases of supersession of Scheduled Castes and Scheduled Tribes Officers in so far as the promotional posts are concerned should be referred to a Quasi-Judicial Tribunal to be constituted to examine proposal for dereservation of vacancies. The recommendation has been examined by Government. Government have come to the conclusion that while there is no need to constitute a Quasi-Judicial Tribunal for examining the proposals for dereservation or for considering cases of supersession of Scheduled Castes/Scheduled Tribes candidates in promotion, keeping in view the spirit of the recommendation, it would be necessary to ensure that the claims of eligible Scheduled Caste and Scheduled Tribe candidates have been duly considered in the matter of selection. It has been decided accordingly that in posts filled by promotion (by selection or on the basis of seniority subject to fitness) wherever the orders regarding reservation apply, the following procedure should be observed by the appointing authorities, in regard to cases where eligible Scheduled Castes/Scheduled Tribes candidates, though available, are not appointed/selected for the reserved vacancies:—

- (i) *In promotion to Group A and within Group A.*—Such cases should be submitted to the Minister/Minister of State/Deputy Minister concerned, as the case may be.
- (ii) *In promotions to Group B and within Group B.*—Such cases should be reported to the Minister/Minister of State/Deputy Minister concerned, as the case may be, within a period of one month of the finalisation of the select list.
- (iii) *In promotions to and in Group C and Group D.*—Such cases should be reported to the Head of the Department, if the appointing authority

is lower than the level of the Head of the Department and where the Head of the Department is himself the appointing authority, to the Secretary of the administrative Ministry/Department.

NOTE.—The eligibility of Scheduled Caste/Scheduled Tribe candidates for consideration against reserved vacancies is to be determined in accordance with the appropriate orders relating to reservations for Scheduled Castes and Scheduled Tribes in promotions by selection/seniority-cum-fitness etc. as the case may be.

2. In regard to promotions by selection to posts within Group A, which carry an ultimate salary of Rs. 2250 p.m. or less, where there is no reservation but the Scheduled Castes/Scheduled Tribes officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn, are to be included in that list provided they are not considered unfit for promotion *vide* O.M. No. 1/9/69-Estt.(SCT) dated 26-3-1970 read with O.M. No. 1/10/74-Estt.(SCT) dated 23-12-1974, cases where eligible Scheduled Castes/Scheduled Tribes candidates though available in the seniority list within the number of vacancies for which the select list is drawn, are not selected, should be submitted to the Minister/Minister of State/Deputy Minister concerned as the case may be.

3. Ministry of Finance etc. are requested to bring the above procedure to the notice of all concerned.

Deptt. of Personnel & A.R. O.M. No. 22011/4/77-Estt.(D), dated 30-7-77 to all Ministries/Departments, etc.

Subject:—Procedure to be followed in cases where the findings of the Departmental Promotion Committee are kept in sealed cover.

Attention of the Ministries/Departments is drawn to the instruction contained in the Ministry of Home Affairs office memorandum No. 39/3/59-Estt.(A), dated the 31st August, 1960 which provides that in cases of Persons where the findings of the Departmental Promotion Committee are kept in sealed cover because they are under suspension or vigilance enquiries are pending against them a vacancy should be kept reserved for them and it should be filled only on an officiating basis till the finalization of the departmental proceedings. If the officer is completely exonerated and the charges levelled against him are proved to be wholly unjustified then he should be promoted thereafter to the vacancy which had been filled on an officiating basis and which was reserved for him.

2. It has been the experience of this Department that in many cases the candidates belonging to the Scheduled Castes and Scheduled Tribes occupy the lowest position in the panels prepared by the DPC. Where the findings of the DPC about an officer are kept in sealed cover due to disciplinary proceedings. If the officer is completely exonerated he is straightaway promoted after reverting the junior-most officer officiating in the grade. In such cases it is the SC/ST officers who are generally reverted since they occupy the lowest positions in the panel. This affects the representation of the SC/ST officers in the panel. Had the officer been not under a cloud he would have been included in the panel and the SC/ST officer would have also found a place in the panel because of the availability of reservation in promotion. Thus the present instruction have the effect of adversely affecting the interests of SC/ST officers and upset the reservation of SC/ST community in the panel.

3. This matter has been carefully examined and it has been decided that where such reversion becomes necessary the reversions should be made in such a manner that the total number of reservation for SC/ST in the select list is not reduced.

4. Ministry of Finance etc. are requested to take note of the above decision and also bring it to the notice of the officers working under them for guidance and necessary action.

Deptt. of Personnel and A.R. O.M. No. 36021/8/76-Estt.(SCT), dated 20.4.78 to all Ministries etc.

Subject:—Ad-hoc promotions—need to ensure that ad-hoc promotions are kept at the barest minimum and are not continued for long periods.

The undersigned is directed to invite a reference to the instructions contained in this Department's O.M. No. 15034/2/76-Estt.(D), dated 15th July, 1976 in which it was stated that since resorting to *ad-hoc* promotions/appointments on a long-term basis deprived the rightful persons of their promotion for long period and also tended to create a vested interest for the *ad-hoc* promotees to continue, there was need to see that if there were any difficulties in preparing a regular panel, they were sorted out in inter-departmental meetings at appropriate levels in which the Union Public Service Commission could also be associated if necessary. It was also stated that where cases were pending in Courts, the administrative Ministries might have to move the Courts to expedite the disposal. It was further emphasised that all possible steps should be taken to ensure that, as far as possible, no *ad-hoc* appointments were made at all, except in short-term vacancies. The abovementioned instructions are again brought to the notice of the Ministries/Departments with the request that it should be seen that against long-term vacancies only regular promotions are made in accordance with the recruitment rules, particularly in posts filled by promotions within the purview of orders regarding reservation for Scheduled Castes and Scheduled Tribes. Special steps should be taken to ensure that *ad-hoc* promotions where they are inescapable, are kept to the barest minimum number and that they do not also continue for long periods.

Deptt. of Personnel and A.R. O.M. No. 36021/7/78-Estt.(SCT), dated the 16th April, 1979 to all Ministries etc.

Subject:—Ad hoc promotions—Consideration of cases of Scheduled Castes/Scheduled Tribes employees.

The undersigned is directed to refer to the instructions issued in this Department's O.M. No. 15034/2/76-Estt.(D) dated 15th July, 1976 and No. 36021/8/76-Estt(SCT) dated 20-4-1978 in which the Ministries/Departments were requested to see that against long term vacancies only regular promotions were made in accordance with the Recruitment Rules, particularly in posts filled by promotion within the purview of orders regarding reservation for Scheduled Castes and Scheduled Tribes. It was also emphasised that special steps should be taken to ensure that *ad hoc* promotions, where they were inescapable, were kept to the barest minimum and that they did not continue for long periods.

2. The question of reservation in *ad hoc* promotions was further considered at the meeting of the High Power Committee held on 20-10-1978 under the Chairmanship of the Prime Minister to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in service. While noting that *ad-hoc* promotions sometimes continued for over one year and, in some cases, it was due to the non-framing of the Recruitment Rules, the Committee desired that the delay in framing the Recruitment Rules should be eliminated. The Committee further observed that ordinarily no *ad-hoc* promotions should be made. The Committee further observed that ordinarily no *ad-hoc* promotions should be made and if *ad-hoc* promotions were to be made, the claims of Scheduled Caste/Scheduled Tribe employees should also be considered therein even though no formal reservations were to be made for them. Attention is invited in this connection to Department of Personnel and A.R.'s O.M. No. 14017/17/78-Estt(RR) dated 22-12-1978 under which various steps to prevent *ad-hoc* appointments have been suggested. While it is expected that, following these instructions, the incidence of *ad-hoc* promotions will be largely minimised, it may still, in certain very exceptional cases, be necessary to resort to such promotions. In the circumstances, where such *ad-hoc* promotions become inescapable in public interest, the claims of the officers belonging to Scheduled Castes and Scheduled Tribes who are eligible should also be duly considered along with others eligible in the field, though there is to be no formal reservation for Scheduled Castes and Scheduled Tribes in *ad-hoc* promotions.

DOP&AR O.M. No. 36011/12/80-Estt(SCT) dated 10-11-80

Subject:—Reservation for SC/ST in posts filled by promotion—promotions by selection to Class II, within Class II and up to the lowest rung of Class I—Clarification regarding scope and extent of the term "lowest rung".

Attention is invited to Department of Personnel and Administrative Reform's O.M. No. 10/41/73-Estt(SCT) dated 20-7-74 wherein it has been provided that there will be reservation at 15% and 7½% of the vacancies for Scheduled Castes/Scheduled Tribes respectively in promotions made by selection from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I. It has been brought to the notice of this Department that some times promotions are made directly from Group B (Rs. 650—1200) to the senior scale of Group A (Rs. 1100—1500 or Rs. 1200—1600). Questions has also been posed whether, in these situations, the senior scale of Group A will be covered by the expression "lowest rung or category of Group A" used in the order dated 20-7-74.

2. The matter has been carefully examined. It is clarified that in the situations mentioned in para 1 of this O.M. orders dated 20-7-74 will be applicable and reservations for SC/ST at the rate of 15% and 7½% respectively will be provided when promotions are made from Group B to the senior scale of Group A directly by passing any intermediate grade (Rs. 700—1300) in between.

3. Ministry of Finance etc. are requested to being the above clarification to the notice of all concerned. The provisions of this order will be applicable from the date of its issue.

DP&AR O.M. No. 36013/6/80-Estt(SCT) dated 28-1-72

Subjects—Supersession of SC/ST candidates in promotion—submission/reporting of cases to Minister and other authorities—recommendation of the Commissioner for SC/ST in the 25th Annual Report for the year 1977-78.

The undersigned is directed to refer to the above mentioned subject and to say that the Commissioner for SC/ST has made the following recommendation in his 25th Annual Report for the year 1977-78:—

"In promotion on the basis of selection, the Scheduled Caste/Scheduled Tribe candidates in some cases against the unreserved vacancies may not be included in the select list on the basis of low categorisation assigned to them by the DPC. It is strongly felt that in posts filled by promotion on the basis of selection even against the unreserved vacancies all cases of supersession of SC & ST employees should be submitted to the Minister/Minister of State/Deputy Minister concerned for their prior approval."

2. In this connection, attention is invited to Department of Personnel and A.R. O.M. No. 36012/3/75-Estt(SCT) dated 6-10-1976 (copy enclosed) in which Ministries and Departments were asked to submit the cases of supersession of SC/ST officers in promotion against reserved vacancies to the Minister/Minister of State/Deputy Minister concerned as the case may be. The Govt. have decided to accept the above recommendation of the Commissioner. It has been decided accordingly that in posts filled by promotion, supersession of SC/ST candidates even against unreserved vacancies should be reported to the Minister/Minister of State/Deputy Minister as the case may be, in accordance with O.M. No. 36012/3/75-Estt(SCT) dated 6-10-1976.

Ministry of Finance etc. are requested to bring the contents of this O.M. to the notice of all attached and subordinate offices.

CHAPTER 13

Definition and Lists of Scheduled Castes and Scheduled Tribes

13.1 A person shall be held to be a member of a Scheduled Caste or Scheduled Tribe, as the case may be, if he belongs to a Caste or a Tribe which under the—

- (i) Constitution (Scheduled Castes) Order, 1950; the Constitution (Scheduled Tribes) Order, 1950; the Constitution (Scheduled Castes) (Union Territories) Order, 1951; The Constitution (Scheduled Tribes) (Union Territories) Order, 1951 [as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956. The Bombay Reorganisation Act, 1960; the Punjab Reorganisation Act, 1966; the State of Himachal Pradesh Act, 1970, the North Eastern Areas (Reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976.
- (ii) The Constitution (Jammu & Kashmir) Scheduled Castes Order, 1956;
- (iii) The Constitution (Andaman & Nicobar Islands) Scheduled Tribes Order, 1959 as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976;
- (iv) The Constitution (Dadra & Nagar Haveli) Scheduled Castes Order, 1962;
- (v) The Constitution (Dadra & Nagar Haveli) Scheduled Tribes Order, 1962;
- (vi) The Constitution (Pondicherry) Scheduled Castes Order, 1964;
- (vii) The Constitution (Scheduled Tribes) Uttar Pradesh Order, 1967;
- (viii) The Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;
- (ix) The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;
- (x) The Constitution (Nagaland) Scheduled Tribes Order, 1970;
- (xi) Constitution (Sikkim) Scheduled Castes Order, 1978
- (xii) Constitution (Sikkim) Scheduled Tribes Order, 1978.

has been declared to be a Scheduled Caste or a Scheduled Tribe for the area of which he/she is resident.

13.2 A list of points which should be taken into account by the authorities empowered to issue Scheduled Caste and Scheduled Tribe certificates have been circulated by the Ministry of Home Affairs (SCT Division) to all State Governments and Union Territory Administrations for the guidance of such authorities. These points are given in Appendix 16. The Ministry of Home Affairs have also emphasised the need for a proper verification being made by the certificate issuing authorities before they actually issue a certificate.

13.3 Cases in which a doubt arises whether a person is a Scheduled Caste/Tribe or not may be referred to the Ministry of Home Affairs (Scheduled Castes and Scheduled Tribes Division), Shastri Bhavan, A Wing, New Delhi.

CHAPTER 14

Verification of the Claims of Scheduled Castes and Scheduled Tribes

14.1 Any of the following certificates may be accepted by the appointing authority as sufficient proof in support of a candidate's claims as belonging to the Scheduled Caste or Scheduled Tribe:—

- (i) Matriculation or school leaving certificate or the birth certificate giving the caste or community of the candidate and place of residence. Para 50 of MHA OM No. 42/21/49-NGS 28-1-52; 42/34/52-NGS dt. 17-4-53; 13/2/57-SCT (I) dated 25-5-60; 13/2/61-SCT(I) dated 18-11-61; 8/3/63 SCT(I) dated 25-2-63; 13/3/63-SCT(I) dated 23-7-63; 13/6/63 SCT(I) dated 11-11-63; 6/4/66—Estt. (C) dt. 11-5-66. and Deptt. of Personnel & A.R. O.M. No. 36019/7/75- Estt. (SCT) dated 31-10-75 and No. 13-2-74 Estt. (SCT) dated 12-8-76.
- (ii) A certificate in the form given in Appendix 14 issued by one of the authorities listed in Appendix 15. SCT(I) dated 25-5-60; 13/2/61-SCT(I) dated 18-11-61; 8/3/63 SCT(I) dated 25-2-63; 13/3/63-SCT(I) dated 23-7-63; 13/6/63 SCT(I) dated 11-11-63; 6/4/66—Estt. (C) dt. 11-5-66. and Deptt. of Personnel & A.R. O.M. No. 36019/7/75- Estt. (SCT) dated 31-10-75 and No. 13-2-74 Estt. (SCT) dated 12-8-76.

14.2 Where a candidate belonging to a Scheduled Caste or Scheduled Tribe is unable to produce a certificate from any of the prescribed authorities, he may be appointed provisionally on the basis of whatever, *prima facie* proof he is able to produce in support of his claim subject to his furnishing the prescribed certificate within a reasonable time or if there is genuine difficulty in his obtaining a certificate, the appointing authority should itself verify his claim through the District Magistrate concerned.

14.3 An appointing authority may, if it considers necessary for any reason, verify the claim of a candidate through the District Magistrate of the place where the candidate and/or his family ordinarily resides. If after appointment in any particular case, the verification reveals that the candidate's claim was false his services may be terminated in accordance with the relevant rules/orders.

* Pl. see after Chapter-2

Deptt. of Personnel
O.M. No. 13/3/71
Est (SCT) dated 10-9-71.

14.4 As no person professing a religion different from the Hindu or Sikh religion can be deemed to be a member of Scheduled Castes, the appointing authorities should stipulate in the letter of appointment issued to Scheduled Caste candidates that they should inform about the change, if any, of their religion to their appointing/administrative authority immediately after such a change. The serving Scheduled Castes employees should be instructed to intimate the change, if any, in their religion immediately to their appointing/administrative authorities.

DOP and AR O. M. No. 3801/16/80-Estt. (SCT) dated 27-2-81.

The appointing authorities should verify the caste status of a Scheduled Caste/Tribe officer at the time of initial appointment and promotion against a vacancy reserved for Scheduled Caste/Tribe. For this purpose, the caste and the community to which a SC/ST person belongs, his place of residence and the name of the state, should be pasted on the top of the service book, personal file or any other relevant document covering its employee to facilitate such verification. It may be mentioned that a Scheduled Caste person, whose caste been descheduled after his initial appointment as a Scheduled Caste, is no longer entitled to enjoy the benefit of reservation in promotions. This verification of caste-status at every important up-turn of employee's career is necessary so that the benefit of reservation and other scheme of concessions etc. meant for SC/ST should go only to the rightful claimants and not those who become dis-entitled to them.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 14

O.M. No. 42/21/49-NGS	28-1-52	After Chapter 2
O.M. No. 42/34/52-NGS	17-4-53	
O.M. No. 13/2/57-SCT (I)	25-5-60	
O.M. No. 13/2/61-SCT (I)	18-11-61	
O.M. No. 8/3/63-SCT(I)	25-2-63	
O.M. No. 13/3/63-SCT(I)	23-7-63	
O.M. No. 13/6/63-SCT(I)	11-11-63	
O.M. No. 6/4/66-Estt. (C)	11-5-66	
O.M. No. 13/3/71-Estt. (SCT)	10-9-71	
O.M. No. 36019/7/75-Estt. (SCT)	31-10-75	
O.M. No. 13/2/74-Estt. (SCT)	12-8-76	
O.M. No. 36011/16/80-Estt. (SCT)	27-2-81	

Ministry of Home Affairs O.M. No. 42/34/52-NGS. dated 17th April, 1953
to all Ministries etc.

Subject:—Verification of the claims of candidates to be treated as belonging to Scheduled Castes/Scheduled Tribes.

The undersigned is directed to say that complaints have been received from some Scheduled Caste candidates that on their selection for appointment in the offices of the Government of India, they are asked to produce certificates from the District Magistrates of their respective districts testifying that they belong to Scheduled Castes and that they are not allowed to join their appointments till they produce such certificates. As it takes quite a long time for the candidates to obtain the requisite certificates, they remain unemployed for considerable periods and are thus subjected to unnecessary hardship.

2. In this connection, attention is invited to para 5(7) of the Ministry of Home Affairs Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952, as amended by Office Memorandum No. 42/22/51-NGS, dated the 9th April, 1952, from which it is clear that it is the duty of the appointing authorities to verify the claims of the candidates for employment to be treated as belonging to Scheduled Castes or Scheduled Tribes through the District Magistrates of the places where such candidates and/or their families ordinarily reside and that the certificates signed by gazetted officers and counter-signed by the District Magistrates concerned or those issued by the Sub-Divisional Officers have been prescribed only as alternatives. It is, therefore, requested that where candidates claiming to belong to Scheduled Castes or Scheduled Tribes are unable to produce one of the certificates mentioned in para 5(7) of the Ministry of Home Affairs Office Memorandum No. 42/21/49-NGS, dated the 28th January 1952 and in Office Memorandum No. 42/22/51-NGS, dated the 9th April, 1952, referred to above, they should be appointed provisionally on the basis of whatever *prima facie* evidence they are able to produce in support of their claim to be belonging to Scheduled Castes or Scheduled Tribes and that such claims should then be verified through the District Magistrates of the places where they and/or their families are ordinarily resident in the prescribed manner. If in any particular case the verification reveals that the candidate's claim is false, his services should be terminated.

3. It is requested that the position stated above may be brought to the notice of all appointing authorities under the control of the Ministry of Finance etc.

Ministry of Home Affairs O.M. No. 13/2/57-SCT(1), dated 25th May 1960
to all Ministries etc.

Subject:—Verification of claims of candidates belonging to Scheduled Castes/Scheduled Tribes.

In this Ministry's Office Memorandum No. 8/12/56-SCT, dated the 7th May, 1957, on the above subject, it was mentioned that the particulars of State Governments officers will be forwarded to all concerned when the requisite information was available. From the material received from State Governments a list of officers earmarked for issuing certificates to Scheduled Caste/Scheduled Tribe candidates for employment under the Central Government has been prepared and is enclosed for information. Certificate issued by one of the authorities in the list may in future be accepted as sufficient proof in support of a candidate's claim as belonging to Scheduled Caste/Scheduled Tribe in addition to the Matriculation/SLC/birth certificate mentioned in para 7(a) of this Ministry's Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952. It will, however, be open to the appointing authorities to verify the claim in any case, if desired, through the District Magistrate of the place where the candidate and/or his family ordinarily resides.

2. In this connection attention is also invited to this Ministry's Office Memorandum No. 42/34/52-NGS, dated the 17th April, 1953 which, *inter alia*, allowed certain concession in the matter of initial appointment under Government. Where candidates belonging to Scheduled Castes/Tribes are unable to produce a certificate

from one of the prescribed authorities they should be appointed provisionally on the basis of whatever *prima facie* proof they are able to produce in support of their claim.

3. The caste certificates so far produced by Scheduled Caste/Scheduled Tribe candidates were required to be submitted in the form prescribed at Appendix 'D' to this Ministry's Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952. The form has now been revised and a copy of the revised form is appended herewith for information and guidance.

4. The undersigned is directed to request the Ministry of Finance etc. to bring these instructions, which are in supersession of the previous instructions on the subject, to the notice of subordinate authorities.

Certificate to be produced by Scheduled Caste and Scheduled Tribe candidates applying for appointment to posts under the Government of India.

This is to certify that.....son.....
of village.....District/Division.....
in the.....State.....belongs to the
.....community which is recognised as a Scheduled
Caste/Tribe under the Scheduled Castes and Scheduled Tribes Lists (Modification)
Order, 1956, read with the Scheduled Castes and Scheduled Tribes Orders (Amend-
ment) Act, 1956, the Constitution (Andaman & Nicobar) Scheduled Tribes Order
1959, and the Constitution (Jammu & Kashmir) Scheduled Castes Order, 1956
Shri.....and/or his family ordinarily reside(s) in
the.....District/Division of the
State/Union Territory of.....

Place.....

Date.....

Signature

*Designation with Seal of Office

.....State/Union Territory.

N.B.—The term ordinarily reside used here will have the same meaning as in Section 20 of the Representation of Peoples Act, 1950.

List of officers authorized to issue caste certificates to Scheduled Caste/Scheduled Tribe candidates for employment under the Central Government.

- (1) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendiary Magistrate/*Sub-Divisional Magistrate, Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.
*(Not below the rank of 1st Class Stipendiary Magistrate).
- (2) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
- (3) Revenue Officers not below the rank of Tehsildar.
- (4) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.
- (5) Certificates issued by Gazetted Officers of Central or of a State Government countersigned by the District Magistrate concerned.
- (6) Administrator/Secretary to Administrator/(Laccadive, Minicoy and Amindivi Islands).

Ministry of Home Affairs O.M. No. 13/2/61-SCT(I), dated 18th November, 1961 to all Ministries etc.

Subject:—Verification of claims of candidates belonging to Scheduled Castes/Tribes.

The undersigned is directed to refer to this Ministry's Office Memorandum No. 13/2/57-SCT(I), dated May 25, 1960, on the subject noted above, and to say that according to the orders contained therein, the appointing authorities may, in any case, verify the claim of a person to be a Scheduled Caste/Tribe through the District Magistrate concerned. It has been represented that many Scheduled Caste/Tribe candidates find it very difficult to secure caste certificate themselves. In order to avoid hardship, the appointing authorities should in cases where a candidate represents that he is finding difficulty in obtaining a caste certificate, themselves verify the claim through the District Magistrate concerned.

2. In the form of caste certificate appended to the Office Memorandum cited above, the words the Constitution (Andaman and Nicobar) Scheduled Tribes Order, 1959 and the Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956 may be added after the first sentence ending with the words 'the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956'.

Ministry of Home Affairs O.M. No. 8/3/63-SCT(I), dated 25th February, 1963 to all Ministries etc.

Subject:—Reservations in services for Scheduled Castes and Scheduled Tribes—
Brochure regarding—Amendments to—List of authorities empowered to issue certificates of verification.

The undersigned is directed to refer to Appendix 16 of the Brochure regarding reservation in services for Scheduled Castes and Scheduled Tribes issued with this Ministry's O.M. No. 1/2/61-SCT.(I), dated the 27th April, 1962 and to request that the entry at item 5 thereof, which pertains to the Gazetted Officers of Central or of a State Government, may be deleted.

2. The entry at item 6 pertaining to the Laccadive and Minicoy Islands may be re-numbered as 5.

Ministry of Home Affairs letter No. 13/3/63-SCT(I), dated 23rd July, 1963 to the Administrator, Laccadive Administration and copy to all Ministries etc.

Subject:—Certificates of caste/community—Officers authorised to issue—L. M. & A. Islands.

I am directed to refer to your letter No. 6/147/63-Genl., dated 26th June, 1963 on the subject noted above and to say that this Ministry agrees to the inclusion of the name of "Development Officer" to the list of authorities empowered to issue certificates of verification to Scheduled Tribes in the Laccadive, Minicoy and Amindivi Islands for purposes of employment. Amendment to Appendix 16 of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I), dated 27th April 1962 will be issued later.

Ministry of Home Affairs O.M. No. 13/6/63-SCT. (I), dated 11th November, 1963
to all Ministries etc.

Subject:—Verification of claims of candidates belonging to Scheduled Castes and Scheduled Tribes — Form of caste certificate—amendments to.

The form of caste certificate as prescribed *vide* Appendix 15 of the Brochure regarding reservation in services for Scheduled Castes and Scheduled Tribes issued with this Ministry's O. M. No. 1/2/61-SCT.(I), dated the 27th April, 1962 has since been revised. The revised form of the certificate is enclosed for information.

This is to certify that Shri*-----

Shrimati

Kumari

son* of----- of village*-----
daughter town
in District* of the State*

Division Union Territory
belongs to the----- Caste* which is
Tribe

recognized as a Scheduled Caste* under the Scheduled Castes and

Scheduled Tribe

Tribes (Lists) Modification Order, 1956.

The Constitution (Jammu and Kashmir)* Scheduled Castes Order, 1956.

The Constitution (Andaman and Nicobar Islands)* Scheduled Tribes Order, 1959.

The Constitution (Dadra and Nagar Haveli)* Scheduled Castes Order, 1962.

The Constitution (Dadra and Nagar Haveli)* Scheduled Tribes Order, 1962.

2. Shri-----and* his* family ordinarily

Shrimati

or her

Kumari

reside(s) in village*-----of----- District*
town Division

of the State* of-----

Union Territory

Signature-----
Designation-----
(with seal of Office)

Place----- State*
Date----- Union Territory

*Please delete the words which are not applicable.

NOTE :—The term "ordinary resides" used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

Ministry of Home Affairs O.M. No. 6/4/66-Estt.(C), dated 11th May, 1966
to all Ministries etc.

Subject:—Reservation in services for Scheduled Castes and Scheduled Tribes—
Brochure regarding—Amendments to—List of authorities empowered to
issue certificates of verification.

The undersigned is directed to refer to Appendix 16 of the Brochure regarding reservation in services for Scheduled Castes and Scheduled Tribes issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I) dated 27th April, 1962, and to say that it has been decided that in entry 1 of the aforesaid Appendix, after "1st Class Stipendary Magistrate", "City Magistrate" may be added as one of the authorities empowered to issue certificates to Scheduled Castes and Scheduled Tribes candidates.

Department of Personnel O.M. No. 13/3/71-Estt.(SCT), dated 10th September, 1971
to all Ministries etc.

Subject:—Employees belonging to Scheduled Castes—Intimation regarding change
of religion to administrative authorities.

The undersigned is directed to say that according to para 3 of the Constitution (Scheduled Castes) Order, 1950 as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956, no person who professes a religion different from the Hindu or Sikh religion can be deemed to be a member of Scheduled Castes. The rights of a person, belonging to a Scheduled Tribe are however, independent of his/her religious faith. Instances have come to notice where Scheduled Caste candidates on adopting a religion other than Hinduism and Sikhism, did not intimate the change in religion to the appointing/administrative authorities and continued claiming/enjoying concessions/benefits admissible to Scheduled Castes. This necessitated withdrawal retrospectively of the concessions enjoyed by them. It has now been decided that in order to avoid such instances, Ministries/Departments etc. of Government of India may in future stipulate in the letter of appointment issued to Scheduled Castes candidates that they should inform about the change of their religion to their Appointing/Administrative authority immediately after such a change. Similarly, the serving Scheduled Caste employees should be instructed to intimate change if any, in their religion immediately, to their Appointing Administrative Authorities. Ministry of Finance etc. are requested to bring these instructions to the notice of all concerned.

Ministry of Home Affairs letter No. 35/1/72-RU(SCT. V), dated 2nd May 1975
to all State Governments and Union Territory Administrations.

Subject:—Issue of Scheduled Castes and Scheduled Tribes certificates.

I am directed to state that complaints are often received that Scheduled Caste and Scheduled Tribe certificates are given to persons who do not in fact belong to a Scheduled Castes or Scheduled Tribes. It is necessary, therefore, that the Certificate issuing authorities should make a proper verification before they actually issue such a certificate.

2. In this connection a set of points which should be taken into account are enclosed for the guidance of those empowered to issue Scheduled Caste and Scheduled Tribe certificates. It is requested that these instructions may be circulated amongst them.

Enclosure to Ministry of Home Affairs circular letter No. 35/1/72-RU (SCTV), dated the 2nd May, 1975.

Issue of Scheduled Caste and Tribe Certificate—Points to be observed

1. General (Applicable in all cases)

Where a person claims to belong to a Scheduled Caste or a Scheduled Tribe by birth it could be verified:—

- (i) that the person and his parents actually belong to the community claimed
- (ii) that this community is included in the Presidential Orders specifying the Scheduled Castes and Scheduled Tribes in relation to the concerned State;
- (iii) that the person belongs to that State and to the area within that State in respect of which the community has been scheduled;
- (iv) if the person claims to be a Scheduled Caste, he should profess either the Hindu or the Sikh religion;
- (v) if the person claims to be a Scheduled Tribe, he may profess any religion.

2. Cases of Migration:

(i) where a person migrates from the portion of the State in respect of which his community is scheduled to another part of the same State in respect of which his community is not scheduled, he will continue to be deemed to be a member of the Scheduled Caste or the Scheduled Tribe, as the case may be, in relation to that State;

(ii) where a person migrates from one state to another, he can claim to belong to a Scheduled Caste or a Scheduled Tribe only in relation to the State to which he originally belonged and not in respect of the State to which he has migrated.

3. Claims through marriage:

The guiding principle is that no person who was not a Scheduled Caste or a Scheduled Tribe by birth will be deemed to be a member of a Scheduled Caste or a Scheduled Tribe merely because he or she had married a person belonging to a Scheduled Caste or a Scheduled Tribe.

Similarly a person who is a member of a Scheduled Caste or a Scheduled Tribe would continue to be a member of that Scheduled Caste or Scheduled Tribe as the case may be, even after his or her marriage with a person who does not belong to a Scheduled Caste or a Scheduled Tribe.

4. Cases of conversion and reconversion:

(i) where a Scheduled Caste person gets converted to a religion other than Hinduism or Sikhism and then reconverts himself back to Hinduism or Sikhism, he will be deemed to have reverted to his original Scheduled Caste, if he is accepted by the member of that particular caste as one among them.

(ii) in the case of a descendant of a Scheduled Caste convert, the mere fact of conversion to Hinduism or Sikhism will not be sufficient to entitle him to be regarded as a member of the Scheduled Caste or which his forefathers belonged. It will have to be established that such a convert has been accepted by the members of the caste claimed as one among themselves and has thus become a member of that caste.

5. Cases of adoption:

Great care has to be exercised in dealing with cases where a person claims to be Scheduled Caste on the ground that he has been adopted by a Scheduled Caste person. The validity of the adoption has to be clearly established before any caste certificate can be given. It is for the party to prove his claim by cogent and reliable evidence:—

- (i) The requirements of valid adoption are given in sections 6 to 11 of the Hindu Adoptions and Maintenance Act, 1956. The actual giving and taking of the child in adoption is a mandatory requirement and thereafter the adopted child is deemed to be the child of his or her adoptive father or mother for all purposes and the child severs all ties with the family of his or her birth. Ordinarily, no child who has attained the age of 15 years or who is married can be given in adoption unless there is a custom or usage applicable to the parties.
- (ii) In deciding whether an adoption is valid, the certificate issuing authority should satisfy himself that all the requirements of Law have been complied with. He should also take into account the behaviour of the child after adoption whether he physically lives with and is supported by his adoptive parents and receives no financial help from his original parents. In case these conditions are not satisfied, the certificate should be refused.
- (iii) Where the case relates to an adoption of a married person or of a person of the age of 15 years and above, the certificate shall be required to be given by the Distt. Magistrate who shall after making due enquiries as to the validity of the adoption and as to whether such adoption is permitted by a custom or usage applicable to the parties, make an endorsement to that effect on the certificate. Such custom or usage should have been continuously and uniformly observed for a long time and obtained the force of law among the Hindus of that particular area, or that community, group of family provided that the custom or usage is certain and not unreasonable or opposed to public policy and in the case of custom or usage in respect of a particular family that the custom or usage has not been discontinued. In addition it should be verified that all other conditions for a valid adoption, including the physical transfer of the adopted person to the family of the adoptive parents and that he has severed all ties with the original parents are fulfilled.

Department of Personnel & Administrative Reforms O.M. No. 36019/7/75-Estt. (SCT), dated 31st October, 1975 to all Ministries etc.

Subject:—Verification of claims of candidates belonging to Scheduled Castes and Scheduled Tribes for purpose of appointment to posts/services.

The undersigned is directed to say that candidates belonging to Scheduled Castes and Scheduled Tribes have to produce a certificate in the prescribed form issued by one of the prescribed authorities in support of their claim of belonging to a Scheduled Caste/Scheduled Tribe *vide* Appendices 14 and 15 of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes in services, 4th edition. In this connection attention of the Ministry of Finance etc. is also invited to the contents of the Ministry of Home Affairs Office Memorandum No. 13/2/57-SCT(I), dated 25th May, 1960 and No. 13/2/61-SCT(I), dated the 18th November, 1961 which provide that where a candidate belonging to a Scheduled Caste or a Scheduled Tribe is unable to produce a certificate from any of the prescribed authorities, he may be appointed provisionally on the basis of whatever *prima facie* proof he is able to produce in support of his claim subject to his furnishing the prescribed certificate within a reasonable time, and if there is genuine difficulty in his obtaining a certificate, the appointing authority should itself verify his claim through the District Magistrate concerned. The instructions contained in the aforementioned Office Memorandum are again brought to the notice of the Ministries Department etc.

Department of Personnel & A.R. O.M. No. 13/2/74-Estt.(SCT), dated the 12th August, 1976, to all Ministries etc.

Subject:—Verification of claims of candidates belonging to Scheduled Castes and Scheduled Tribes—Form of caste certificate—amendment to.

The undersigned is directed to refer to the Ministry of Home Affairs O.M. No. 1/6/63-SCT(I) dated 11-11-1963 and to appendix 14 of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes in Services (Fourth Edition, 1975)

and to say that the form of the certificate required to be produced by a candidate belonging to Scheduled Castes and Scheduled Tribes in support of their claim to belong to the Scheduled Caste/Tribe was found to contain some typographical and minor errors. These have been now rectified and the corrected form of the certificate is enclosed. This form has also been forwarded to the State Government for bringing it to the notice of the authorities under them who are empowered to issue such certificates.

2. Ministry of Finance etc. may kindly bring the corrected form of certificate to the notice of all appointing authorities under them.

Form of certificate to be produced by a candidate belonging to a Scheduled Caste or Scheduled Tribe in support of his claim

FORM OF CASTE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumari*.....
son/daughter* of of village/town*.....
 District/Division* of the State/Union Territory*.....
 to the Caste/Tribe* which is recognised
 as a Scheduled Caste under :

Scheduled Tribe*

*The Constitution (Scheduled Castes) Order, 1950;

*The Constitution (Scheduled Tribes) Order, 1950;

*The Constitution (Scheduled Castes) (Union Territories) Order, 1951;

*The Constitution (Scheduled Tribes) (Union Territories) Order, 1951;

[As amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Act, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1956, the State of Himachal Pradesh Act, 1970 and the North Eastern Areas (Reorganisation) Act, 1971]

*The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956;

*The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959;

*The Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962;

*The Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962;

*The Constitution (Pondicherry) Scheduled Castes Order, 1964;

*The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967;

*The Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

*The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;

*The Constitution (Nagaland) Scheduled Tribes Order, 1970.

2. Shri/Shrimati*/Kumari*.....and/or* his,
 or* family ordinarily reside (s) in village/town*.....
 f.....District/Division* of the State/Union
 Territory* of

Signature

Designation

(with seal of Office)

Place.....State/Union Territory*

Date

*Please delete the words which are not applicable.

NOTE:— The term "Ordinarily resides" used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

Ministry of Home Affairs letter No. BC 12025/2/76-SCT(1), dated 22nd March, 1977 to all State Governments/Union Territory Administrations.

Subject:—Issue of Scheduled Caste and Scheduled Tribe certificates—Clarifications regarding.

I am directed to say that many instances have come to the notice of this Ministry wherein certificates of belonging to a particular Scheduled Caste/Tribe have not been issued strictly in accordance with the principles governing the issue of such certificates. This is presumably due to inadequate appreciation of the legal position regarding the concept of the term "residence" on the part of the authorities empowered to issue such certificates.

2. As required under Articles 341 and 342 of the Constitution, the President, as, with respect to every State and Union Territory and where it is State after consultation with the Governor of the concerned State, issued orders notifying various castes and Tribes as Scheduled Castes and Scheduled Tribes in relation to that State or Union Territory from time to time. The interstate area restrictions have been deliberately imposed so that the people belonging to the specific community residing in a specific area, which has been assessed to qualify for the Scheduled Caste or Scheduled Tribe status, only benefit from the facilities provided for them. Hence the people belonging to the same caste but living in different State/Union Territories may not necessarily suffer from the same disabilities, it is possible that persons belonging to the same caste but residing in different State/U.Ts. may not both be treated to belong to Scheduled Caste/Tribe or *vice versa*. Thus the residence of a particular person in a particular locality assumes a special significance. His residence has not to be understood in the literal or ordinary sense of the word. On the other hand it connotes the permanent residence of a person on the date of the notification of the Presidential Order scheduling his caste/tribe in relation to that locality. Thus a person who is temporarily away from his permanent place of abode at the time of the notification of the Presidential Order applicable in his case, say, for example, to earn a living or seek education, etc., can also be regarded as a Scheduled Caste or a Scheduled Tribe, as the case may be, if

his caste/tribe has been specified in that order in relation to his State/U.T. he cannot be treated as such in relation to the place of his temporary residence notwithstanding the fact that the name of his caste/tribe has been scheduled in respect of that area in any Presidential Order.

3. It is to ensure the veracity of this permanent residence of a person and of the caste/tribe to which he claims to belong that the Government of India has made a special provision in the proforma prescribed for the issue of such certificates. In order that the certificates are issued to the deserving persons it is necessary that proper verification based primarily on revenue records and if need be, through reliable enquiries, is made before such certificates are issued. As it is only the Revenue Authorities who, besides having access to the relevant revenue records, are in a position to make reliable enquiries, Government of India insists upon the production of certificates from such authorities only. In order to be competent to issue such certificates, therefore, the authority mentioned in the Government of India (Department of Personnel and Administrative Reforms) letter No. 13/2/74-Estt. (SCT3), dated the 5th August, 1975, should be the one concerned with the locality in which the person applying for the certificate had his place of permanent abode at the time of the notification of the relevant Presidential Order. Thus the Revenue Authority of one District would not be competent to issue such a certificate in respect of persons belonging to another district. Nor can such an authority of one State/U.T. issue such certificates in respect of persons whose place of permanent residence at the time of the notification of a particular Presidential Order, has been in a different State/Union Territory. In the case of persons born after the date of notification of the relevant Presidential Order, the place of residence at the purpose of acquiring Scheduled Caste or Scheduled Tribes status, is the place of permanent abode of their parents at the time of the notification of the Presidential Order under which they claim to belong to such a caste/tribe.

4. It is understood that some State Governments/Union Territory Administrations have empowered all their Gazetted Officers to issue such certificates and Revenue Authorities issue certificates on the basis of the certificates issued by Gazetted Officers, M.Ps. and M.L.As., etc. If such a practice is followed, there is a clear danger of wrong certificates being issued, because in the absence of proper means of verification such authorities can hardly assure the intrinsic correctness of the facts stated in such certificates. In order to check the issuance of false certificates, the question of verification assumes all the more importance.

5. All the State Governments/Union Territory Administrations are, therefore, requested to streamline their respective procedures for issuing such certificates so as to conform to the above instructions as well as to those issued from time to time. Where Revenue Authorities have been empowered to issue certificates on the basis of a certificate issued by an M.P., M.L.A., Gazetted Officer, etc., they should do so only after having made proper verifications and after having satisfied themselves of the correctness of such certificates.

Deptt. of Personnel & A.R. letter No. 36012/6/76-Estt.(SCT), dated 29-10-1977,
all State Governments and Union Territories.

Subject:—Verification of claims of candidates belonging to Scheduled Castes and Scheduled Tribes—Form of Certificate—amendment to—.

I am directed to refer to this Department's letter No. 13/2/74-Estt.(SCT), dated 12th August, 1976 on the subject noted above and to say that the form of certificate enclosed with the aforesaid letter has been further revised consequent upon coming into force of the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976. A copy of the revised form is enclosed. I am to request that the revised form of certificate may please be brought to the notice of the authorities under the State Governments/Union Territories who are empowered to issue such certificates.

*The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968

*The Constitution (Nagaland) Scheduled Tribes Order; 1970.

2. Shri/Shrimati*/Kumari*.....and/or
his/her* family ordinarily reside (s) in village/town*.....
of.....District/Division* of the State Union Territory* of.....
.....

Signature
Designation
(with seal of office)

State

Place.....

Union Territory*

Date

*Please delete the words which are not applicable.

NOTE:—The term "Ordinarily resides" used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

DP & AR O.M. No. 36011/16/80-Estt.(SCT) dated 27-2-81

Subject:—Descheduling of caste of a Scheduled Caste person after his initial appointment—Question of verification of caste at the time of making subsequent promotions.

With reference to the above subject, the undersigned is directed to say the instances have come to the notice of the Government where a Scheduled Caste person whose caste has been de-scheduled long ago was promoted against a reserved vacancy though he no longer was a member of the Scheduled Caste. Instances have also come to the notice of the Government where a person professing a religion other than the Hindus and Sikhs, was appointed against a Scheduled Caste vacancy though the fact of his belonging to any other religion other than the Hindus and Sikhs did not entitle him to claim the benefits of being Scheduled Caste. Obviously, these have occurred due to the appointing authorities not scrutinising the caste certificate of the persons to be appointed or promoted.

It has now been decided that the appointing authorities should verify the caste status of a Scheduled Caste/Tribe officer at the time of initial appointment and promotion against a vacancy reserved for Scheduled Caste/Tribe. For this purpose, the caste and the community to which a SC/ST person belongs, his place of residence and the name of the State, should be pasted on the top of the service book, personal file or any other relevant document covering its employee to facilitate such verification. It may be mentioned that a Scheduled Caste person, whose caste been descheduled after his initial appointment as a Scheduled Caste, is no longer entitled to enjoy the benefit of reservation in promotions. This verification of caste-status at every important up-turn of employee's career is necessary so that the benefit of reservation and other scheme of concessions etc. meant for SC/ST should go only to the rightful claimants and not those who become dis-entitled to them.

3. M/o Finance etc. are requested to bring the above position to the notice of all attached and subordinate offices under them.

CHAPTER 15

LIAISON OFFICERS

MHA OM
No. 16/17/
67 Est (C)
dt. 10-4-68
and No.
27/22/68-
Est. (SCT)
dt. 19-4-69.
and
Deptt. of
Personnel
& A.R.
O.M.
No.
36022/5/76
Est. (SCT)
dated
27-5-1976.
and No.
36028/1/
79. Est.
(SCT)
dated
11-10-79.

15.1 In each Ministry/Department, the Deputy Secretary in charge of administration (or another officer at least of the rank of Deputy Secretary designated for the purpose) will act as a Liaison Officer in respect of matters relating to the representation of Scheduled Castes and Scheduled Tribes in all establishments and services under the administrative control of the Ministry/Department. The Liaison Officer will be specially responsible for:

(i) ensuring due compliance by the subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them;

(ii) ensuring;

(1) Submission by each appointing authority under the Ministry/Department to the Ministry/Department an annual statement showing total number of Government servants and number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January (in the Form in Appendix 8);

(2) Submission by each appointing authority under the Ministry/Department to the Ministry/Department and to the Department of Personal and Administrative Reforms, an annual statement showing particulars of recruitment made during the calendar year and the numbers filled by Scheduled Castes and Scheduled Tribes (in the Form in Appendix 9); and

(3) Scrutiny and consolidation of the above annual statements in respect of all establishments and services in and under the control of the Ministry/Department and sending the consolidated statements in the Forms in Appendix 8 and Appendix 9 to the Department of Personnel and Administrative Reforms.

- (iii) ensuring that while making a reference to the Department of Personnel and Administrative Reforms (with copy to the Commissioner for Scheduled Castes and Scheduled Tribes) for dereservation of reserved vacancies included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely or while reporting cases of dereservation of reserved vacancies in the roster for purely temporary appointments to the Commissioner for Scheduled Castes and Scheduled Tribes, full details in support of the proposal for dereservation (vide para 10.2) are given. Proposals sent to the Department of Personal & Administrative Reforms regarding dereservation of reserved vacancies should contain a certificate to the effect that the proposal has been made with the full knowledge and concurrence of the Liaison Officer.
- Deptt. of Personnel O.M. No. 16/1/72- Est. (SCT dated £11-8-1 and No. 16/27/74 Est. (SCT dated @12-11-1975.
- (iv) ensuring the extension of necessary assistance to the Commissioner for Scheduled Castes and Scheduled Tribes in the investigation of complaints received by the Commissioner in regard to service matters, and in the collection of information for his annual report.
- MHA OM No. 16/8/69 Est. (SCT dated 27-4-1970 and Deptt. of Personnel & AR O.M. No. 36024/1/78- Est. (SCT) dated 27-6-78.
- (v) conducting annual inspection of the rosters maintained in the Ministry/Department/Offices under the control of the Ministry/Department with a view to ensuring proper implementation of the reservation orders. The proforma for the inspection of the rosters is given in Appendix 7.
- MHA OM No. 27/4(ii)/71 Est. (SCT dt. 3-9-1971 and Deptt. of Personnel O.M. No. 8/8/71- Est. (SCT) dated* 22-4-71.
- (vi) acting as Liaison Officer between the Ministry/Department and the Department of Personnel and Administrative Reforms for supply of other information, answering questions and queries and clearing doubts in regard to matters covered by the reservation orders.

* Please see after Chapter—4

£ Please see after Chapter—10

@ Please see after Chapter—10

MHA OM No. 27/22/68- Est. (SCT) dated 19-4-1969.

15.2 Ministries/Departments should set up a Cell within the Ministry|Department under the direct control of the Liaison-Officer. The functions of the Cell will mainly be to assist the Liaison Officer to discharge his duties effectively.

MHA OM No. 16/17/67 Est. (C) dated 10-4-68.

15.3 In offices under the control of each Head of Department also, a Liaison Officer will be nominated for work relating to representation of Scheduled Castes and Scheduled Tribes in such offices. The duties of Liaison Officers for offices under such Heads of Departments will be similar to those mentioned above in respect of offices under their charge.

Deptt. of Personnel O.M. No. 27/2/71- Est. (SCT) dated 24-3-72.

15.4 Cases of negligence or lapses in the matter of following the reservation and other orders relating to Scheduled Castes and Scheduled Tribes coming to light through the inspections carried out by the Liaison Officers or otherwise, should be submitted to the Secretary/Additional Secretary to the Government in the respective Ministry/Departments and to the Head of the Department in respect of offices under the Head of Department. Necessary action should be taken as directed by the Secretary/Additional Secretary/Head of the Department on such reports to ensure strict compliance of these orders by the appointing authority concerned.

Deptt. of Personnel & A.R. O.M. No. 36011/1 76-Estt. (SCT) dated 6-3-1976.

15.5 Inspection by the Liaison Officer of the rosters etc. should be done. A record of inspections made and of the reports should be properly kept.

It should be the endeavour of every public undertakings, statutory and semi-government bodies, autonomous bodies/institutions including municipal corporations, cooperative institutions, universities, voluntary agencies receiving grants in aid from the Government connected with appointment and promotion of SC|ST candidates to have Liaison Officer in the same manner as is existing in Ministries|Departments where the Deputy Secretary in charge of administration is nominated the Liaison Officer.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 15

O.M. No. 16/17/67-Estt.(C)	1C-4-68
O.M. No. 27/22/68-Estt.(SCT)	19-4-69
O.M. No. 16/8/69-Estt(SCT)	310-10-69 After Chapter 7
O.M. No. 16/8/69-Estt.(SCT)	27-4-70
O.M. No. 27/4/(i)170-Estt.(SCT)	3-9-70
O.M. No. 27/4/(ii)170-Estt. (SCT)	3-9-70
O.M. No. 8/8/71-Estt. (SCT)	22-4-71 After Chapter 4
O.M. No. 27/2/71-Estt-(SCT)	24-3-72
O.M. No. 16/1/72-Estt. (SCT)	11-8-72 After Chapter 10
O.M. No. 16/27/74-Estt. (SCT)	12-11-75 After Chapter 10
O.M. No. 36011/1/76-Estt. (SCT)	6-3-76 After Chapter 4
O.M. No. 36022/5/76-Estt. (SCT)	27-5-76
O.M. No. 36024/1/78-Estt. (SCT)	27-6-78
O.M. No. 36028/1/79-Estt. (SCT)	11-10-79

Ministry of Home Affairs O.M. No. 16/17/67-Estt.(C), dated 10th April, 1968 to all Ministries etc.

Subject:—Liaison Officers for work relating to representation of Scheduled Castes and Scheduled Tribes—Recommendation No. (xiv) in Chapter 2 of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1965-66.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his report for the year 1965-66:—

Chapter 2

Recommendation No. (xiv):

"The Government of Gujarat have issued instructions to all the Heads of Departments and Offices that if any instance in which reservation orders are not followed come to the notice of the State Government, the officers concerned will be held personally responsible for the omission. This salutary step should be taken not only by all other State Governments but also by the Government of India."

The above recommendation has been considered in this Ministry. The orders regarding reservation for Scheduled Castes and Scheduled Tribes in services issued by this Ministry from time to time are required to be strictly observed by all appointing authorities under the various Ministries. Also officers of the rank of Deputy Secretary have been nominated by the Ministries and Departments to work as Liaison Officers who are in overall charge of the work relating to the special representation in their respective Ministries and attached and subordinate offices and are responsible for ensuring that the instructions in this behalf are strictly complied with. The duties of the Liaison Officers are given in para 33 of the Brochure issued with this Ministry's Office Memorandum No. 1/2/61-SCT(I) dated 27th April, 1962. The Ministries/Departments were also informed in this Ministry's D.O. letter No. 29/47/66-Estt.(C) dated 13th December, 1966 that it would be the responsibility of each Ministry/Department etc. to scrutinize the annual statements in Appendix 9 to the Brochure showing particulars of recruitment made and the number filled by members of Scheduled Castes and Scheduled Tribes in respect of the attached and subordinate offices under the respective Ministry/Department etc. and that Liaison Officers in each Ministry/Department should, with reference to para 33 of the Brochure, ensure that these statements are scrutinized in the Ministry/Department and errors, if any, are intimated to the offices concerned for necessary rectification. After considering the recommendation of the Commissioner referred to above it has been decided that the system of nominating Liaison Officers should be extended to Heads of Departments also. Accordingly, the Ministry of Finance etc. are requested to direct that in offices under the control of each head of Department also, an Officer is nominated for work of representation of Scheduled Castes and Scheduled Tribes in such offices. The duties of the Liaison Officers to be nominated would be the same as in the case of Liaison officer in the Ministry/Department at present mentioned above, in respect of the offices under their charge. The present system of nominating Liaison Officer in each Ministry/Department for the Ministry/Department proper and all its attached and subordinate offices would, of course, continue for purpose of liaison work between the Ministry/Department and the Ministry of Home Affairs.

2. The names and designation of the Liaison Officers nominated and the Offices/Organisations for which they have been nominated may please be intimated to this Ministry.

Ministry of Home Affairs O.M. No. 27/22/68-Estt.(SCT), dated 19th April, 1969 to all Ministries etc.

Subject:—Setting up of a small Cell in each Ministry for enforcement of orders of reservations in services and posts—consideration of—

Under para 33 of Brochure issued *vide* Ministry of Home Affairs O.M. No. 1/2/61-SCT(I), dated the 27th April, 1962, Ministries/Departments were required to nominate the Deputy Secretary incharge of Administration in the Ministry as Liaison Officer for work relating to representation of Scheduled Castes and Scheduled Tribes in services/posts. Following the recommendation of the Commis-

sioner for Scheduled Castes and Scheduled Tribes in his Report of the year 1965-66, it was further decided that the system of nominating Liaison Officers should be extended to Heads of Departments also. Ministry of Finance etc., were requested to issue directions accordingly *vide* this Ministry's O.M. No. 16/17/67-Ests.(C), dated the 10th April, 1968. Some Ministries/Departments have already appointed Liaison Officers in pursuance of these suggestions and with the others the matter is being separately pursued. This matter was also considered by the High Level Committee set up under the Chairmanship of the Home Minister to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in services/posts under the Government of India at its meeting held on 29th October, 1968 and it was felt that it would be desirable to have a small Cell functioning within each Ministry to ensure due compliance of the orders of reservation issued from time to time in favour of Scheduled Castes and Scheduled Tribes, ensuring prompt disposal of the grievance of the employees of these classes and to scrutinise and consolidate the statistical data in respect of all Departments under their control in the prescribed forms circulated by the Ministry in this regard. In the main, the functions of Cell would be to assist the Liaison Officer to discharge his duties effectively. The duties of Liaison Officers are shown in detail in the note attached.

The Ministries of Finance etc., are requested to set up a Cell within the Ministry under the direct control of the Liaison Officer already appointed or to be appointed by them in pursuance of this Ministry's earlier suggestions. Action taken may please be intimated to this Ministry early.

Liaison Officers:

In each Ministry/Department, the Deputy Secretary incharge of administration (or any other Officer designated for the purpose) will act as Liaison Officer in respect of matters relating to representations of Scheduled Castes and Scheduled Tribes in all establishments and services under the administrative control of the Ministry/Department. He will be specifically responsible for—

- (i) ensuring due compliance by the subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them.
- (ii) ensuring:
 - (1) submission by each appointing authority under the Ministry/Department to the Ministry/Department, an annual statement showing total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January (in the Form in Appendix 8 to the Brochure issued with Ministry of Home Affairs O.M. No. 1/2/61-SCT(I), dated 27-4-1962);
 - (2) submission by each appointing authority under the Ministry/Department to the Ministry/Department and to the Ministry of Home Affairs, an annual statement showing particulars of recruitment made during the calendar year and the numbers filled by Scheduled Castes and Scheduled Tribes (in the Form in Appendix 9 to the Brochure issued with Ministry of Home Affairs O.M. No. 1/2/61-SCT(I) dated 27-4-1962); and
 - (3) scrutiny and consolidation of the above annual statements in respect of all establishments and services in and under the control of the Ministry/Department and sending the consolidated statements to the Ministry of Home Affairs.
 - (4) acting as Liaison Officer between the Ministry/Department and the Ministry of Home Affairs for supply of other information, answering questions and queries and clearing doubts in regard to matters covered by reservation orders.

Note:—The duties of Liaison Officers for offices under the Heads of Department will be similar to those mentioned above, in respect of offices under their charge.

Ministry of Home Affairs O.M. No. 16/8/68-Est., dated 27th April, 1970
to all Ministries etc.

Subject:—Investigation of complaints received by the Commissioner for Scheduled Castes and Scheduled Tribes in service matters—assistance by the Ministries—Recommendations in the Report of the Commissioner for S.C. and S.T. for 1967-68.

The undersigned is directed to say that in para 2.16 of his Report for the year 1967-68, the Commissioner for Scheduled Castes and Scheduled Tribes has recommended *inter-alia* that the Liaison Officers who have been nominated in the Ministries etc., for work relating to representation of Scheduled Castes and Scheduled Tribes should ensure the extension of necessary assistance to the Commissioner for Scheduled Castes and Scheduled Tribes in the investigation of complaints received by the latter in regard to service matters. The recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes is brought to the notice of the Ministries/Departments for implementation. The Liaison Officers who have been nominated in the Ministries/Departments and in Offices under the Heads of the Department *vide* instructions in this Ministry's Office Memorandum No. 16/17/67-Est.(C) dated 10th April, 1968, may be asked to note the recommendation under reference for compliance.

Department of Personnel O.M. No. 27/4(i)/70-Est.(SCT), dated the 3rd September, 1970 to all Ministries etc.

Subject:—Cells in the Ministries/Departments for enforcement of the orders of reservation for Scheduled Castes and Scheduled Tribes in services—Recommendation No. 5 in the Fourth Report of the Parliamentary Committee.

The undersigned is directed to refer to the Ministry of Home Affairs O.M. No. 27/22/68-Est.(SCT) dated 19th April, 1969 in which the Ministry of Finance etc. were requested to set up a Cell within the Ministry under the direct control of the Liaison Officer to ensure due compliance of the orders of reservation for Scheduled Castes and Scheduled Tribes issued from time to time. The Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its Fourth Report has recommended as follows:—

Recommendation No. 5 (para 1.31)

"The Committee also suggest that the Ministry of Home Affairs should lay down the charter of duties of such Cells so that they could function on proper and systematic lines from the very beginning. A note about the activities of the Cell should be included in the Annual Report of the concerned Ministries/Departments."

The duties of the Cell have already been specified in the O.M. dated 19th April, 1969 referred to above, Ministry of Finance etc. are, however, requested to incorporate a note about the activities of the Cell in their Annual Report.

Department of Personnel O.M. No. 27/4(ii)/70-Est.(SCT), dated 3rd September, 1970 to all Ministries etc.

Subject:—Maintenance of rosters for giving effect to the reservations for Scheduled Castes and Scheduled Tribes in services—Recommendation No. 10 in the Fourth Report of the Parliamentary Committee.

The undersigned is directed to say that the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes has in its Fourth Report made the following recommendations:—

Recommendation No. 10 (para 2.24)

"The Committee have taken note of the various orders issued by the Ministry of Home Affairs regarding the maintenance of rosters for giving effect

to reservations provided for Scheduled Castes and Scheduled Tribes in Public Services. The Committee have received complaints that rosters are not being maintained properly. They suggest that the Ministry of Home Affairs should evolve a procedure for the periodical inspection of the rosters. Defects, if any, noticed in the maintenance of the rosters should be brought to the notice of the concerned Ministries/Departments for rectification and implementation of the relevant orders."

The above recommendation has been considered in this Deptt. Each appointing authority is required to strictly observe the orders regarding reservation for Scheduled Castes and Scheduled Tribes including those regarding maintenance of rosters. The Liaison Officers nominated in the Ministries/Departments and in offices under the Heads of the Departments have to ensure strict compliance with the orders of reservations *vide* para 33 of the Brochure issued with O.M. No. 1/1/69-Est.(SCT) dated 22-12-1969. The recommendation of the Committee regarding inspection of the rosters has been accepted. Henceforth, it shall also be the duty of the Liaison Officers to conduct annual inspection of the rosters maintained in the Ministry/Department/Office of the Head of the Deptt. with a view to ensuring proper implementation of the reservation orders. Ministry of Finance etc. are requested to bring this decision to the notice of all concerned.

Department of Personnel O.M. No. 27/2/71-Estt.(SCT), dated 24th March, 1972 to all Ministries etc.

Subject:—Liaison Officers for work relating to representation of Scheduled Castes and Scheduled Tribes—inspection of rosters etc.

As the Ministry of Finance etc. are aware, Officers of the rank of Deputy-Secretary are required to be nominated as Liaison Officers in the Ministries/Departments for ensuring strict compliance of the orders of reservation for Scheduled Castes and Scheduled Tribes by all appointing authorities under the Ministry/Department. Liaison Officers are also required to be nominated in offices under the Heads of Departments. The Liaison Officers in Ministries/Departments and in offices under the Heads of Departments have been trusted with the responsibility *inter-alia* of conducting annual inspection of the rosters maintained in the Ministry/Department/Office with a view to ensuring proper implementation of the reservation orders *vide* this Department's O.M. No. 27/4(ii)/70-Estt.(SCT), dated 3rd September, 1970. The proforma for conducting annual inspection of the roster has also been prescribed *vide* this Department's O.M. No. 8/8/71-Estt.(SCT) dated 22nd April, 1971. Instances have however come to notice where rosters were not properly maintained or the reservation orders were not fully implemented. Ministry of Finance etc. are therefore requested to once again impress upon the appointing authorities the need to observe the reservation and other orders relating to representation of Scheduled Castes and Scheduled Tribes in services strictly. Cases of negligence or lapses in the matter of following the reservation and other orders relating to Scheduled Castes and Scheduled Tribes coming to light through the inspections carried out by the Liaison Officers or otherwise, should be submitted to the Secretary/Additional Secretary to the Government in the respective Ministries/Departments and to the Head of the Department in respect of offices under a Head of Department. Necessary action should be taken as directed by the Secretary/Additional Secretary/Head of the Department on such reports to ensure strict compliance of these orders by the appointing authority concerned.

Department of Personnel & A.R. O.M. No. 36022/5/76-Estt.(SCT), dated the 27th May, 1976 to all the Ministries etc.

Subject:—Liaison Officers nominated in Ministries/Departments for work relating to representation of Scheduled Castes and Scheduled Tribes—Recommendation No. 31 in the 41st Report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes has in its 41st Report made the following recommendation:

Recommendation No. 31 (Para 4.20)

"The Committee feel that the Liaison Officers are not able to function inasmuch as they are not of sufficiently high status and necessary papers and records are not made available to them. The Committee desire that the Liaison Officer should be of the status of a Director in the Ministry/Department."

2. According to para 33 of the first edition of the Brochure issued *vide* Ministry of Home Affairs O.M. No. 1/2/61-SCT(I) dated 27-4-1962, Ministries/Departments are required to nominate the Deputy Secretary in charge of administration in the Ministry/Department (or any other officer designated for the purpose) as Liaison Officer for work relating to representation of Scheduled Castes and Scheduled Tribes in services/posts. All Ministries/Departments have already nominated a Deputy Secretary or an officer of equal or higher status as the Liaison Officer except that in a few Ministries/Departments an officer of the rank of an Under Secretary may have been so nominated as Liaison Officer. The above mentioned recommendation of the Parliamentary Committee has been considered by Govt. It may not always be feasible to nominate an officer of the rank of Director (instead of Deputy Secretary) as Liaison Officer and further the posts of Directors are only selection grade/posts or Deputy Secretaries and their duties are interchangeable. The number of posts of Directors will also be small and in some Ministries/Departments there may be no Directors. The recommendation of the Parliamentary Committee is however brought to the notice of the Ministries/Departments and it is requested that where at present in a Ministry/Department an officer lower in rank than a Deputy Secretary is nominated as Liaison Officer, an officer at least of the rank of Deputy Secretary should be nominated as Liaison Officer.

Department of Personnel & A.R. O.M. No. 36024/1/78-Estt.(SCT) dated 27-6-1978 to all Ministries and Deptts. etc.

Subject:—Follow up action on (i) special studies of offices/organisations undertaken and (ii) complaints received by the Commissioner for Scheduled Castes and Scheduled Tribes in service matters.

The undersigned is directed to refer to the instructions contained in the Ministry of Home Affairs O.M. No. 16/8/69-Estt.(SCT) dated 27-4-1970 in which the Ministries/Departments were requested to ask the Liaison Officers nominated in Ministries/Departments and in offices under the Heads of Departments for work relating to representation of Scheduled Castes and Scheduled Tribes to note the recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes that the Liaison Officers should ensure extension of necessary assistance to the Commissioner for Scheduled Castes and Scheduled Tribes in the investigation of complaints received by the latter in regard to service matters. These instructions are again brought to the notice of the Ministries/Departments, and they are requested to ensure that whenever any cases of individual representations relating to service matters are referred by the Commissioner for Scheduled Castes and Scheduled Tribes to them calling for facts, comments etc., necessary action is taken to send reply/report to the Commissioner for Scheduled Castes and Scheduled Tribes as expeditiously as possible.

2. Special studies of rosters maintained and of implementation of other orders regarding reservation for Scheduled Castes and Scheduled Tribes in certain offices/organisation are also undertaken by the organisation of the Commissioner for Scheduled Castes and Scheduled Tribes from time to time. Ministries/Departments are requested to extend assistance to the Commissioner when such studies are made, and also take follow up action on the Study reports, as expeditiously as possible. Action taken on the reports may also be intimated to the Commissioner for Scheduled Castes and Scheduled Tribes whenever required.

Department of Personnel & A.R. O.M. No. 36028/1/79-Estt.(SCT) dated 11-10-71
to all Ministries etc.

Subject:—Nomination of Liaison Officers for work relating to representation of Scheduled Castes and Scheduled Tribes in services/posts.

Under para 33 of Brochure issued vide Ministry of Home Affairs Office Memorandum No. 1/2/61-SCT(1), dated the 27th April, 1962, the Ministries/Departments were required to nominate the Deputy Secretary incharge of Administration in the Ministry/Department as Liaison Officer for work relating to representation of Scheduled Castes and Scheduled Tribes in services/posts. Following the recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes in his Report for the year 1965-66, it was further decided that the system of nominating Liaison Officer should be extended to the Offices under Heads of Departments also. Ministry of Finance, etc. were requested in this Ministry's O.M. No. 16/17/67-Estt.(C), dated the 10th April, 1968 to issue directions accordingly. In para 2 of the above O.M. the Ministries were also requested that the names and designations of the Liaison Officers nominated and the offices/organisations for which they have been nominated may be intimated to this Ministry.

2. It is, however, seen that this Department has not, in some cases, been kept informed of the changes in the Liaison Officers made from time to time. Ministry of Finance, etc. are, therefore, requested that the name and designation of the present Liaison Officer nominated by each Ministry/Department (Proper including in the offices under head of Department under their control may please be intimated to this Department *immediately*. The changes in the names and designations of the Liaison Officers which may occur from time to time should also be intimated to enable this Department to maintain the list of Liaison Officers upto date.

The relevant Office Memorandum for the paragraph succeeding para 15.5 is O.M. No. 36013/6/81-Estt (SCT) dated 7-12-81. The original Office Memorandum is as follows:

Department of Personnel & A.R. O.M. No. 36013/6/81-Estt (SCT) dated 7-12-81 to all Ministries/Departments.

OFFICE MEMORANDUM

Sub:—Recommendations Nos. 37, 38 and 39 contained in the 25th Report of the Commissioner for Scheduled Castes/Scheduled Tribes for the year 1977-78.

The undersigned is directed to say that the Commissioner for SC/ST has, in his 25th Report for the year 1977-78, made the following recommendations:

Recommendation No. 37.

"All Ministries/Depts. and Bureau of Public Enterprises should be advised to ensure that the instructions regarding appointment of Liaison Officers and setting up of Special Cells for work relating to representation of SC & ST are implemented in the public sector undertakings, statutory bodies, semi-government bodies, etc., which are required to give effect to the reservation orders. The Liaison Officers of the Ministry/Department should monitor the working of the organisations under them to ensure effective implementation of service safeguards for scheduled Castes and Scheduled Tribes."

Recommendation No. 38

"In the same way Liaison Officers should be appointed and Special Cells established in Autonomous Bodies/Institutions including Municipal Corporations, Cooperative Institutions, Universities, etc."

Recommendation No. 39

"Voluntary agencies receiving grants-in-aid from Govt. should also appoint Liaison Officers and set up Cells for ensuring implementation of the service safeguards for Scheduled Castes and Scheduled Tribes,

2. The Govt. have accepted the above recommendations of the Commissioner. Accordingly, it should be the endeavour of every public undertakings, statutory and semi-govt. bodies, autonomous bodies/institutions including municipal corporations, cooperative institutions, universities, voluntary agencies receiving grants-in-aid from the Govt. connected with appointment and promotion of SC/ST candidates to have Liaison Officers in the same manner as is existing in Ministries/Departments where the Deputy Secretary in charge of administration is nominated the Liaison Officer.

3. Ministries/Departments may also provide suitable infra-structural support-system to the Liaison Officer in the shape of a small Cell in the above-mentioned organisations under their charge, which will be under the direct control of the Liaison Officer and will assist the Liaison Officer in discharging his duties effectively. The duties of the Liaison Officer have already been specified in appropriate Govt. orders vide Chapter 15 of the Brochure on reservation for Scheduled Castes & Scheduled Tribes in Services (fifth edition).

4. It has been brought out that the institutions of Liaison Officer and Cell are treated in a routinistic fashion and the nomination is considered as a mere fulfilment of the formality. It is once again stressed that the system of the Liaison Officer

forms a very important, indeed integral, part of the institutional safeguards to vigorously oversee the implementation of reservation orders and maintenance of rosters at the grass-root level where lack of seriousness affects the interests of SC/ST. Hence, apart from appointment of Liaison Officers, the Ministries/Departments should also ensure that the Liaison Officers do submit the annual report of the inspection of rosters and also certify the dereservation proposals after satisfying themselves that such dereservations are inevitable and all the steps prescribed in this regard have been taken faithfully.

5. Ministry of Finance etc. are requested to bring the contents of this O.M. to the notice of all the attached and subordinate offices under their control and make efforts for due compliance on the part of these organisations.

CHAPTER 16

Strict observance of the orders regarding reservation for Scheduled Castes and Scheduled Tribes

Deptt.
of Personnel
& A.R.
O.M. No.
36011/5/
75-Estt.
(SCT)
dated
3-5-1975
O.M. No.
36011/7/
80-Estt.
(SCT)
1-11-1980

16.1 Ministries|Departments should impress upon the appointing authorities the need to observe the reservation and other orders relating to representation of Scheduled Castes and Scheduled Tribes in services strictly. Glaring instances of discrimination or deliberate infraction of the orders relating to reservations and concessions in favour of Scheduled Castes and Scheduled Tribes employees in any office|establishment could be brought to the notice of the appropriate authorities for suitable action. Ministries|Departments etc. should ensure that whenever cases of such nature are brought to the notice of appropriate authorities, suitable action is taken on them promptly.

Deptt.
of Personnel
& A.R.
O.M. No.
36022/20/
76-Esstt.
(SCT)
dated
8-9-1976
and
No. 36013/
5/78-Estt
(SCT)
19-12-1978.

16.2 Procedures prescribed for filling vacancies reserved for Scheduled Castes and Scheduled Tribes should be strictly observed so that such vacancies are filled by candidates belonging to these communities only. Proposals for dereservation of vacancies reserved for Scheduled Castes|Scheduled Tribes should be made|considered only after ensuring that all the procedures prescribed in this regard have been strictly and fully followed and dereservation has become inescapable. It should also be ensured that the instructions for the maintenance and the periodical inspection of rosters are strictly followed by the appointing authorities and Liaison Officers. Cases of negligence or lapses in the matter of following the reservations and other orders relating to representation of Scheduled Castes and Scheduled Tribes should be viewed seriously and should be brought to the notice of appropriate authorities and suitable action should be taken promptly.

* Please see after Chapter—10

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 16

O.M. No. 36011/5/75 Estt. (SCT)	3-5-75	
O.M. No. 36022/20/76 Estt. (SCT)	8-9-76	
O.M. No. 36013/5/78 Estt. (SCT)	19-12-78	After Chapter 10
O.M. No. 36011/7/80 Estt. (SCT)	1-11-80	

Department of Personnel & Administrative Reforms O.M. No. 36011/5/75-Estt. (SCT), dated 3rd May, 1975 to all Ministries etc.

Subject:—Strict observance of the orders regarding reservations for Scheduled Castes and Scheduled Tribes.

In this Department's O.M. No. 27/2/71-Estt.(SCT), dated the 24th March, 1972, the Ministries/Departments were requested to impress upon the appointing authorities the need to observe the reservation and other orders relating to representation of Scheduled Castes and Scheduled Tribes in services strictly. It was also stated that cases of negligence or lapses in the matter of following the reservation and other orders relating to the Scheduled Castes and Scheduled Tribes coming to light through the inspections carried out by the Liaison Officers or otherwise, should be submitted to the Secretary/Additional Secretary to the Government in the respective Ministries/Departments and to the Head of the Department in respect of offices under a Head of Department and that necessary action should be taken as directed by the Secretary/Additional Secretary/Head of the Department on such reports to ensure strict compliance of the orders by the appointing authority concerned. A suggestion was made by the Commissioner for Scheduled Castes and Scheduled Tribes that in order to ensure proper implementation of reservation orders, suitable instructions should be issued to all concerned emphasising that disciplinary action would be taken against the erring officers. This matter was considered by the High Power Committee set up under the Chairmanship of the Prime Minister to review the representation of Scheduled Castes and Scheduled Tribes in the services, at its meeting held on the 9th April, 1974, when the Committee observed that while there was no need to issue further instructions in this regard, any glaring instances of discrimination or deliberate infraction of the orders relating to reservations and concessions in favour of Scheduled Castes and Scheduled Tribes employees in any office/establishment could be brought to the notice of the appropriate authorities for suitable action.

2. The observations of the High Power Committee indicated above are brought to the notice of the Ministries/Departments etc. with the request that it may be ensured that wherever cases of such nature are brought to the notice of the appropriate authorities, suitable action is taken on them promptly.

Department of Personnel & A.R. O.M. No. 36022/20/76-Estt.(SCT), dated the 8th September, 1976 to all Ministries etc.

Subject:—Strict observance of orders and proper maintenance of rosters for giving effect to reservations for Scheduled Castes and Scheduled Tribes—checking of rosters at regular intervals—Recommendations of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

The Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has *inter-alia*, made the following Recommendations in its 41st Report:—
Recommendation No. 12 (Para 2.7)

The Committee are distressed to find the insignificant representation of Scheduled Castes and Scheduled Tribes in Class I and Class II services of the Government as well as of the Public Sector Undertakings. The Committee also regret to note that even in Class III, the representation of Scheduled Castes and Scheduled Tribes is much below the quota reserved for them. The under representation of the Scheduled Tribes persist in Class IV also. Considering these heavy shortfalls, the Committee cannot but conclude that orders on the subject are neither being followed in letter and spirit by the appointing authorities nor is adequate attention being paid to improve the situation. The Committee would like the Department of Personnel and Administrative Reforms and the Bureau of Public Enterprises to take immediate corrective steps to ensure that all the vacancies reserved for Scheduled Castes and Scheduled Tribes are actually filled in by the candidates from these communities. In this connection, the Committee suggest that responsibility should be fixed and disciplinary action taken against those Officers who, due to negligence or otherwise, fail to implement the reservation orders in favour of Scheduled Castes and Scheduled Tribes *in toto*.

Recommendation No. 14 (Para 2.9)

The Committee have not only received complaints but have themselves seen on their visits to various Offices and Organisations during their tour that Rosters are neither being maintained properly nor checked regularly especially in the Public Sector Undertakings. The Committee need hardly emphasise the desirability of proper maintenance of Rosters as their checking by the prescribed authorities at regular intervals as per extant orders on the subject. The Committee feel that there is a real need for educating the Liaison Officers about the maintenance and inspection of Rosters. Guidelines should be planned and laid down for the benefit of those who are to operate the rosters. Disciplinary action should be taken against the defaulters in this respect.

2. The Ministries/Departments were requested to impress upon the appointing authorities the need to observe the reservations and other orders relating to representation of Scheduled Castes and Scheduled Tribes in services strictly *vide* this Department's Office Memorandum No. 27/2/71-Estt.(SCT), dated the 24th March, 1972 and No. 36011/5/75-Estt.(SCT), dated the 3rd May, 1975 and No. 36011/1/76-Estt.(SCT), dated the 6th March, 1976. A strict procedure for dereservation of reserved vacancies has also been prescribed and in addition to the earlier instructions in this regard the Ministries/Departments have been requested in this Department's Office Memorandum No. 16/27/74-Estt.(SCT), dated the 12th November, 1975 that whenever a reference is made to this Department for dereservation of reserved vacancies (a copy of which is also to be sent to the Commissioner for Scheduled Castes and Scheduled Tribes) besides giving information as usual, a Note should also be recorded to the effect that the proposal is being made with the full knowledge and concurrence of the Liaison Officer concerned. As regards proper maintenance of rosters and their checking at regular intervals, attention of the Ministry of Finance etc., is invited to paras 9 to 13 in the Brochure on Reservations for Scheduled Castes and Scheduled Tribes (4th edition, 1975) which contain the guidelines in this regard. The form of the roster is given in Appendix 4 of the Brochure. Detailed instructions for maintenance of rosters are given in Appendix 5. A hypothetical illustration of roster is given in Appendix 6. The Liaison Officers nominated in the Ministries/Departments and in offices under the Heads of Departments are required to conduct annual inspection of rosters in the respective offices under their charge. The proforma of inspection of rosters is also given in Appendix 7 of the Brochure.

3. The recommendations of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes reproduced above are again specifically brought to the notice of the Ministries/Departments. They are requested to ensure that the procedures prescribed for filling vacancies reserved for Scheduled Castes and Scheduled Tribes are strictly observed so that such vacancies are filled by candidates belonging to these communities only. Proposals for dereservation of vacancies reserved for Scheduled Castes/Scheduled Tribes should be made/considered only after ensuring that all the procedures prescribed in this regard have been strictly and fully followed and dereservation has become inescapable. It should also be ensured that the instructions referred to above, for the maintenance and the periodical inspection of rosters are strictly followed by the appointing authorities and Liaison Officers. The difficulties and point of doubt, if any, in regard to maintenance and inspection of rosters should be intimated by the Ministries/Departments to this Department so that the question of issuing further guidelines on specific points, if any, could be considered in this Department.

4. Attention of the Ministry of Finance etc. is also invited to the instructions contained in this Department's Office Memoranda dated the 24th March, 1972, 3rd May, 1975 and 6th March, 1976 referred to in para 1 above. Cases of negligence or lapses in the matter of following the reservations and other orders relating to representation of Scheduled Castes and Scheduled Tribes should be viewed seriously and should be brought to the notice of appropriate authorities and suitable action should be taken promptly.

Department of Personnel and Administrative Reforms O.M. No. 36011/7/80-Estt. (SCT) dated 1-11-1980

Subject:—Inadequate representation of Scheduled Castes and Scheduled Tribes—large gap between the percentage prescribed and their actual representation.

The undersigned is directed to say that during the course of discussion on the 25th Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1977-78 in the last session of the Parliament, several members of Parliament expressed concern over the inadequate representation of Scheduled Castes and Scheduled Tribes in the services. To some extent this under-representation can be ascribed to the non-implementation of the reservation orders while making appointments. The Minister of State for Home Affairs, while replying to the debate, assured that necessary steps would be taken to fill in the backlog represented by the gap between the targeted percentage of reservation and actual representation of Scheduled Castes/Scheduled Tribes in services. The Ministries/Departments are, accordingly, requested to make every effort to wipe out this shortfall in the representation of Scheduled Castes and Scheduled Tribes by raising it to the level of prescribed percentage in this regard.

2. The present representation of Scheduled Castes and Scheduled Tribes in Central Government services as on 1-1-1979 is given in the following statement:

Group (CI)	Total No. of employees	Scheduled Casts	Percentage	Scheduled Tribes	Percentage
<i>As on 1-1-1979</i>					
Group A (C.L.I.)	46,434	2,204	4.75	435	0.94
Group B (C.L.II)	56,287	4,150	7.37	579	1.03
Group C (CI. III)	17,18,576	2,15,762	12.55	53,460	3.11
Group D (CI. IV) (Excluding sweepers)	12,71,254	2,45,596	19.32	65,975	5.19
TOTAL	30,92,551	4,67,712	15.12	1,20,449	3.89

While one may derive some comfort from the percentage of representation of Scheduled Castes in Group D, services/posts, their representation in all other Groups is still below the prescribed level. Although there may not be a cause for grave concern in respect of Scheduled Caste representation in Group C—which, hopefully, will soon reach the target given even the maintenance of the trend—their under-representation in Groups B and A, where even the 50% of the targeted level, has not been achieved yet, is a matter for serious concern. The level of representation of members from Scheduled Tribes, in all the Groups, is chronically low and shows almost no sign of immediate recovery. Unless, therefore, a more positive approach is generated towards the problems of representation of Scheduled Castes in Groups B and A and of Scheduled Tribes in all Groups (D, C, B and A), and serious and sustained efforts are made to liquidate the current shortfall by the adoption of vigorous programmes of prospecting Scheduled Caste/Scheduled Tribe members for the vacancies reserved for them, 'safeguard' policy for Scheduled Castes/Scheduled Tribes will continue to flounder on the rock of ineffective implementation.

3. In regard to the implementation of the Government policy pertaining to the Scheduled Castes/Scheduled Tribes in the services, Ministries/Departments are requested to keep in view, and follow strictly, the essential steps to be taken for filling reserved vacancies as prescribed in Chapters 8 and 9 of the Brochure on Reservation for Scheduled Castes and Scheduled Tribes (5th edition—1978). It is to be impressed upon all the appointing authorities that vacancies reserved for Scheduled Castes/Scheduled Tribes are meant to be filled up by members of these communities only, and dereservation of reserved vacancies should not be restored to as a matter of routine, without making serious and sustained efforts as prescribed to procure Scheduled Castes and Scheduled Tribes candidates, and before exhaust-

ing all the avenues for obtaining Scheduled Caste/Scheduled Tribe candidates. No reserved vacancy can be filled up by general community candidates unless it is deserved and the "reservation" carried forward to three subsequent recruitment years, wherever applicable.

4. Attention is also drawn to Department of Personnel and Administrative Reforms Office Memorandum No. 36011/5/75-Estt.(SCT) dated 3-5-1975 according to which Ministries/Departments should impress upon the appointing authorities the need to observe the reservation and other orders relating to representation of Scheduled Castes/Scheduled Tribes in services *strictly*. Glaring instances of discrimination or deliberate infraction of the orders relating to reservation and concessions in favour of Scheduled Castes/Scheduled Tribes in any office or establishment should immediately be brought to the notice of the appropriate authorities for suitable action. Ministries/Departments should ensure that whenever cases of such nature are brought to the notice of appropriate authorities, suitable action is also taken promptly. It should also be ensured that the instructions for the maintenance and the periodical inspection of rosters are strictly observed by the appointing authorities and Liaison Officers, and suitable action initiated against officials for deliberate negligence and lapses in the matter of following the reservation and other orders relating to Scheduled Castes/Scheduled Tribes 'Cells' should be immediately created, where they have not so far been done, as enjoined under this Department's instructions, and where they exist, they should be activated.

5. Apart from following strictly rules and procedures regarding reservation and other concessions for Scheduled Castes/Scheduled Tribes, what is needed is a sympathetic and appreciative attitude towards the genuine problems faced by members of these communities and if it is kept in mind that the policy of providing reservation for Scheduled Castes/Scheduled Tribes is part of the overall policy for the all-round development of the members these communities (which itself can be viewed as part of social responsibility and obligation), it will be easier to adopt a more positive approach in this regard.

6. Ministry of Finance etc. are requested to once again bring the above instructions to the notice of all the concerned authorities under their control.

CHAPTER 17

OTHER INSTRUCTIONS

17.1 Administrative inspections

MHA

O.M. No.
16/8(I)/66
Estt: (C)
dated
25-1-67.

It should be ensured that the normal administrative inspections which are carried out periodically, give an assessment of the performance of the office concerned in the matter of strict observance of orders regarding the reservation for Scheduled Castes and Scheduled Tribes and in filling vacancies reserved for these communities. The forms of administrative inspections prescribed, if any, may also include columns for giving assessment of the performance of the office in the matter referred to above.

(The revised form of supplementary inspection Questionnaire for Administration|Establishment sections and other sections dealing with recruitment in the various Ministries/Departments was circulated with the Department of Administrative reforms O.M. No. 12/2/67-AR(T), dated 22-9-1967).

17.2 Confirmations

MHA

O.M. No.
9/45/60-
Estt. (D)
dated
20-4-61
& No.
10/28/
68-Estt:
(SCT)
dated
12-9-68.

In posts|services filled by direct recruitment, reservation is required to be made for Scheduled Castes and Scheduled Tribes both at the time of initial appointment on a temporary basis as well as at the time of confirmation. In posts filled by promotion, however, there is no reservation at the stage of confirmation of promotees. In the case of a service|post to which the general principles of seniority as laid down in the Ministry of Home Affairs O.M. No. 9|11|55-RPS, dated 22-12-1959, apply, all permanent officers of the service|post are to be ranked senior to persons who are officiating in that grade. Thus, in accordance with the orders of 22-12-1959, after confirmation the Scheduled Caste|Scheduled Tribe officers shall rank senior to temporary|officiating officers of the grade and amongst the permanent officers of that grade, their seniority will follow the order of confirmation.

DPA&R
O.M. No.
36011/30/
81-Estt.
(SCT)
dated
6-8-81

When the direct recruitment has been resorted to due to the failure of the main mode, i.e. promotion, prescribed in the recruitment rules and if the recruitment rules do not provide for a specific quota for direct recruitment and direct recruitment is resorted to only when the main mode fails, reservation for SC|ST at the time of confirmation will not apply. The direct recruits who are appointed due to the 'failing which' clause in the recruitment rules will be confirmed according to their seniority.

rity in relation to promotees. Though for direct recruitment in such cases, a separate roster has to be maintained, the direct recruits of this variety will get the benefit of reservation at the time of appointment only and not at the time of confirmation. In other case of direct recruitment, the reservations for SC|ST have to be provided both at the time of appointments as well as confirmation.

Note 1: The procedure for determining the reservation of vacancies for Scheduled Castes and Scheduled Tribes in confirmation is given in paras 4.3(iii) and (iv) in Chapter 4.

Note 2: Once the seniority of various persons appointed to a grade in accordance with the quotas prescribed for direct recruitment, promotion etc. has been determined their confirmations in that grade should also be made in the order of their seniority, irrespective of the quotas prescribed for direct recruitment, promotion etc. in the relevant recruitment rules. This will not, however affect reservations and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes and other special categories of persons in confirmation whether applicable in accordance with the orders issued by the Central Government from time to time.

17.4 Departmental Promotion Committees, Selection Boards etc. Deptt. of Personnel & A.R. O.M. No. 9/10/72-Estt. (D) dated 17-11-75.

(i) Departmental Promotion Committees, Selection Boards or recruiting authorities, are generally constituted with the departmental officers of appropriate status and background, keeping in view the nature of the post/posts for which recruitment promotion is to be made. The Ministries|Departments may endeavour to the maximum extent possible, to nominate a Schedule Caste|Tribe Officer while constituting the Departmental Promotion Committees, Selection, Boards, etc., for the recruitment|promotion to posts|services under them. Particularly, where a Selection Board or Departmental Promotion Committee has to make bulk selections for a large number of vacancies say for 30 or more at a time no effort should be spared in finding a Scheduled Caste or Scheduled Tribe officer for inclusion in the Selection Board|Departmental Promotion Committee. Deptt. of Personnel & A.R. O.M. No. 27/4(iii)/70-Estt. (SCT) dated 2-9-1970 and No. 16/1/74 Estt. (SCT) dated 23-5-1975.

(ii) According to Department of Personnel O.M. No. 1|9|72-Estt(D), dated the 29th January, 1973, in respect of a Departmental Promotion Committee for a Group C or Group D (Class III or Class IV) post, the Chairman of the DPC should be an officer of a sufficiently high level and one of the members of the Committee should be an officer from a Department not connected with the one in which promotions are considered. As one of the members of the Committee is thus required to be an officer from another Ministry|Department while nominating officers on the Departmental Promotion Committees in terms of the above, Deptt. of Personnel & A.R. O.M. No. 16/1/74-Estt. (SCT) dated 8-4-1974.

sub-para, there is no objection, wherever necessary, to nominating, to the extent possible, a Scheduled Caste/Tribe Officer from such other Ministry/Department, in the event of such an officer not being available in the Ministry/Department itself.

DP&AR
O.M. No.
41013/16/
81-Estt.
(SCT)
dated
10-8-81.

In cases where an outside representative is inducted as a member of a Departmental Promotions Committee, he should invariably be an officer belonging to Scheduled Caste/Scheduled Tribe community and only where this is impracticable, should an officer belonging to Scheduled Caste/Scheduled Tribe from the same Department be nominated to the DPC. In the event of an officer belonging to Scheduled Caste/Scheduled Tribe not being available for nomination to the DPC, either from Outside organisations or from the same department, an endorsement to this effect should be obtained *before holding the meeting of the DPC* from the liaison officer of the Ministry/Department/Office concerned with the DPC to the effect that all efforts have been made to find a Scheduled Caste/Scheduled Tribe officer for the DPC, but with no success.

Deptt.
of Per-
sonnel
O.M. No.
1/9/69-
Estt.
(SCT)
dated
5-11-71,
and No.
36013/18/
77-Estt.
(SCT)
dated
4-9-78.

17.5 Arrangements for training of Group A (Class I) Officers belonging to Scheduled Castes and Scheduled Tribes

The following steps are to be taken for training of Group A (Class I) Officers belonging to Scheduled Castes and Scheduled Tribes—

- (i) More intensive training should be arranged for directly recruited Group A (Class I) officers belonging to Scheduled Castes and Scheduled Tribes by the Heads of the Training Institutions, wherever necessary, along with other officers needing such help.
- (ii) Ministries/Departments should nominate a considerably larger number of Scheduled Caste and Scheduled Tribe officers for the training programmes run by the various Departments and Training Institutions. They should lay down a time-limit, say 3 years, within which training of such officers in appropriate fields should be completed. A phased programme for sponsoring such officers for training to the various Institutions should be drawn up. The Ministries/Departments should identify the training needs of the Scheduled Caste and Scheduled Tribe officers and then examine to which training programmes these officers should be deputed. Special attention may also be paid to the training of such officers as are selected for promotion by relaxed standards to enable them to give a good account of themselves. The Training Division of the Department of Personnel and Administrative Reforms would render all assistance in suggesting or even devising suitable programmes wherever necessary.
- (iii) In drawing up such training programmes adequate margin should be provided to take in as many Sche-

duled Caste and Scheduled Tribe officers as are sponsored by the Ministries. It would be useful to earmark 25 per cent of the seats for officers of Scheduled Castes and Scheduled Tribes wherever possible. In case this becomes difficult in any particular programme, then such officers could be covered in the next course or a special programme may be arranged for them. It would also be useful if officers of Scheduled Castes and Scheduled Tribes were included in the various training programmes abroad. It would enable them to broaden their outlook and also build up specialised knowledge. It is also likely to boost up the morale of the officers of these communities.

- (iv) While deputing officers to training seminars and conferences, etc., preference should be given to officers of Scheduled Castes and Scheduled Tribes.
- (v) Superiors of Scheduled Caste and Scheduled Tribe officers should be asked to take special care regarding on-the-job training of these officers, identify areas where special training is considered necessary and take appropriate steps for such training in consultation with the Department's Training Coordinator and the Training Division of the Department of Personnel and Administrative Reforms.

[Instructions reiterated vide Deptt. of Personnel & A.R. O.M. No. 36013/18/77-Estt(SCT) dated 4-9-78 in view of Commissioner's observations regarding non-implementation there of by the Ministries/D epartments].

17.6 In view of the position as in para 17.5 above, while nominating officers for training programmes run by the various Departments and Training Institutions or for training programmes abroad or for training seminars and conferences, it should be indicated as to which the officers nominated belong to Scheduled Castes and Scheduled Tribes, so that their cases may be duly considered by the appropriate authorities at the time of selection.

17.7 Cases of Scheduled Caste and Scheduled Tribe Officers should be considered sympathetically while nominating officers in terms of para. 17.5 above for training or deputing them for attending seminars|conferences, symposia etc.

17.8 *Additional Training and coaching to Scheduled Caste/ Scheduled Tribe candidates recruited.*

Scheduled Castes and Scheduled Tribes candidates who are selected in the various competitive examinations by relaxed standard should be given extra training to enable them to come up to the standard of other candidates. The Lal Bahadur Shastri Academy of Administration, Mussoorie, the National Police Academy, Hyderabad and the Institute of Secretariat Training

Deptt.
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sonnel
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O.M. No.
1/1/73-
Estt.
(SCT)
dated
10-12-73,
and No.
36013/18/
77-Estt.
(SCT)
dated
4-9-78.
Deptt.
of Per-
sonnel
& A.R.
O.M. No.
16/4/74-
Estt.
(SCT)
dated
18-4-74
and No.
36013/18/
77-Estt.

(SCT)
dated
4-9-78.
MHA
O.M. No.
27/2/70-
Estt.

(SCT)
dated
21-4-70,
and letter
No. 21/3/
70-Estt.

(B)
dated
31-3-70
Deptt.
of Per-
sonnel
& A.R.
O.M. No.
36022/13/
76-Estt.

(SCT)
dated
14-9-76.

and Management, New Delhi have accordingly been advised to provide facilities of additional tutorial classes to the Scheduled Castes and Scheduled Tribes trainees at the Institution in the subjects in which Scheduled Caste|Tribe candidates are lacking. If any Ministry|Department are running any institution for imparting training to their employees, they may consider issuing similar instructions to such institutions under them.

17.9 Training programmes for Scheduled Castes and Scheduled Tribes candidates.

The following recommendation contained in the 41st Report of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes have been accepted by Government and then brought to the notice of the Ministries|Departments:—

“Recommendation No. 21

The Committee have noted that instructions have been issued to the Ministries|Departments that, if a requisite number of Scheduled Caste and Scheduled Tribe candidates fulfilling even the relaxed standards are not available to fill up the vacancies reserved for them, the authorities should select for appointment the best among the Scheduled Castes and Scheduled Tribes fulfilling the minimum educational qualifications prescribed for the posts and give them in-service training within their own offices (*vide* para 7.6). While the Committee commend the steps taken by the Government, they desire that the outlines of the training schemes to be formulated by the various Ministries and Departments, including the attached and subordinate offices, should be clearly delineated so that it should be possible for the Scheduled Caste|Scheduled Tribe Candidates to derive the maximum advantage from such training programmes. The parameters of training programmes should be periodically examined by the Department of Personnel and Administrative Reforms so as to ensure that there is some uniformity in regard to the modalities of training. A periodic review of the training programmes should also be conducted by the Department of Personnel and Administrative Reforms. The Committee hope that while drawing up the training schemes, the Ministries|Departments would take due note of the vacancies for Scheduled Castes and Scheduled Tribes that would arise in the next five years. The forward planning to be undertaken by the Comre

Review Committees should also include the estimation of the job requirements for which training programmes have to be formulated".

Ministries|Departments should accordingly draw up special training programmes including in-service training programmes in which necessary training could be provided to Scheduled Caste|Tribe candidates as suggested by the Committee. While drawing up the programmes the Ministries|Departments should particularly keep in view the observations of the Parliamentary Committee referred to above. The Training Division of the Department of Personnel and Administrative Reforms will render technical assistance if any needed by the Ministries|Departments in drawing up the training programmes and would also undertake periodical reviews of such training programmes as and when required.

17.10 *Forwarding of applications of Scheduled Castes|Tribe employees.*

Applications for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes and Scheduled Tribes should be readily forwarded except in very rare cases where there may be compelling grounds of public interest for withholding such applications.

Cases where applications of employees belonging to Scheduled Castes|Scheduled Tribes could not be forwarded due to compelling grounds of public interest, should be reported within a month to the officer nominated as Liaison Officer in the administrative Ministry|Department or in offices under the Head of Department.

17.11 *Retrenchment instructions*

For purpose of retrenchment instructions, persons are classified as follows:—

The persons who are not permanent in the grade are divided into the following categories:—

(A)(i) Those who have been declared quasi-permanent in respect of the grade under the C.C.S. (T.S.) Rules or other corresponding rules;

(ii) Persons promoted or transferred to the grade who hold liens on permanent posts under Government or have been declared quasi-permanent in other posts or grades and have rendered not less than three years service in the grade.

MHA
O.M. No.
1/6/64
(SCT) (I)
19-3-64 and
Deptt.
of Personnel
O.M. No.
27/4/(iv)
70-Ett.
(SCT)
dated
2-9-1970.

MHA
O.M. No.
54/6/53
CS(C)
dated
5-9-1958
read with
O.M. No.
10/1/65-
Estt: (D)
dated
19-7-65).

(B) Persons other than those in Category A:—

These are sub-divided into two groups:—

- (i) those who are educationally qualified for the grade or post and those who belong to excepted categories; and
- (ii) the rest.

Persons in each of the groups (i) and (ii) of Category B above are classified by the Departmental Promotion Committees as:—

- (a) Outstanding;
- (b) not outstanding but fit for permanent retention in the grade; or
- (c) not fit for permanent retention.

The following concession is given to Scheduled Castes and Scheduled Tribes for their retention in the event of retrenchment—

Instruction 7. "Notwithstanding anything contained in retrenchment instruction 3, Scheduled Castes|Scheduled Tribes employees who fall under categories B(i)(a) and B(i)(b) should be retained in preference to other persons falling under either of these categories till they form such percentage among the direct recruits as is prescribed for the representation of the Scheduled Castes|Tribes. Similar preference should be given to members of the Scheduled Castes|Tribes who come under categories (B)(ii) (a) and (B) (ii) (b) in relation to others in either of these two categories.

(b) Nothing in this Instruction will prevent an educationally unqualified Scheduled Caste or Scheduled Tribe employee from being considered for retention in accordance with retrenchment instruction 4 should such consideration be deemed necessary."

Instruction 8. "Notwithstanding anything contained in retrenchment instruction 3, in the case of Class III and Class IV grades or services to which there is no direct recruitment and to which promotions were made on or after 8-11-1963(i) by selection or (ii) on the results of competitive examinations limited to departmental candidates. Scheduled Castes and Scheduled Tribes who fall under categories (B) (i) (a) and (B) (i) (b) shall be retained in preference to other persons, falling under either of these categories, till the Scheduled Caste and Scheduled Tribe employees form such percentage among the total number of the employees promoted on or after 8-11-1963, by selection or on the results of competitive examinations limited to departmental candidates, as is prescribed in para. 2(2)(a) of Home Ministry's Office Memorandum No. 1|10|61-Estt.(D) dated 8-11-1963. Similar preference should be given to members of Scheduled Castes and Scheduled Tribes who fall under categories B (ii) (a)

and B(ii)(b) in relation to others in either of those two categories."

NOTE: Instruction No. 8 will apply *mutatis-mutandis* with reference to the orders in MHA OM No. 1|12|67-Estt. (C) dated 11-7-1968,

17.12 Surrender of Surplus Staff

According to para II(iii) of Annexure I to Ministry of Home Affairs O.M. No. 3|27|65-CS II dated 25-2-66, the surplus staff as a result of staff assessment studies etc. has to be surrendered to the Central (Surplus Staff) Cell of the Department of Personnel against reduced cadre strength strictly in the reverse order of seniority in the cadre affected. However while declaring surplus in a particular grade in a cadre the Scheduled Castes and Scheduled Tribes candidates in that grade should not be included so long as the total number of Scheduled Castes|Scheduled Tribes candidates in that grade has not reached the prescribed percentages of reservations for Scheduled Castes|Scheduled Tribes respectively in the concerned grade in a cadre.

MHA
O.M. No.
1/1/67-
CC
dated
30-1-67.

17.13 Recruitment rules

The recruitment rules in respect of all services|posts within the purview of the reservation orders should contain a separate rule on the following lines:—

Saving:—"Nothing in these rules shall affect reservations relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard."

Such a rule will ordinarily have to be inserted at the end of the rules unless the draftsman considers any other place to be more appropriate in the context of a particular set of rules.

If any provision exists in any recruitment rules regarding reservations|concessions whether generally or in regard to age, in the case of persons belonging to Scheduled Castes|Scheduled Tribes etc. in accordance with the orders issued by the Ministry of Home Affairs, the reference to "the Ministry of Home Affairs" may be replaced by a reference to "the Central Government".

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sonnel
O.M. No.
8/12/71-
Estt.
(SCT)
dated
21-9-71
and No.
36011/9/
76-Estt.
(SCT)
dated
7-3-78

17.14 Recruitment rules/regulations for examination

The provisions in recruitment rules of regulations for examinations for relaxation in standards in favour of Scheduled Castes Tribes may be worded as follows to incorporate the criterion laid down in MHA O.M. No. 1|1|70-Estt. (SCT) dated 25-7-70, regarding relaxation of standards in favour of candidates belong to these communities;

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sonnel
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Estt.
(SCT)
dated
19-10-71.

"Candidates belonging to any of the Scheduled Castes or the Scheduled Tribes may, to the extent the number of vacancies reserved for the Scheduled Castes and the Scheduled Tribes cannot be filled on the basis of the general standard, be recommended by the Commission by a relaxed standard to make up the deficiency in the reserved quota, subject to the fitness of these candidates for selection to the post/service irrespective of their ranks in the order of merit at the examination.

The existing provision in the recruitment rules/regulations may be substituted by the above, if necessary.

If the recruitment is not made through the U.P.S.C. the reference to the Commission in the above provision may be modified to refer to the competent authority.

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OM No.
28/8/72
Estt.
(SCT)
dated
2-3-72.

17.15 *Intimation about examination for recruitment to be given to Pre-exam. Training Centres.*

Pre-examination Training Centres have been set up in various States to increase the employment potentialities of Scheduled Castes and Scheduled Tribes candidates in reserved vacancies filled through various competitive examinations. The authorities holding the various competitive examinations should inform these Pre-Examination Training Centres well in advance of the actual date of the examination, the probable number of reserved vacancies and the syllabus for and the standard of the examination. This would enable the Pre-Examination Training Centres to evolve the Scheme of training which will be correlated to such examinations and which in turn would lead to improved intake of Scheduled Castes and Scheduled Tribes candidates against reserved vacancies.

Deptt.
of Per-
sonnel
& A.R.
O.M. No.
10/52/73-
Estt.
(SCT)
dated
24-5-74.

17.16 *Roster for direct recruitment made in batches*

Where all appointments through examination for direct recruitment cannot be made simultaneously, the correct procedure would be to determine the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes separately according to the roster in each batch of appointments and to make appointment of the required number of general and Scheduled Castes/Scheduled Tribes candidates in that batch.

Deptt.
of Per-
sonnel
& A.R.
OM No.
16/32/74-
Estt.
(SCT)
dated
3-4-1978.

17.17 *Selection of persons for posting abroad*

While it will not be possible to provide for any specific norm of relaxation in favour of Scheduled Castes and Scheduled Tribes employees in the matter of posting in foreign countries, when a Ministry/Department etc. makes selection of persons for posting in its unit etc. located in a foreign country, it should see that eligible employees belonging to Scheduled Castes and Scheduled Tribes are also considered along with others for such posting.

17.18. Annual Reports of the Ministries|Departments

A note should be included in the Annual Report of the Ministry|Department about the activities of the Cell set up within the Ministry|Department under the control of the Liaison Officer to assist the Liaison Officer in the discharge of his duties in respect of matters relating to representation of Scheduled Castes and Scheduled Tribes should be in the establishments and services under the control of the Ministry|Department.

Deptt. of
Person-
nel &
A.R. O.M.
No. 27/4
(i)/70-
Estt.
(SCT)
3-9-70.

The statistics relating to representation of Schedule Castes and Schedule Tribes should also be incorporated in the annual reports of the Ministries|Departments. This should include the information in Appendices 8 and 9 which is required to be furnished by the Ministries|Departments to the Deptt. of Personnel & AR in a consolidated form every year, vide para 5.1

O.M. N.
36022/5
(i) /76
Estt.
(SCT)
dated
28-5-76,

Besides the consolidated information in respect of the Ministry|Department as a whole including all the attached and subordinate offices, it would be useful to include in the annual report information in respect of each organization|establishment under a Head of Department. Similar information in respect of statutory and semi-Government bodies and in respect of public sector undertakings under the control of the Ministries|Departments may also be usefully included in the annual reports.

and
O.M. N.
36013/1/
77 Estt.
(SCT)
dated
7-6-77.

*Please see after chapter 15.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 17

O.M. No. 54/6/53-CS(C)	5-9-58	
O.M. No. 9/45/60 Estt. (D)	20-4-61	
O.M. No. 1/6/64 SCT(1)	19-3-64	
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O.M. No. 1/1/67 CC	30-1-67	
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O.M. No. 1/9/69-Estt. (SCT)	15-11-71	
O.M. No. 28/8/72-Estt. (SCT)	- 2-3-72	
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O.M. No. 16/1/74-Estt. (SCT)	23-5-75	
O.M. No. 9/10/72-Estt. (D)	17-11-75	
O.M. No. 16/32/74-Estt. (SCT)	3-4-76	
O.M. No. 36022/5(1)/76-Estt. (SCT)	28-5-76	
O.M. No. 36022/13/76-Estt. (SCT)	14-9-76	
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O.M. No. 36013/18/77 Estt. (SCT)	4-9-78	
O.M. No. 36014/3/77 Estt. (SCT)	16-1-79	
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O.M. No. 36011/30/81 Estt. (SCT)	6-8-81	
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Ministry of Home Affairs O.M. No. 54/6/53-CS(C), dated the 5th September, 1958
to all Ministries etc.

Instructions for Retrenchment

In supersession of all previous orders on the subject the following general instructions are issued for the reversion/discharge of persons employed in any grade in the Central Civil Services Class I, Class II, Class III, Class IV, whenever such reversion/discharge becomes necessary either because of a reduction in the number of posts or other reasons. These instructions will not apply to the organised Services where specific instructions for reversion/discharge exist.

Instruction 1. (a) For the purpose of these instructions, a person is said to be "educationally qualified" for a grade when he possesses the minimum educational qualification prescribed for direct recruitment to the grade on a permanent basis. For grades or posts for which no educational qualification is prescribed, the minimum educational qualification required for the next lower grade or post from which promotion is made to that grade or post will be regarded as the prescribed educational qualification.

- (b) The following categories of employees are referred to as "expected categories":—
- (i) Permanent displaced Government servants nominated or deemed to have been nominated to the grade by the Transfer Bureaus or the Ministry of Home Affairs.
 - (ii) Persons who hold liens on permanent posts or are quasi-permanent in other grades of posts from which promotions or transfers are normally permissible to the grade, or persons who are eligible for permanent absorption in the grade or post as part of a Service Scheme.
 - (iii) Persons who have been exempted from the possession of minimum educational qualifications with the concurrence of, or in accordance with, the instructions issued by the Ministry of Home Affairs.

Instruction 2. The persons who are not permanent in the grade should be divided into the following categories:—

- (A) (i) Those who have been declared quasi-permanent in respect of the grade under the C.C.S. (T.S.) Rules or other corresponding rules;
- (ii) Persons promoted or transferred to the grade who hold liens on permanent posts under Government or have been declared quasi-permanent in other posts or grades and have rendered not less than three years service in the grade.
- (B) Persons other than those in category (A). These should be sub-divided into two groups:—
 - (i) those who are educationally qualified for the grade or post and those who belong to excepted categories; and
 - (ii) the rest.

Persons in each of the groups (i) and (ii) of categories (B) above should be classified by the Departmental Promotion Committees as:—

- (a) outstanding;
- (b) not outstanding but fit for permanent retention in the grade; or
- (c) not fit for permanent retention.

Instruction 3. (a) In the event of retrenchment becoming necessary in the grade, it should be effected in the following order:—

Order of Retrenchment	Category	(Group) Classification vide Instruction 2.
(i)	B (ii)	(c)
(ii)	B (ii)	(b)
(iii)	B (ii)	(a)
(iv)	B ₁ (i)	(c)
(v)	B (i)	(b)
(vi)	B (i)	(a)
(vii)	A (i) and (ii) grouped together.	

(b) Within each of the categories from (i) to (vi) mentioned above, retrenchment should be in the reverse order of ranking for seniority in the grade.

(c) Persons in categories A(i) and (ii) should be taken as a single group and their names arranged in the order of precedence for confirmation in the grade. Retrenchment of such persons should be effected in the reverse order of this ranking.

NOTE: The above order of reversion/discharge is not applicable in cases where a systematic effort to get the retrenched staff absorbed is coupled with the process of large scale retrenchment. In such cases, retrenchment should be effected in the order of seniority in the grade *i.e.* the persons higher in the list should be released for absorption elsewhere before those who are lower in the list.

(O.M. No. 10/1/63-Estt.(D) dated 30-11-63).

Instruction 4. Ministries will have the discretion to exempt from the strict application of Instruction 3 any person belonging to category B(ii) and retain him in preference to persons (other than displaced Government servants) in category B(i) provided that:—

- (a) he has rendered not less than three years service in the grade or in any equivalent grade as defined in Instruction 5 below; and
- (b) his classification according to the last sub-para of Instruction 2 is higher than that of the persons in preference to whom he is to be retained.

Instruction 5. Except where a different rule regarding seniority has been or may be prescribed in consultation with this Ministry, seniority for purposes of these instructions will be determined in accordance with this Ministry's O.M. No. 9/11/55-RPS dated the 22nd December, 1959.

(O.M. No. 10/1/63-Estt.(D) dated 30-11-63)

Instruction 6. Persons recruited direct to a grade may, instead of being discharged, be offered appointment to a lower grade from which promotions are normally made to the grade. On appointment to the grade, their position in the seniority list of the lower grade, should be determined after counting their service in the higher grade as service in the lower grade. For purposes of further retrenchment from the lower grade the operations mentioned in Instructions 2 and 3 should be repeated in relation to the lower grade. If in spite of credit of service in the higher grade being given for seniority in the lower grade, the persons concerned become due for retrenchment from the lower grade also they should not be retained in service or appointed to the next lower grade.

Instruction 7. Notwithstanding anything contained in Instruction 3 above Scheduled Castes/Tribes employees who fall under categories B(i)(a) and B(i)(b) should be retained in preference to other persons falling under either of these categories till they form such percentage among the direct recruits as is prescribed for the representation of the Scheduled Castes/Tribes. Similar preference should be given to members of the Scheduled Castes/Tribes who come under categories B(ii)(a) and B(ii)(b) in relation to others in either of these two categories.

(b) Nothing in this Instruction will prevent an educationally unqualified Scheduled Caste or Scheduled Tribe employee from being considered for retention in accordance with Instruction 4 should such consideration be deemed necessary.

Instruction 8. Notwithstanding anything contained in Instruction 3, in the case of Class III and Class IV grades or Services to which there is no direct recruitment and to which promotions were made on or after 8-11-1963 (i) by selection or (ii) on the results of competitive examinations limited to departmental candidate Scheduled Castes and Scheduled Tribes who fall under categories B(i)(a) and B(i)(b) shall be retained in preference to other persons falling under either of these categories, till the Scheduled Castes and Scheduled Tribes employees form such percentage among the total number of the employees promoted on or after 8-11-63 by selection or on the results of competitive examinations limited to departmental candidates, as is prescribed in para 2(2)(a) of this Ministry's Office Memorandum No. 1/10/61-Ests.(D), dated 8-11-1963. Similar preference should be given to members of Scheduled Castes and Scheduled Tribes who fall under categories B(ii)(a) and B(ii)(b) in relation to others in either of these two categories.

Ministry of Home Affairs O.M. No. 9/45/60-Estt.(D), dated 20th April, 1961
to all Ministries etc.

Subject:—General principles for determining seniority of various categories of persons employed in Central Services. Interpretation of—relating to Seniority of direct recruits who are confirmed in an order different from the original order of merit, including those belonging to Scheduled Castes/Tribes.

The undersigned is directed to invite reference to paragraphs 3 and 4 of the annexure to this Ministry's Office Memorandum No. 9/11/55-RPS dated the 22nd December, 1959, on the subject noted above, which provide that permanent officers of each grade shall be ranked senior to persons who are officiating in that grade and that notwithstanding this provision the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, on the recommendations of the Union Public Service Commission or other selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection. Enquiries have been received in this Ministry from time to time whether after confirmation in accordance with the special representation orders Scheduled Castes/Scheduled Tribe candidates should be treated senior to other temporary/officiating officers of the grade concerned even though the latter might have been recruited earlier to the grade or secured a higher order of merit in the same selection than the former.

2. Ordinarily, the order of confirmation is determined by the position occupied by a candidate in the merit list, but where a departure is made from the normal rule and one occupying a lower position is given preference for confirmation, he would legitimately expect exceptional treatment also in the matter of seniority. It is with this view that a provision has been added to para 4 of the annexure referred to above which provides that where persons recruited/promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit. This means that seniority accompanies confirmation.

*O.M. No. 10/1/65-Estt.(D) dated 19-7-65.

Apart from the position stated above, grant of permanency, following a period of temporary appointment stands on the same footing as a permanent appointment made *ab initio*, and the fact that a person belonging to Scheduled Caste or a Scheduled Tribe had held a temporary appointment before he was made permanently to a reserved vacancy straightaway. It often happens that a Scheduled Caste or a Scheduled Tribe candidate occupying a lower position in the merit list is appointed permanently to a reserved vacancy, while candidates above him in the merit list are not appointed at that time. If such candidates are appointed in the following year, they are not entitled to higher seniority on the ground that in the previous year they had obtained a higher position in the merit list. The position is basically different when the initial appointments are made from the same list, and at the same time on a temporary basis, and the Scheduled Caste or the Scheduled Tribe employee is, in spite of his lower position in the merit list, made permanent earlier in accordance with the special representation orders.

3. In the light of the position explained above it is clarified that after confirmation, the Scheduled Caste/Scheduled Tribe candidates will rank senior to the temporary/officiating officers of the grade and amongst the permanent officers of that grade their seniority will follow the order of their confirmation. It is requested that the above clarification may kindly be brought to the notice of all concerned in the Ministries including their Attached and Subordinate Offices for information and guidance.

Ministry of Home Affairs O.M. No. 1/6/64-SCT(1), dated 19th March, 1964
to all Ministries etc.

Subject:—Forwarding of applications for employment elsewhere of Central Government servants belonging to Scheduled Castes and Scheduled Tribes.

The attention of the Ministry of Finance etc. is invited to the instructions contained in this Ministry's Office Memorandum No. 130/54-Ests(A)-1 dated 28th February, 1955 and No. 28/3/59-Ests(A) dated 15th June, 1959 on the above subject (copies attached). These instructions which are applicable to Central Government servants other than 'Scientific and technical personnel' provide that applications for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes and Scheduled Tribes should be readily forwarded except in very rare cases where there may be compelling grounds of public interest for withholding such applications. The withholding of applications should be the exception rather than the rule in the case of employees, belonging to Scheduled Castes and Scheduled Tribes who should be afforded every facility to improve their prospects. So far as 'Scientific and technical personnel' are concerned, the instructions as modified in this Ministry's Office Memorandum No. 70/10/60-Ests.(A), dated 9th May, 1960 and No. 70/60/62-Ests.(A), dated 25th February, 1963 are to be followed.

2. Since the representation of Scheduled Castes and Scheduled Tribes is still low particularly in higher posts, it is advisable that employees belonging to Scheduled Castes and Scheduled Tribes are afforded facilities to improve their prospects. The Ministry of Finance etc. are therefore requested kindly to issue instructions to the authorities concerned to strictly follow the orders contained in the Office Memoranda referred to in para 1 above relating to forwarding of applications for employment elsewhere of employees belonging to Scheduled Castes and Scheduled Tribes.

3. Ministries may also kindly advise the Public Sector Undertakings (if any) under their control to follow the above orders as far as possible consistently with the maintenance of efficiency. Their attention is invited to this Ministry's Office Memorandum No. 5/1/63-SCT(1) dated 4th March, 1964 regarding reservations for Scheduled Castes and Scheduled Tribes in the services under the Public Sector Undertakings.

Ministry of Home Affairs O.M. No. 16/8(1)/66-Ests.(C), dated 25th January, 1967 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—Administrative inspections—Performance in filling reserved quota—

The Seminar on employment of Scheduled Castes and Scheduled Tribes held at New Delhi in February 1964 under the auspices of the Planning Commission had *inter alia* made the following recommendations.

Recommendation No. 20

“Normal administrative inspections should also give specific attention to the performance on the part of the office in filling up the reserved quotas and the inspection report should make specific mention of the position in this regard.”

In his Report for the year 1963-64, the Commissioner for Scheduled Castes and Scheduled Tribes has also invited attention to the above recommendation of the Seminar *vide* Commissioner's recommendation No. 273.

2. The above recommendation has been considered in this Ministry and has been accepted. Ministry of Finance etc. are, therefore, requested to take necessary steps and to issue suitable instructions to the attached and subordinate offices under them so as to ensure that the normal administrative inspections which are carried out periodically, give an assessment of the performance of the office concerned in the matters of strict observance of the orders regarding reservation for Scheduled Castes and Scheduled Tribes and in filling vacancies reserved for these communities. The forms of administrative inspections prescribed, if any, may also be suitably amended so as to include columns for giving assessment of the performance of the office in the matter referred to above.

Ministry of Home Affairs O.M. No. 1/1/67 CC, dated 30th January, 1967 to all Ministries etc.

Subject:—Central (Surplus Staff) Cell—Surrender of surplus staff—Protection to the Scheduled Castes and Scheduled Tribes employees.

The undersigned is directed to refer to para II(iii) of Annexure I to Ministry of Home Affairs O.M. No. 3/27/65-CS-II, dated 25-2-66 according to which the surplus staff has to be surrendered to the Central (Surplus Staff) Cell against reduced cadre strength strictly in the reverse order of the seniority in the cadre affected. The question regarding protection to be given to the Scheduled Castes and Scheduled Tribes candidates while surrendering the surplus staff to the Cell has been examined and it has now been decided that while declaring surplus in a particular grade in a cadre the Scheduled Castes and Scheduled Tribes candidates in that grade should not be included so long as the total number of S.C./S.T. candidates in that grade has not reached the prescribed percentage of reservations for S.C./S.T. respectively in the concerned grade in a cadre.

The above decision may be communicated to all concerned. Past cases otherwise decided may not be reopened.

Ministry of Home Affairs O.M. No. 10/28/68-Est.(SCT), dated 12th September, 1968 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in services—Confirmation of temporary employees.

As the Ministry of Finance etc. are aware, in posts/services filled by direct recruitment, reservation is required to be made for Scheduled Castes and Scheduled Tribes both at the time of initial appointment on a temporary basis as well as at the time of confirmation. In posts filled by promotion, however, there is no reser-

vation at the stage of confirmation, *vide* para 3(4) of this Ministry's O.M. No. 1/12/67-Est.(C) dated 11-7-1968. Ministry of Finance etc. are requested to ensure that reservation is made for Scheduled Castes and Scheduled Tribes while making confirmations against posts/services filled by direct recruitment.

2. Since according to the general principles of seniority, as laid down in this Ministry's O.M. No. 9/11/55-RPS dated 22-12-1959, all permanent officers of each grade are to be ranked senior to persons who are officiating in that grade, it was clarified in O.M. No. 9/45/60-Est.(D) dated 20-4-1961 (copy enclosed) that after confirmation, the Scheduled Caste/Scheduled Tribe officers shall rank senior to temporary/officiating officers of the grade and amongst the permanent officers of that grade, their seniority will follow the order of their confirmation. The instructions in the aforesaid O.M. dated 20-4-1961 are again brought to the notice of the Ministries etc. for guidance and strict observance.

3. Ministry of Finance etc. are requested to bring the above instructions to the notice of all concerned.

Ministry of Home Affairs letter No. 21/3/70-Est.(B), dated 31-3-70 to the Director, National Academy of Administration, Mussoorie, National Police Academy, Abu and Secretariat Training School, New Delhi

I am directed to say that the U.P.S.C. had recommended that Scheduled Caste and Scheduled Tribe candidates who are selected in the various competitive examinations do not always come up to the standard prescribed for other candidates in such examinations and therefore they have to be given some extra training to enable them to come up to the standard of other candidates. This matter has been examined in the Ministry and a decision has been taken that wherever the Directors of the training institutions find any Scheduled Caste and Scheduled Tribe candidates not of requisite standard, these candidates may be given the facilities of additional tutorial classes in the subjects in which they are lacking. I am, therefore, to request that such additional facilities should be provided to the Scheduled Caste and Scheduled Tribe trainees at your institution wherever necessary.

The receipt of this letter may kindly be acknowledged.

Ministry of Home Affairs O.M. No. 27/2/70-Est.(SCT), dated 21st April, 1970 to all Ministries etc.

Subject:—19th Annual Report of the U.P.S.C.—Training and coaching to Scheduled Castes/Scheduled Tribes candidates selected for appointment by the Commission.

The undersigned is directed to say that the Union Public Service Commission has recommended in its 19th Annual Report *inter alia* that Scheduled Castes and Scheduled Tribes candidates who are selected in the various competitive examinations do not always come up to the standard prescribed for other candidates in such examinations and, therefore they have to be given some extra training to enable them to come up to the standard of other candidates. The recommendation has been considered in this Ministry. The National Academy of Administration, Mussoorie, the National Police Academy, Abu and the Secretariat Training School, New Delhi have been requested that facilities of additional tutorial classes should be provided to the Scheduled Caste and Scheduled Tribe trainees at the institution in the subjects in which they are lacking. A copy of letter No. 21/3/70-Est.(B) dated the 31st March, 1970 addressed to the above training institutions is enclosed. If any Ministry/Department are running any institution for imparting training to their employees, they may consider issuing similar instructions to such institutions under them.

Department of Personnel O.M. No. 27/(4)(iii)/70-Est.(SCT), dated 2nd September, 1970 to all Ministries etc.

Subject:—Representation of Scheduled Castes/Tribes on selection boards and departmental committees—Recommendation No. 14 and 36 of the Fourth Report of the Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has in its Fourth Report made the following recommendations:—

Recommendation No. 14

“.....All Selection Boards or Recruitment Authorities should include among them at least one Scheduled Caste/Tribe member.”

Recommendation No. 36

“The Committee feel that with a view to make these Departmental Committees (promotion selection etc.) more representative a Scheduled Caste/Tribe Officer should also be included in each of these Committees set up by various Ministries/Departments/Offices.”

The above recommendations of the Committee have been considered. Departmental Promotion Committees, selection boards or recruiting authorities, are generally constituted with the departmental officers of appropriate status and background keeping in view the nature of the post/posts for which recruitment/promotion is to be made. It may not, therefore, be always possible to include Scheduled Castes, Scheduled Tribes Officers in them. However, the Ministries/Departments are requested to keep the recommendation of the Committee reproduced above in view as far as possible while nominating Officers on the Departmental Promotion Committees, selection boards etc. for recruitment/promotion to posts/services under them.

Department of Personnel O.M. No. 27/4(iv)/70-Est.(SCT), dated 2nd September, 1970 to all Ministries etc.

Subject:—Forwarding of applications of Scheduled Caste/Tribe employees for employment elsewhere—Recommendation No. 30 of the Fourth Report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes in its Report cited above has recommended as follows:—

Recommendation No. 30 (para 2.109)

“The Committee note that the orders of the Ministry of Home Affairs regarding forwarding of applications of Scheduled Castes and Scheduled Tribes provide that applications for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes and Scheduled Tribes should be readily forwarded except in very rare cases where there may be compelling grounds of public interest for withholding such applications. The Committee desire that the Ministry of Home Affairs should impress upon the Ministries/Departments of the Government of India that applications for employment elsewhere of temporary or permanent Scheduled Castes and Scheduled Tribes should be forwarded as matter of course. Instances where the applications can not be forwarded should be referred to the Ministry of Home Affairs.”

In this connection attention is invited to the orders in the Ministry of Home Affairs O.M. No. 1/6/64-SCT(I) dated 19-3-1964 (copy enclosed). It has been decided that cases, where applications of employees belonging to Scheduled Castes and Scheduled Tribes could not be forwarded due to compelling grounds of public interest, should be reported within a month to the officer mentioned as Liaison Officer in the administrative Ministry/Department or in offices under the Head of Department.

Department of Personnel O.M. No. 8/12/71-Estt.(SCT), dated 21st September, 1971 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in services—provision in the Recruitment Rules.

Various orders have been issued regarding reservations for Scheduled Castes and Scheduled Tribes by the Ministry of Home Affairs/Department of Personnel from time to time. The recruitment rules framed for various posts/services which are statutory rules, however, do not in some cases contain a reference to the orders regarding reservations for Scheduled Castes and Scheduled Tribes in services. The question of making a suitable provision in the recruitment rules in this regard has been considered. The recruitment rules in respect of all services/posts within the purview of the reservation orders should contain a separate rule on the following lines:—

"Saving—Nothing in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard."

Such a rule will ordinarily have to be inserted at the end of the rules unless the draftsman consider any other place to be more appropriate in the context of a particular set of rules.

2. If any provision exists in any recruitment rules regarding reservations/concessions whether generally or in regard to age, in the case of persons belonging to Scheduled Castes/Scheduled Tribes etc. in accordance with the orders issued by the Ministry of Home Affairs, the reference to the Ministry of Home Affairs may be replaced by a reference to the Central Government.

Department of Personnel O.M. No. 8/12/71-Estt.(SCT), dated 19th October, 1971 to all Ministries etc.

Subject:—Regulations pertaining to the conduct of examination for the various services—Amendment of the provision for relaxation of standards in the case of Scheduled Castes/Tribes candidates.

Attention of the Ministry of Finance etc. is invited to Ministry of Home Affairs O.M. No. 1/1/70-Estt.(SCT) dated 25th July, 1970 in which it has been provided that in posts/services filled by direct recruitment (whether by examination or otherwise) if sufficient number of Scheduled Castes/Scheduled Tribes candidates are not available on the basis of general standard to fill all the vacancies reserved for them, candidates belonging to these communities may be selected to fill up the remaining vacancies reserved for them provided they are not found unfit for appointment to such posts/services. The various provisions in the Recruitment Rules/Regulations for examination, which provide for relaxation of standards in favour of Scheduled Castes and Scheduled Tribes, have to be amended to incorporate the criterion laid down in the aforesaid O.M. of 25th July, 1970 for relaxing the standards. It is therefore, suggested that the existing provisions in the Recruitment Rules/Regulations for examinations for relaxation of standards in favour of Scheduled Castes/Scheduled Tribes candidates may be substituted by the following:—

"Candidates belonging to any of the Scheduled Castes or the Scheduled Tribes may, to the extent the number of vacancies reserved for the Scheduled Castes and the Scheduled Tribes cannot be filled on the basis of the general standard, be recommended by the Commission by a relaxed standards to make up the deficiency in the reserved quota, subject to the fitness of these candidates for selection to the posts/service, irrespective of their ranks in the order of merit at the examination."

If the recruitment is not made through the UPSC, the reference to the Commission in the above provision may be modified to refer to the competent authority. Ministry of Finance etc. are requested to take necessary action to amend the Recruitment Rules/Regulations as stated above wherever necessary.

Department of Personnel O.M. No. 1/9/b9-Estt.(SCT), dated 15th November, 1971 to all Ministries etc.

Subject:—Arrangements for training of Class I Officers belonging to the Scheduled Castes and Scheduled Tribes.

Attention of Ministry of Finance etc. is invited to para 3 of MHA O.M. No. 1/9/b9-Estt.(SCT) dated 20th March, 1970, in which it was laid down that Scheduled Castes/Scheduled Tribes officers in Class I service/posts should be provided with more opportunities for institutional training and for attending seminars symposia/conferences in order to improve their chances for selection to the higher categories of posts in Class I. It was provided that it should be the special responsibility of the immediate superiors of these officers to give them advice and guidance for improving the quality of their work.

2. The general question of arrangements for training of Class I Officers belonging to Scheduled Castes and Scheduled Tribes has now been considered and it has been decided to take the following steps:—

- (i) More intensive training should be arranged for directly recruited Class I officers belonging to Scheduled Castes and Scheduled Tribes by the Heads of the Training Institutions, wherever necessary, along with other officers needing such help.
- (ii) Ministries/Departments should nominate a considerably larger number of Scheduled Caste and Scheduled Tribe officers for the training programmes run by the various Departments and Training Institutions. They should lay down a time-limit, say 3 years within which training of such officers in appropriate fields should be completed. A phased programme for sponsoring such officers for training to the various institutions should be drawn up. The Ministries/Departments should identify the training needs of the Scheduled Caste and Scheduled Tribe officers and then examine to which training programmes these officers should be deputed. Special attention may also be paid to the training of such officers as are selected for promotion by relaxed standards to enable them to give a good account of themselves. The Training Division of the Department of Personnel would render all assistance in suggesting or even devising suitable programmes, wherever necessary.
- (iii) In drawing up such training programmes, adequate margin should be provided to take in as many Scheduled Caste and Scheduled Tribe officers as are sponsored by the Ministries. It would be useful to earmark 25% of the seats for officers of Scheduled Castes and Scheduled Tribes wherever possible. In case this becomes difficult in any particular programme, then such officers could be covered in the next course or a special programme may be arranged for them.

It would also be useful if officers of Scheduled Castes and Scheduled Tribes were included in the various training programmes abroad. It would enable them to broaden their outlook and also build up specialised knowledge. It is also likely to boost up morale of the officers of these communities.

- (iv) While deputing officers to training seminars and conferences, etc., preference should be given to officers of Scheduled Castes and Scheduled Tribes.
- (v) Superiors of Scheduled Caste and Scheduled Tribe officers should be asked to take special care regarding on-the-job training of these officers, identify areas where special training is considered necessary and take appropriate steps for such training in consultation with the Department's Training Co-ordinator and the Training Division of the Department of Personnel.

3. Ministry of Finance etc. are requested to bring the above decisions to the notice of all concerned and ensure that these decisions are implemented carefully and expeditiously.

Department of Personnel O.M. No. 28/8/72-Estt.(SCT), dated 2nd March, 1972
to all Ministries etc.

Subject:—Vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled through competitive examinations—Procedure for intimation of such vacancies to the Pre-Examination Training Centre.

As the Ministry of Finance etc. are aware, Pre-Examination Training Centres have been set up to increase the employment potentialities of Scheduled Castes and Scheduled Tribes candidates in the matter of their appointment against vacancies filled through various competitive examinations. While the competitive examinations to be conducted by the Union Public Service Commission and the Institute of Secretariat Training and Management are held at regular intervals, after giving due publicity in the newspapers, similar information is not generally available with the Pre-Examination Training Centres in respect of the examinations conducted by Ministries/offices. In order to draw up and dovetail the training programmes with the examinations conducted by the Ministries/offices, it is decided that the authorities holding the various competitive examinations should inform the Pre-Examination Training Centres (the list of which is enclosed) well in advance of the actual date of the examination, the probable number of reserved vacancies and the syllabus for and the standard of, the examination. This would enable the Pre-Examination Training Centres to evolve schemes of training which will be correlated to such examinations and which in turn would lead to improved intake of Scheduled Castes and Scheduled Tribes candidates against reserved vacancies.

2. Ministry of Finance etc. are requested to bring these instructions to the notice of all appointing authorities under them.

ANNEXURE

List of Pre- Examination training Centres for Scheduled Castes and Scheduled Tribes candidates

S. No.	State/Union Territory	Name and address of the Centre
<i>State level Centres</i>		
1.	Andhra Pradesh	Pre-Examination Training Centre for Scheduled Castes and Scheduled Tribes, Banjara Hills, Road No. 12, Hyderabad.
2.	Bihar	Pre-Exam. Training Centre, Morabadi Road, Ranchi.
3.	Delhi	Pre-Exam. Coaching Centre for Scheduled Castes, D. 61/32 Ranjnas Road, Karol Bagh, New Delhi-5.
4.	Haryana	Pre-Exam. Training Centre Govt. Polytechnic, Patiala House, Ambala City.
5.	Kerala	Pre-Exam. Training Centre for Scheduled Castes & Scheduled Tribes, Dewans' Road, Mills Lane, Ernakulam, Cochin-16.
6.	Madhya Pradesh	Pre-Exam. Training Centre, Lal Bahadur Shastri Institute of Public Administration (Near Old Secretariat) Bhopal.
7.	Mysore	National College, Basavangudi Bangalore-4.
8.	Punjab	Zonal IAS etc. Pre-Exam. Coaching Centre, Arts Block, 3, Second Floor, Punjabi University Campus, Patiala.
9.	Orissa	Pre-Exam. Training Centre for Scheduled Castes & Scheduled Tribes, Ravenshaw College, Cuttack-3.
10.	Uttar Pradesh	Poorva Pariksha Prashikshan Kendra for Scheduled Castes & Scheduled Tribes, 8-B, Bund Road, Allugunj, Allahabad-2.
11.	West Bengal	W. B. C.S. Pre-Exam. Training Centre, Maulana Azad College, Calcutta-13.
12.	Gujarat	Pre-Exam. Training Centre for Scheduled Castes and Scheduled Tribes, 6th Floor, District Panchayat Building, Lal Darwaja, Ahmedabad.

All India Centres

(For IAS etc. Combined Competitive Examination)

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|----|---------------|--|
| 1. | Uttar Pradesh | Scheduled Castes & Scheduled Tribes All India Services Pre-Examination Training Centre, 40-D, Motilal Nehru Road, Allahabad University, Allahabad. |
| 2. | Tamil Nadu | Pre-Examination Training Centre for Scheduled Castes & Scheduled Tribes, 22, Mount Road, West C II Nagar, Madras-35. |

Department of Personnel & Administrative Reforms O.M. No. 1/1/73-Estt.(SCT), dated 10th December, 1973 to all Ministries etc.

Subject:—Arrangements for training of Class I officers belonging to Scheduled Castes and Scheduled Tribes.

The undersigned is directed to refer to this Department's office Memorandum No. 1/9/69-Estt.(SCT) dated the 15th November, 1971, detailing the steps to be taken for training of Class I officers belonging to Scheduled Castes and Scheduled Tribes. Among other things, it has been provided in the aforesaid O.M. that Ministries/Departments should nominate a considerably larger number of Scheduled Castes and Scheduled Tribes officers for the training programmes run by the various Departments and Training Institutions. It has also been stated therein that it would be useful if officers of Scheduled Castes and Scheduled Tribes were included in the various training programmes abroad. The Office Memorandum also provides that while deputing officers to training, seminars, conferences, etc., preference should be given to officers of Scheduled Castes and Scheduled Tribes. It is now requested that, while nominating officers for training programmes run by the various Departments and Training Institutions or for training programmes abroad or for training seminars and conferences, the Ministry of Finance; etc., may kindly indicate as to which of the officers nominated belong to Scheduled Castes and Scheduled Tribes, so that their cases may be duly considered by the appropriate authorities at the time of selection.

2. Ministry of Finance, etc. are also requested to issue instructions on the above lines to their Heads of Department, etc., who may be concerned with the sponsoring of candidates for training, so that the cases of Scheduled Castes/Tribes may be duly considered by the appropriate authorities at the time of selection.

Department of Personnel & Administrative Reforms O.M. No. 16/1/74-Estt.(SCT), dated 8th April, 1974 to all Ministries etc.

Subject:—Representation of Scheduled Castes/Tribes on selection boards and departmental committees.

The undersigned is directed to refer to this Department's Office Memorandum No. 27(4)(iii)/70-Estt.(SCT) dated the 2nd September, 1970 (copy enclosed) on the above subject and to say that the Commissioner for Scheduled Castes and Scheduled Tribes, has in his Report for the year 1970-71, made the following recommendation:—

Recommendation No. 58:

"It is suggested that the Department of Personnel may issue clarification to their orders dated the 2nd September, 1970, enjoining upon the Ministries/Departments to associate a suitable Scheduled Caste/Tribe Officer from other Ministries/Departments in the event no Scheduled Caste/Tribe Officer is available for the purpose in a particular Ministry/Department itself."

In this connection, attention of the Ministries/Departments is invited to this Department's O.M. No. 1/9/72-Estt.(D) dated the 29th January, 1973, in which it has been stated *inter-alia* that in respect of a Departmental Promotion Committee for a Class III or Class IV posts, the Chairman of the DPC should be an officer of a sufficiently high level and one of the members of the Committee should be an officer from a Department not connected with the one in which promotions are considered. As one of the members of the Committee is thus required to be an officer from another Ministry/Department, it is clarified that while nominating officers on the Departmental Promotion Committees in terms of the O.M. dated 2-9-1970, there is no objection, wherever necessary, to nominating, to the extent possible, a Scheduled Caste/Tribe Officer from such other Ministry/Department, in the event of such an officer not being available in the Ministry/Department itself.

Department of Personnel & Administrative Reforms O.M. No. 16/4/74-Estt.(SCT), dated 18th April, 1974 to all Ministries etc.

Subject:—Training of Class I Officers belonging to Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his report for the year 1970-71:—

Recommendation No. 53:

"It is necessary that the Ministries/Departments should consider the cases of Scheduled Castes and Scheduled Tribes Class I Officers more sympathetically for releasing more of them for training and for attending seminars/symposia/conferences etc. as provided under the Ministry of Home Affairs orders issued in March 1970."

Orders already exist, *vide* the Ministry of Home Affairs O.M. No. 1/9/69-Estt. (SCT) dated the 26th March, 1970, read with the Department of Personnel & Administrative Reforms O.M. No. 1/9/69-Estt.(SCT), dated the 15th November, 1971 and O.M. No. 1/1/73-Estt.(SCT), dated the 10th December, 1973, requiring Ministries/Departments to release Class I officers belonging to Scheduled Castes and Scheduled Tribes for training and for attending seminars/symposia/conferences etc. These instructions are again brought to the notice of the Ministries/Depts. who are requested to keep the above recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes in view and ensure that the cases of Scheduled Castes and Scheduled Tribes officers are more sympathetically considered while nominating officers for training or deputing them for attending seminars, conference/symposia etc.

Department of Personnel & A.R. O.M. No. F. 16/1/74-Estt.(SCT), dated the 23rd May, 1975 to all Ministries etc.

Subject:—Representation of Scheduled Castes/Tribes on Selection Boards and Departmental Promotion Committees.

The undersigned is directed to refer to this Department's Office Memorandum No. 27(4)(iii)/70-Estt.(SCT), dated the 2nd September 1970 in which the Ministries/Departments were requested that while nominating officers on the Departmental Promotion Committees, Selection Boards etc. for recruitment/promotion to posts/services under them, they may keep in view, as far as possible, the recommendations Nos. 14 and 36 made in this regard by the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its Fourth Report. These instructions are once again brought to the notice of the Ministries/Departments etc. with the request that they should endeavour to nominate to the maximum extent possible, a Scheduled Caste/Tribe officer on the Selection Boards and Departmental Promotion Committees constituted for various posts/services under them. Particularly, where a Selection Board or Departmental Promotion Committee has to make bulk selections for a large number of vacancies say for 30 or more at a time no effort should be spared in finding a Scheduled Caste or Scheduled Tribe officer for inclusion in the Selection Board/Departmental Promotion Committee.

2. In regard to the Departmental Promotion Committee for Class III and IV posts, besides the above mentioned instructions, attention is also invited to the instructions contained in this Department's Office Memorandum No. 16/1/74-Estt. (SCT), dated 8th April, 1974 wherein it has been clarified that since one of the members of the Departmental Promotion Committee for a Class III or Class IV post is required to be an officer from another Ministry/Department, there would be no objection to nominate on such a D.P.C. a Scheduled Caste/Tribe officer from such other Ministry/Department in the event of such an officer not being available in the Ministry/Department itself.

Department of Personnel & Administrative Reforms O.M. No. 9/10/72-Estt.(D) dated 17th November, 1975 to all Ministries etc.

Subject:—Confirmation of Central Government employees—Question whether confirmation in a grade should be made in accordance with the quotas prescribed for the various methods of recruitment laid down in the Recruitment Rules or on the basis of the seniority list of the grade concerned—Instructions regarding—

As the Ministries/Departments of the Government of India are aware, according to para 1(A)(d) of Ministry of Home Affairs Office Memorandum No. 1/9/58-RPS, dated the 16th May, 1959, if cases of confirmation of direct recruits and departmental promotees are referred at the same time to the Departmental Promotion Committee, that Committee should be informed of the number of permanent vacancies available for confirmation of direct recruits and departmental promotees in accordance with the quotas prescribed in the recruitment rules to enable that Committee to recommend the required number of direct recruits and departmental promotees separately for each category. In other words, in making confirmation after the date of promulgation of the recruitment rules, it was obligatory to make confirmation strictly in accordance with the quotas prescribed in those rules. Since the adoption of the above principle resulted in the upsetting of seniority of those appointed prior to the promulgation of the recruitment rules, instructions were issued subsequently, *vide* Ministry of Home Affairs Office Memorandum No. 12/10/63-Estt.(D), dated the 27th December, 1963 that, after promulgation of the recruitment rules, confirmations should necessarily take place only in accordance with the quotas prescribed in the recruitment rules, but if it was desired to make any departure from the prescribed quotas in making confirmations of persons recruited prior to the promulgation of the recruitment rules, it would be necessary to incorporate a saving provision to that effect in the rules themselves.

2. Instances have come to the notice of this Department where the confirmation of direct recruits and departmental promotees etc. in accordance with the quotas prescribed for direct recruitment and promotion in the relevant recruitment rules often results in the upsetting of their seniority, as determined at the time of their initial recruitment/promotion to the grade, when for any reason (e.g. retirement, resignation, death etc.) any direct recruit or a promotee ceases to hold the appointment in the grade concerned. The question whether confirmation in a grade should be made in accordance with the quotas prescribed for the various methods of recruitment laid down in the relevant recruitment rules or in the order of the seniority of the persons concerned, as reflected in the relevant seniority list, has accordingly been examined in this Department in consultation with the Ministry of Law (Department of Legal Affairs) and it has been decided that once the seniority of various persons appointed to a grade in accordance with the quotas prescribed for direct recruitment, promotion etc. has been determined, their confirmations in that grade should also be made in the order of their seniority, irrespective of the quotas prescribed for direct recruitment, promotion etc. in the relevant recruitment rules. This decision will not, however, effect reservations and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

3. These instructions shall come into force with effect from the date of issue of this Office Memorandum and the confirmations already made prior to the date of issue of these orders will not be reviewed. However, where the persons concerned might have been approved for confirmation by the Departmental Promotion Committees but their confirmations orders have actually not been issued, these may be reviewed in the light of the above decision.

4. The Ministries and Departments of the Government of India are requested to bring these instructions to the notice of the attached and subordinate offices with which they are concerned.

Department of Personnel & A.R. O.M. No. F. 16/32/74-Estt.(SCT), dated the 3rd April, 1976 to all Ministries etc.

Subject:—Consideration of cases of Scheduled Caste and Scheduled Tribe employees while selecting persons for posting abroad.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the years 1971—73:—

Recommendation No. 85:

“The claims of the Scheduled Caste and Scheduled Tribe Government employees should be considered sympathetically in case of appointments abroad, to enable them to acquire experience of working in the Government of India offices in foreign countries. Their stay in a country for a couple of years will, by itself, be a very useful experience for the Scheduled Caste and Scheduled Tribe Government servants and will help them a lot in broadening their outlook and bringing them up socially and economically. The Union Department of Supply have decided to give some relaxations in standards while considering cases of Scheduled Caste and Scheduled Tribe employees for being posted to the India supply Missions in London and Washington. The Department of Personnel and Administrative Reform should take up the matter with other Ministries Departments concerned of the Government of India for giving the relaxation in standards in case of Scheduled Caste and Scheduled Tribe employees, while selecting persons for postings abroad.”

The recommendation has been considered. While it will not be possible to provide for any specific norm of relaxation in favour of Scheduled Caste and Scheduled Tribe employees in this matter, the undersigned is directed to impress on all the Ministries that whenever they have to post officers serving under them in units etc. located in foreign countries, the eligible employees belonging to Scheduled Castes and Scheduled Tribes should also be considered alongwith others, for such posting

Department of Personnel & A.R. O.M. No. 36022/5(i)/76-Estt.(SCT), dated the 28th May, 1976 to all the Ministries etc.

Subject:—Cells in the Ministries/Departments for enforcement of the orders regarding reservation for Scheduled Castes and Scheduled Tribes in services—Activities of the Cell to be highlighted in the Annual Report of the Ministry/Department, Public Sector Undertakings—Recommendation No. 32 in the 41st report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has in its 41st Report made the following recommendation:—

Recommendation No. 32 (para 4.21)

“The Committee desire that the activities of the Implementation Cell should be highlighted in the Annual Reports of the Ministries/Departments/ Public Undertakings concerned.”

The above recommendation has been accepted by Government. In this connection, attention is invited to this Department's Office Memorandum No. 27/22/68-Estt.(SCT) dated the 19th April, 1969 in which the Ministry of Finance etc. were requested to set up a Cell within the Ministry under the direct control of the Liaison Officer to ensure due compliance of the orders of reservation for Scheduled Castes and Scheduled Tribes issued from time to time. In this Department's Office Memorandum No. 27/4(i)/70-Estt.(SCT), dated the 3rd September, 1970, the Recommendation No. 5 contained in the 4th Report of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes stating *inter-alia* that a note on the activities of the Cell should be included in the Annual Report of the concerned Ministries/Departments was also brought to the notice of the Ministries/Depart-

ments for implementation. The Committee's recommendation in the 41st Report reproduced above is now brought to the notice of the Ministries/Departments with the request that the activities of the implementation Cell should be highlighted in their Annual Report.

2. It is requested that the Ministry of Finance etc. may please take similar action in respect of Public Sector Undertaking under their control.

Department of Personnel & A.R. O.M. No. 36022/13/76-Estt.(SCT), dated the 14th September, 1976 to all Ministries etc.

Subject:—Recommendation No. 2 of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes contained in its 41st Report—
Training Programmes for Scheduled Castes and Scheduled Tribes candidates.

The undersigned is directed to say that the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has made the following recommendation in its 41st Report:—

"Recommendation No. 21 (Para 2.36)

"The Committee have noted that instructions have been issued to the Ministries/Departments that, if a requisite number of Scheduled Caste and Scheduled Tribe candidates fulfilling even the relaxed standards are not available to fill up the vacancies reserved for them, the authorities should select for appointment the best among the Scheduled Castes and Scheduled Tribes fulfilling the minimum educational qualifications prescribed for the posts and give them in-service training within their own offices. While the Committee commend the steps taken by the Government, they desire that the outlines of the training schemes to be formulated by the various Ministries and Departments, including the attached and subordinate offices, should be clearly delineated so that it should be possible for the Scheduled Caste/Scheduled Tribe candidates to derive the maximum advantage from such training programmes. The parameters of training programmes should be periodically examined by the Department of Personnel and Administrative Reforms so as to ensure that there is some uniformity in regard to the modalities of training. A periodic review of the training programmes should also be conducted by the Department of Personnel and Administrative Reforms. The Committee hope that while drawing up the training schemes, the Ministries/Departments would take due note of the vacancies for Scheduled Castes and Scheduled Tribes that would arise in the next five years. The forward planning to be undertaken by the Cadre Review Committees should also include the estimation of the job requirements for which training programmes have to be formulated."

In this connection, attention is invited to the Ministry of Home Affairs O.M No. 27/2/70-Estt.(SCT) dated 21-4-1970 according to which candidates belonging to Scheduled Castes and Scheduled Tribes who are selected in various competitive examinations by relaxed standards should be given extra training to enable them to come up to the standard of other candidates. Attention is also invited to the instructions contained in Ministry of Home Affairs O.M. No. 24/7/67-(I)Estt.(SCT) dated 24-9-1968 which provide that for non-technical and quasi-technical posts in Class III and IV filled by direct recruitment otherwise than through a written examination, if the required number of Scheduled Caste/Scheduled Tribe candidates fulfilling even the relaxed standards admissible in their cases are not available to fill the vacancies reserved for them, the authorities should select for appointment to the reserved vacancies, the best among the Scheduled Caste/Tribe candidates fulfilling the minimum educational qualifications prescribed for the post and in order to bring the candidates so selected to the minimum standard necessary for the post, and for the maintenance of efficiency of administration, the appointing authorities concerned should give in-service training to such candidates within their own offices.

2. The recommendation of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes cited in Para I above has been considered

and it has been accepted by Govt. Ministry of Finance etc. are therefore requested to draw up special training programmes including in-service training programmes in which necessary training could be provided to Scheduled Caste/Tribe candidates as suggested by the Committee. While drawing up the programmes the Ministries/Departments are particularly requested to keep in view the observations of the Parliamentary Committee referred to in para 1 above. The Training Division of this Department will render technical assistance; if any needed by the Ministries/Departments in drawing up the training programmes and would also undertake periodical reviews of such training programmes as and when required.

Deptt. of Personnel & A.R. O.M. No. 36013/1/77-Est.(SCT), dated 7-6-1977 to all Ministries/Departments etc.

Subject:—Statistical information relating to the representation of Scheduled Castes and Scheduled Tribes—Inclusion in the annual reports of the Ministries/Departments.

The undersigned is directed to invite attention to this Department's O.M. No. 27/22/68-Est.(SCT), dated 19th April, 1969 in which the Ministry of Finance etc. were requested to set up a Cell within the Ministry under the direct control of the Liaison Officer to ensure due compliance of the orders of reservation for Scheduled Castes and Scheduled Tribes issued from time to time. In this Department's O.M. No. 27/4(i)/70-Est.(SCT), dated 3rd September, 1970, the Ministry of Finance etc. were requested to include in their Annual Report, a note on the activities of the Cell. Further, in this Deptt's. O.M. No. 36022/5(i)/76-Estt.(SCT), dated 28th May, 1976, the recommendation No. 32 in the 41st Report of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes was brought to the notice of the Ministries/Departments with the request that the activities of the Implementation Cell should be highlighted in the Annual Reports.

2. The Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1973-74:—

"It is necessary that statistics relating to the representation of Scheduled Castes and Scheduled Tribes in each Ministry/Department should be published in the annual reports of the Ministries/Departments concerned....."

The above recommendation has been accepted by Government and is brought to the notice of the Ministries/Departments for implementation. The statistics relating to representation of Scheduled Castes and Scheduled Tribes to be incorporated in the annual reports of the Ministries/Departments should include the information in Appendices 8 and 9 which is required to be furnished by the Ministries/Departments to the Department of Personnel & A.R. in a consolidated form every year. The Appendices 8 and 9 relate to the following:—

Appendix 8: Statement showing total number of Government employees and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January, of the year.

Appendix 9: Statement showing the particulars of recruitment made during the calendar year and the number filled by Scheduled Castes and Scheduled Tribes.

Besides the consolidated information in respect of the Ministry/Department as a whole including all its attached and subordinate offices, it would be useful to include in the annual report information in respect of each organisation/establishment under a Head of Department. Similar information in respect of statutory and semi-Government bodies and in respect of public sector undertakings under the control of the Ministries/Departments may also be usefully included in the annual reports.

Department of Personnel & A.R. O.M. No. 36011/9/76-Estt.(SC), dated 7-3-1978 to all Ministries/Departments, etc.

Subject:—Relaxation of age limit for Scheduled Castes and Scheduled Tribes and other categories of persons—Provision in the Recruitment Rules.

The undersigned is directed to refer to this Department's O.M. No. 36011/9/76-Est.(SCT), dated 14-7-1976 in which Ministry/Departments etc. were asked to review the Recruitments Rules in respect of posts under them so as to incorporate therein the necessary proviso relating to relaxation of age limit in the case of candidates belonging to Scheduled Castes, Scheduled Tribes and other special categories of persons wherever it had not already been done. Some Ministries/Departments had pointed out that in view of the Saving Clause relating to reservations and other concessions for Scheduled Castes, Scheduled Tribes and other special categories of persons required to be included in the recruitment rules for all posts/services falling within the purview of reservation orders, in accordance with the instructions issued in O.M. No. 8/12/71-Ests.(SCT), dated 21-9-71, it might not be necessary to have a separate proviso relating to relaxation of age limit for Scheduled Castes and Scheduled Tribes etc. in the recruitment rules. This matter has been considered and it has now been decided in modification of the instructions contained in this Department's O.M. No. 36011/9/76-Est.(SCT), dated 14-7-1976 that the Saving Clause referred to above as included in the Recruitment Rules would be sufficient and that a separate proviso relating to relaxation of age limit need not be incorporated. However, the existing Saving clause prescribed in this Department's O.M. No. 8/12/71-Ests.(SCT), dated 21-9-71 may be amplified as follows adding the words relaxation of age limit' therein:—

"Saving.—Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard."

2. The above amplified Saving clause may be included in the Recruitment Rules which may be framed hereafter, and also when any of the existing Recruitment Rules are to be amended. The various concessions including relaxation of age limit admissible to candidates belonging to Scheduled Castes and Scheduled Tribes and other special categories of persons should always be kept in view by appointing authorities while considering the candidates belonging to these communities.

Deptt. of Personnel and A.R. O.M. No. 36013/18/77/Estt.(SCT), dated 4-9-1978 to all Ministries etc.

Subject:—Arrangement for training of Group 'A' (Class I) officers belonging to Scheduled Castes and Scheduled Tribes recommendation No. 56 in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1973-74.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1973-74:—

"Government of India have not yet issued orders providing for reservation in promotion posts within Class I. But there are instructions according to which the Class I officers belonging to Scheduled Castes and Scheduled Tribes are to be provided with more opportunities for institutional training and for attending seminars/symposia/conferences etc. in order to improve their chances for selection to higher categories of posts in Class I. It has been observed that the instructions regarding drawing up a phased programme for training of Class I officers belonging to Scheduled Castes and Scheduled Tribes and the requirements of completing such a programme within a suggested period of 3 years as also to earmark 25 per cent of the seats in various training programmes for Class I officers belonging to Scheduled Castes and Scheduled Tribes have not been implemented in the same spirit in which they were issued

All Ministries/Departments of the Government of India may, therefore, be advised to take special measures for imparting training to Class I officers belonging to Scheduled Castes and Scheduled Tribes in various fields in fulfilment of the instructions already issued by the Government."

In this connection, attention of the Ministry of Finance etc. is invited to the instructions contained in this Department's O.M. No. 1/9/69-Est.(SCT) dated 15-11-71, O.M. No. 1/1/73-Est.(SCT) dated 10-12-73, O.M. No. 16/4/74-Est.(SCT) dated 18-4-74 regarding arrangement for training of Class I (Group A) officers belonging to Scheduled Castes and Scheduled Tribes. The recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes reproduced above is brought to the notice of all Ministries/Departments and they are requested to keep the same in view and take such measures as may be considered necessary towards imparting training of Group 'A' (Class I) officers belonging to Scheduled Castes/Scheduled Tribes in various fields in the spirit of the instructions referred to above.

Department of Personnel and A.R. O.M. No. 36011/30/81-Estt.(SCT), dated 6-8-81

Subject:—Applicability of reservation orders at the time of confirmation when the mode of direct recruitment has been resorted to due to failure of the main mode—Classification regarding.

The undersigned is directed to refer to the above mentioned subject and to say that reference have been received in this Department as to whether reservations for SC/ST are to be provided at the time of confirmation when the direct recruitment has been resorted to due to the failure of the main mode, i.e. promotion, prescribed in the recruitment rules. It has now been decided that if the recruitment rules do not provide for a specific quota for promotion and direct recruitment respectively and direct recruitment is resorted to only when the main mode of promotion fails, reservation for SC/ST at the time of confirmation will not apply. The direct recruits who are appointed due to the 'failing which' clause in the recruitment rules will be confirmed according to their seniority in relation to promotees. It is further clarified that though for direct recruitment in such cases, a separate roster has to be maintained, the direct recruits of this variety will get the benefit of reservation at the time of appointment only and not at the time of confirmation. In other case of direct recruitment, the reservations for SC/ST have to be provided both at the time of appointment as well as confirmation.

2. Ministry of Finance etc. are requested to bring the contents of this O.M. to the notice of all their attached and subordinate offices.

Department of Personnel & A.R. O.M. No. 41013/16/80-Estt.(SCT) dated 10-8-81

Subject:—Departmental Promotion Committee—Association of an officer belonging to Scheduled Caste/Scheduled Tribe in Departmental Promotion Committees.

The question of providing adequate safeguards to officers belonging to Scheduled Castes/Scheduled Tribes community in the matter of consideration for promotion came up for discussion at the meeting of the Parliamentary Consultative Committee for the Ministry of Home Affairs sometime ago. A point was then made that the person representing the Scheduled Caste/Scheduled Tribe Community on a Departmental Promotions Committee was usually an officer of the Department and hence was unable to express his views fearlessly in the presence of his senior officers. It was, therefore, suggested that this lacuna should be remedied.

2. This matter has been examined in all its aspects. In the Department of Personnel and A.R. Office Memorandum No. 27/4(iii)/70-Estt.(SCT) dated the 2nd September, 1970 and No. 16/1/74-Estt.(SCT) dated 23rd May, 1975, it has been suggested that Ministries/Departments may endeavour to the maximum extent possible, to nominate a Scheduled Caste/Scheduled Tribe officer while constituting the Department Promotions Committee, Selection Boards etc. for recruitment/promotions to posts/services under them. Particularly where a Selection Board or

a Departmental Promotions Committee has to make bulk selections for a large number of vacancies say, for thirty or more at a time, no effort should be spared in finding a Scheduled Caste or Scheduled Tribe officer for inclusion in the Selection Board/Departmental Promotions Committee. According to the Department of Personnel & A.R. Office Memorandum No. 1/9/72-Estt.(D) dated the 29th January, 1973 in respect of a Departmental Promotions Committee for a Group C or Group D post, one of the members of the Committee should be an officer from a Department not connected with the one in which promotions are considered. It has been provided in the Department of Personnel & A.R. O.M. No. 16/1/74-Estt.(SCT) dated the 8th April, 1974 that in the event of a Scheduled Caste/Scheduled Tribe Officer not being available in the Ministry/Department itself for nomination in the Departmental Promotions Committee, there is no objection to nominating, to the extent possible, a Scheduled Caste/Scheduled Tribe officer from another Ministry/Department.

3. Having regard to the point made in the Consultative Committee for the Ministry of Home Affairs, it has now been decided that in cases where an outside representative is inducted as a member of a Departmental Promotions Committee, he should invariably be an officer belonging to Scheduled Caste/Scheduled Tribe community and only where this is impracticable, should an officer belonging to Scheduled Caste/Scheduled Tribe from the same Department be nominated to the DPC. In the event of an officer belonging to Scheduled Caste/Scheduled Tribe not being available for nomination to the DPC, either from outside organisations or from the same department, an endorsement to this effect should be obtained *before holding the meeting of the DPC* from the liaison officer of the Ministry/Department/Office concerned with the DPC to the effect that all efforts have been made to find a Scheduled Caste/Scheduled Tribe officer for the DPC, but with no success.

4. Ministry of Finance etc. are requested to ensure compliance of these instructions and also bring it to the notice of all its attached and subordinate offices for strict compliance.

CHAPTER 18

POWERS OF THE COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES TO CALL FOR FILES AND RECORDS AND REPRESENTATIONS FROM SCHEDULED CASTES AND SCHEDULED TRIBES EMPLOYEES TO HIM AND INSTRUCTIONS REGARDING SPEEDY ACTION ON HIS REPORTS, COMMUNICATIONS, ETC.

18.1 The Commissioner for Scheduled Castes and Scheduled Tribes has been appointed under Article 338 of the Constitution to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes in the Constitution and report to the President upon the working of these safeguards.

18.2 In regard to the question whether the Commissioner can call for the original records and files in specific cases where complaints have been made to him and whether Scheduled Castes and Scheduled Tribes Government servants can write to him direct bringing their grievances to his notice, it has been decided as follows:—

- (a) Files relating to the appointment of candidates belonging to the Scheduled Castes and Scheduled Tribes against the reserved quota should, on demand, be made available to the Commissioner for Scheduled Castes and Scheduled Tribes.
- (b) In all other cases, comprehensive notes explaining the position may be furnished to him;
- (c) Should the Commissioner have any reservations or doubts in regard to the explanations given, the matter may be referred to the Home Secretary, who will go through the original records and answer the queries by the Commissioner; where possible he will also send the record with the reply; and
- (d) Scheduled Caste and Scheduled Tribe Government employees may be permitted to write to the Commissioner for Scheduled Castes and Scheduled Tribes direct on matters relating to appointments against the reserved quota. It is not necessary for the Scheduled Caste and Scheduled Tribe Government employees to seek prior permission of the concerned administrative Ministry/Department for sending his representation to the Commissioner for Scheduled Castes and Scheduled Tribes.

MHA
O.M. No.
8-2-69
SCT(I)
dated
1-10-74
and MHA
O.M. No.
17016/1/
76
SCT(I)
dated
8-4-76.

NOTE : The expression "reserved quota" will include matters relating to confirmation, promotion, grant of other concessions allowed to Scheduled Caste and Scheduled Tribe employees by the Department of Personnel and Administrative Reforms from time to time.

MHA OM
No.
16/8/69-
Estt.
(SCT)
dated
27-4-70
and
DP & AR
OM No.
36024/1/
78 Estt.
(SCT)
dated
27-6-1978.

18.3 Ministries/Departments and particularly, the Liaison Officers should ensure the extension of necessary assistance to the Commissioner for investigation of complaints received by the latter in service matters. The communications received from him calling for facts, comments, etc. in respect of representations on service matters made by individuals to him should be replied to expeditiously.

DP & AR
OM No.
36024/1/
78-Estt.
(SCT)
dated
20-2-1979

18.4 Ministries/Departments should extend necessary assistance required by the Commissioner for conducting special studies of the rosters maintained and of implementation of other orders regarding reservation for Scheduled Castes and Scheduled Tribes by any appointing authority under their administrative control. The follow-up action on the reports/recommendations made by the Commissioner after such studies, should be completed and action taken reported to the Commissioner's office *within six months*. Where for any reason, it is not possible for any Ministry to adhere to this time schedule, the reasons therefor should be communicated to the Commissioner before the expiry of six months indicating the details of the action already taken and also the probable time that would be further needed by them to send their final replies reports.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 18

O.M. No. 8/2/69-SCT (I)	1-10-74
O.M.No. 17016 /1/76 ESTT (I)	8-4-76
O.M. No. 36024/1/78 ESTT (SCT)	27-6-78
O.M. No. 36024/1/78 ESTT (SCT)	20-2-75

Ministry of Home Affairs O.M. No. 8/2/69-(SCT)(1) dated 1st October, 1974
to all Ministries etc.

Subject:—Question whether the Commissioner for Scheduled Castes and Scheduled Tribes can call for original records and files in specific cases where complaints have been made to him and whether Scheduled Castes and Scheduled Tribes Government servants can write to him direct.

The Commissioner for Scheduled Castes & Scheduled Tribes has been appointed under article 338 of the Constitution to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes in the Constitution and report to the President upon the working of these safeguards. In regard to the safeguards relating to the appointment of Scheduled Castes and Scheduled Tribes to services and posts, the Commissioner had raised the following two questions:—

- (i) Whether he can call for the original records and files in specific cases where complaints have been made to him so that he can satisfy himself that the safeguards provided for the Scheduled Castes and Scheduled Tribes in the Constitution have not been violated; and
- (ii) Whether Scheduled Caste and Scheduled Tribe Government servants can write to him direct bringing their grievances to his notice.

2. Occasions for consulting the original files of the Ministries or Departments by the Commissioner for Scheduled Castes and Scheduled Tribes would probably be few and far between as usually the full facts of the cases are furnished to the Commissioner for Scheduled Castes and Scheduled Tribes whenever enquiries are made by him in such matters. However, there may be cases where the Commissioner might require to see the original records and files in order to satisfy himself that no injustice has been done. There may, in general, be no difficulty in making files available to him, but in some cases, it may not be possible to show him the files for reasons of public security etc.

3. Taking all aspects into consideration and in the light of the advice given by the Committee of Secretaries on Internal Affairs which has been approved by the High Power Committee set up by the Department of Personnel & Administrative Reforms, it has been decided as follows:—

- (a) Files relating to the appointment of candidates belonging to the Scheduled Castes and Scheduled Tribes against the reserved quota should, on demand, be made available to the Commissioner for Scheduled Castes and Scheduled Tribes;
- (b) In all other cases, comprehensive notes explaining position may be furnished to him;
- (c) Should the Commissioner have any reservations or doubts in regard to the explanations given, the matter may be referred to the Home Secretary, who will go through the original records and answer the queries by the Commissioner; where possible, he will also send the record with the reply; and
- (d) Scheduled Caste and Scheduled Tribe Government employees may be permitted to write to the Commissioner for Scheduled Castes and Scheduled Tribes direct on matters relating to appointments against the reserved quota.

4. The expression "reserved quota" will include matters relating to confirmation, promotion, grant of other concessions allowed to Scheduled Caste and Scheduled Tribe employees by the Department of Personnel & Administrative Reforms from time to time.

5. These decisions may kindly be brought to the notice of all the concerned authorities.

Ministry of Home Affairs O.M. No. 17016/1/76-SCT(1), dated 8th April, 1976 to all Ministries etc.

Subject:—Question whether the Commissioner for Scheduled Castes and Scheduled Tribes can call for original records and files in specific cases where complaints have been made to him and whether Scheduled Caste and Scheduled Tribe servants can write to him direct.

The undersigned is directed to refer to this Ministry Office Memorandum No. 8/2/69-SCT(1), dated 1-10-1974 on the above subject addressed to all Ministries/Departments of the Government of India and to say that this Ministry had been receiving requests for clarification whether the Scheduled Caste and Scheduled Tribe Government employees may be permitted to write to the Commissioner for Scheduled Castes and Scheduled Tribes direct on matters relating to appointments against the reserved quota without seeking prior permission from the Departments concerned. It is clarified for general information that in such cases it is not necessary for the Scheduled Caste and Scheduled Tribe Government employees to seek prior permission of the concerned administrative Ministries/Departments of the Government of India for sending their representations to the Commissioner for Scheduled Castes and Scheduled Tribes direct.

Deptt. of Personnel and A.R. O.M. No. 36024/1/78-Estt.(SCT) dated 27-6-78 to all Ministries etc.

Subject:—Follow up action on (i) special studies of offices/organisations undertaken and (ii) complaints received by the Commissioner for Scheduled Castes and Scheduled Tribes in service matters.

The undersigned is directed to refer to the instructions contained in the Ministry of Home Affairs O.M. No. 16/8/69-Estt.(SCT), dated 27-4-1970 in which the Ministries/Departments were requested to ask the Liaison Officers nominated in Ministries/Departments and in offices under the Heads of Departments for work relating to representation of Scheduled Castes and Scheduled Tribes to note the recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes that the Liaison Officers should ensure extension of necessary assistance to the Commissioner for Scheduled Castes and Scheduled Tribes in the investigation of complaints received by the latter in regard to service matters. These instructions are again brought to the notice of the Ministries/Departments, and they are requested to ensure that whenever any cases of individual representations relating to service matters are referred by the Commissioner for Scheduled Castes and Scheduled Tribes to them calling for facts, comments etc., necessary action is taken to send reply/report to the Commissioner for Scheduled Castes and Scheduled Tribes as expeditiously as possible.

2. Special studies of rosters maintained and of implementation of other orders regarding reservation for Scheduled Castes and Scheduled Tribes in certain offices/organisation are also undertaken by the organisation of the Commissioner for Scheduled Castes and Scheduled Tribes from time to time. Ministries/Departments are requested to extend assistance to the Commissioned when such studies are made, and also take follow up action on the Study reports, as expeditiously as possible. Action taken on the reports may also be intimated to the Commissioner for Scheduled Castes and Scheduled Tribes whenever required.

Deptt. of Personnel and A.R. O.M. No. 36024/1/78-Estt.(SCT), dated the 20th February, 1979 to all the Ministries etc.

Subject:—Follow-up action in (i) special studies of offices/organisations undertaken and (ii) complaints received by the Commissioner for Scheduled Castes and Scheduled Tribes in Service matters.

The undersigned is directed to invite a reference to this Department's Office Memorandum No. 36024/1/78-Estt.(SCT) dated the 27th June, 1978, in which the Ministries/Departments etc. were requested to extend necessary assistance to the Commissioner for Scheduled Castes and Scheduled Tribes in connection with the

Special Studies of rosters maintained and implementation of other orders regarding reservation for Scheduled Castes and Scheduled Tribes undertaken by the Organisation of the Commissioner for Scheduled Castes and Scheduled Tribes and also to reports on follow-up action on such studies to him and also send replies to references made by him as expeditiously as possible. While there is no doubt that the Ministries/Departments would be taking all necessary steps to send reports on follow-up action on the Commissioner's study reports and attend to his other reference with due care and promptitude, it has been felt necessary that a specific time-limit should be laid down within which the Ministries should complete the necessary follow-up action on the Study reports/suggestions made by the Commissioner and furnish action taken statements to him. After a careful consideration it has been decided that the necessary follow-up action should be completed and action taken reported to the Commissioner *within six months*, and where for any reasons it is not possible for the Ministries/Departments to adhere to this time schedule, the reasons therefor should be communicated to the Commissioner before the expiry of 6 months, indicating the details of the action already taken and also the probable time that would be further needed by them to send their final replies/reports.

3. Ministry of Finance etc. are requested to bring the above instructions to the notice of all the concerned authorities.

CHAPTER 19

RESERVATIONS FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN THE SERVICES UNDER THE PUBLIC SECTOR UNDERTAKINGS, STATUTORY AND SEMI-GOVERNMENT BODIES AND VOLUNTARY AGENCIES RECEIVING GRANTS IN AID FROM THE GOVERNMENT

19.1 The various instructions given in this Brochure relate to reservations for Scheduled Castes and Scheduled Tribes in posts/services under the Government. The Public Sector Undertakings, Statutory and Semi-Government Bodies etc. under the control of the Government, have also been asked to make reservation for Scheduled Castes and Scheduled Tribes in their services on the lines of the reservations in services under Government by separate instructions as mentioned in the following paragraphs.

19.2 *Public Sector Undertakings*

In Ministry of Home Affairs O.M. No. 5/1/63 SCT (I) dated 4-3-64, Ministries were requested to issue suitable instructions to the public sector undertakings under their control to make reservations for Scheduled Castes and Scheduled Tribes in their services on the lines of the reservations in Central Government services.

MHA OM
No.
5/1/63
4-3-64.
SCT (I)

The Bureau of Public Enterprises, Ministry of Finance has since arranged for issue to the various public sector undertakings, suitable directives through the administrative Ministries concerned for making reservations for Scheduled Castes and Scheduled Tribes in their services. The directive and supplementary directives were forwarded by the Bureau of Public Enterprises to the administrative Ministries for issue to the Public Undertakings with the following O.Ms:—

O.M. No. 2(115)/68 BPE(GM) dated 18-9-1969.

O.M. No. 2(115)/68 BPE (GM) dated 17-12-1970.

O.M. No. 6/1/73 BPE (IC) dated 10-5-1974.

MHA
O.M. No.
16/2/54
(SCT)
dated
23-11-54,
and No.
17/4/62.
Estt.
(SCT)
dated
3-2-70.

19.3 Statutory and Semi-Government Bodies

Autonomous bodies such as statutory and semi-Government bodies which are under the control of the Government should also make reservations for Scheduled Castes and Scheduled Tribes in their services on the lines of the reservations in the services under Government vide instructions issued in Ministry of Home Affairs O.M. No. 16/2/54-SCT dated 23-11-1954 read with O.M. No. 17/4/69-Estt. (SCT) dated 3-2-1970.

19.4 Autonomous Bodies/Institutions including Municipal Corporations, Cooperative Institutions, Universities etc.

MHA
O.M. No.
39/40/74-
(SCT)
(I)
dated
30-9-74.

Suitable action should be taken by the Ministries/Departments concerned under advice to Ministry of Home Affairs to provide for reservations for Scheduled Castes and Scheduled Tribes in the services of the autonomous bodies/institutions which are receiving grants-in-aid from the Government of India by making suitable provision in the relevant statutes or in the Articles of Association of the respective bodies.

19.5 Voluntary Agencies Receiving Grants in Aid from the Government.

DP & AR
O.M. No
27/12/73-
Estt.
(SCT)
dated
7-10-74

A clause providing for reservations being made in favour of Scheduled Castes and Scheduled Tribes in the services under the voluntary agencies should be included in the terms and conditions under which such voluntary agencies/organisations etc. are given grants-in-aid by Government, somewhat on the following lines:—

“..... (Name of Organisation/Agency etc.) agrees to make reservations for Scheduled Castes and Scheduled Tribes in the Posts/services under its control on the lines indicated by the Government of India.”

Such voluntary agencies etc. would be required to follow the broad features of the scheme of reservations.

(ii) The Ministries/Departments should insist on the above provisions relating to reservations for Scheduled Castes and Scheduled Tribes being followed by the voluntary agencies etc. as a pre-condition to the sanction of grants-in-aid to the agencies where;

- (a) the recipient body employees more than 20 persons on a regular basis and at least 50 per cent of its recurring expenditure is met from grants-in-aid from Central Government; and
- (b) the body is a registered society or a cooperative institution and is in receipt of a general purpose annual grant-in-aid of Rs. 2 lakhs and above from the Consolidated Fund of India.

(iii) The above decisions should be kept in view while sanctioning grants-in-aid to various voluntary agencies and the progress made by such agencies in employing Scheduled Castes and Scheduled Tribes candidates in their services should also be kept in view by the administrative Ministries/Departments while sanctioning future grants to them. The voluntary agencies etc. should also be informed that the progress in respect to the employment by them of Scheduled Castes and Scheduled Tribes in the services under them would be taken into account by Government while sanctioning future grants-in-aid to them.

COPIES OF OFFICE MEMORANDA ETC.

ON

CHAPTER 19

O.M. No. 17016/1/76-SCT(I)	. . . . .	8-4-76
O.M. No. 16/2/54-SCT	. . . . .	23-11-54
O.M. No. 5/1/63-SCT(I)	. . . . .	4-3-64
O.M. No. 17/4/69-Estt. (SCT)	. . . . .	3-2-70
O.M. No. 39/40/74-SCT(I)	. . . . .	30-9-74
O.M. No. 27/12/73-Estt. (SCT)	. . . . .	7-10-74

Ministry of Home Affairs O.M. No. 16/2/54-SCT, dated 23rd November, 1954

Subject:—Application of the Communal Representation Order to Statutory Bodies.

The undersigned is directed to invite a reference to para 5 of Section IX of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1952 in which it was recommended that the Statutory Bodies attached to the various Ministries of the Government of India should be requested to observe the orders regarding reservation of vacancies for Scheduled Castes and Scheduled Tribes (contained in the Ministry of Home Affairs Resolution No. 42/21/49-NGS, dated 13th September, 1950) while recruiting staff in their offices.

2. In order to find out whether any Statutory Bodies were not observing the reservation orders, the Ministries were requested to furnish *inter alia* a list of Statutory Bodies under their administrative control which were following those orders. *Vide* this Ministry's Office Memorandum No. 28/9/54-SCT dated 20th July, 1954. Replies to that office memorandum are not yet complete, but the information furnished by the Ministries from whom replies have been received so far indicates that while some of the Statutory Bodies are following the reservation orders, other are not doing so. The recommendation referred to in the preceding paragraph needs to be examined in relation to those Statutory Bodies which are not following the reservation orders.

3. After careful consideration, the Ministry of Home Affairs have agreed in principle that the reservation orders should also apply to the Statutory Bodies which are not following them now. It is, however, for examination in each case, on the basis of the relevant statute, whether the Government of India can pass an order directing that reservation orders would apply to the Statutory Body concerned. If the statute does not permit of such direction by Government, the only course would be to bring the policy of Government in the matter to the notice of the Statutory authority and suggest that they should make suitable rules, or amendments to their existing rules in accordance with this policy.

4. The undersigned is accordingly to request the Ministry of Finance etc. to examine, in respect of each of the Statutory Bodies attached to them or under their administrative control which are not following the reservation orders, the question whether the reservation orders can be extended formally to those Bodies, or whether they should merely be recommended to them for adoption. The result of such examination and the action taken in the matter may be communicated to the Ministry of Home Affairs as early as possible.

5. The Ministry of Finance etc. are also requested to ask the Statutory Bodies attached to them to furnish the communal returns in the manner prescribed in this Ministry's Office Memorandum No. 42/21/49-NGS, dated 28th January, 1952. Such returns should be forwarded to this Ministry along with the returns relating to the Ministry of Finance etc. and their attached and subordinate offices. The information relating to Statutory Bodies should not, however, be included in the consolidated statements of the returns.

Ministry of Home Affairs O.M. No. 5/1/63-SCT(I) dated 4th March, 1964 to all Ministries etc.

Subject:—Reservations for Scheduled Castes and Scheduled Tribes in the services under the Public Sector Undertakings.

In Ministry of Home Affairs O.M. No. 5/13/56-SCT(I), dated 14th November, 1956 and 5/13/56-SCT(I), dated 5th September, 1957 (copies enclosed), Ministries were requested to issue instructions to the Public Sector Undertakings under their control to observe the orders regarding representation of Scheduled Castes and Scheduled Tribes in Government services, as far as possible consistently with the maintenance of efficiency. It has, however, come to the notice that in some of the Public Sector Undertakings, due representation is still not being given to Scheduled Castes and Scheduled Tribes. The question of employment of Scheduled Castes and Scheduled Tribes recently came up for consideration before the Central Advisory Board for Harijan Welfare and the members were assured that action would be taken to see that these Undertakings gave as much benefit as possible to the Scheduled Castes and Scheduled Tribes. The working Group on the Welfare of Back-

ward Classes in the 4th Plan have also recommended *inter-alia* reservations for Scheduled Castes and Scheduled Tribes in appointments in Public Sector Undertakings. Taking into consideration all relevant factors and the growing opportunities of employment in the Public Sector, it is important that, as in the case of employment in public services, the Scheduled Castes and Scheduled Tribes should be given fair share of appointments in Public Sector Undertakings also.

2. Ministries are accordingly requested to issue suitable instructions to the Undertakings under their control to make reservation for Scheduled Castes and Scheduled Tribes in their services on the lines of the reservations in Central Government services. It may be explained to the Undertakings that reservations for Scheduled Castes and Scheduled Tribes are subject to availability of *suitable* candidates of the respective class, and in case of non-availability of such *suitable* candidates for any reserved posts, such posts can be treated as unreserved and filled by others. Cases, if any, where a Public Sector Undertaking finds difficulty in implementing the reservation orders wholly or even partly, may be further examined by the Ministry concerned in consultation with this Ministry.

3. The Undertakings may also be instructed to furnish to this Ministry and to the administrative Ministry by 1st March every year, annual returns in the forms given in Appendices I and II enclosed. In some Undertakings, the classification of posts may not be identical or similar to that in vogue in the Central Government service. In such cases, for the purpose of maintaining rosters and furnishing the returns, the posts may be treated as Class I, II, III and IV, as follows:—

Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 950. Class I

Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 575 but less than Rs. 950. Class II

Posts carrying a pay or scale of pay with a maximum of over Rs. 110 but less than Rs. 575. Class III

Posts carrying a pay or a scale of pay the maximum of which is Rs. 110 or less. Class IV

4. Copies of instructions issued to Public Sector Undertakings in pursuance of paragraphs 2 and 3 above may kindly be endorsed to this Ministry.

Ministry of Home Affairs O.M. No. 17/4/69-(SCT) dated 3rd February, 1970 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in the services under the autonomous bodies.

In the Ministry of Home Affairs Office Memorandum No. 16/2/54-SCT, dated 23rd November, 1954, it was stated that the Ministry of Home Affairs had agreed in principle that the orders regarding reservations for Scheduled Castes and Scheduled Tribes should also apply to Statutory Bodies. The Ministries were requested to direct the Statutory Bodies to follow the reservation orders if the relevant statute permitted of such direction being given. They were also requested to examine in respect of each of the Statutory Bodies attached to them or under their administrative control which were not then following the reservation orders, the question of formally extending the reservation orders to these bodies. In this Ministry's Office Memorandum No. 5/1/63-SCT(I) dated 4th March, 1974, the Ministries were requested to issue instructions to the Public Sector Undertakings under their control to make reservation for Scheduled Castes and Scheduled Tribes in their services on the lines of the reservations in the Central Government services. As a result of these instructions and follow-up action, most of the Public Sector Undertakings and Statutory and Semi-Government Bodies have now agreed to make reservation for Scheduled Castes and Scheduled Tribes in their services.

2. The Bureau of Public Enterprises, Ministry of Finance, has in its D.O. letter No. 2(115)/68-BPE(GM) dated 18th September, 1969, communicated to the Ministries a draft directive to be issued to the Public Enterprises on the subject. The

Directive would cover bodies formed under a Statute and Companies registered under the Companies Act over which Government exercises control. Apart from such statutory bodies and public enterprises, there are various autonomous bodies over which control is exercised by Government. For instance, there are bodies which are registered under the Societies Registration Act and other institutions controlled by Government. It is necessary that the orders regarding reservation for Scheduled Castes and Scheduled Tribes should be followed in all aspects by such autonomous bodies also. Ministry of Education and Youth Services etc. are, therefore, requested to issue instructions to the autonomous bodies under their control to make reservations for Scheduled Castes and Scheduled Tribes in their services according to the scheme in the Annexure.

3. Copies of the instructions issued to the autonomous bodies in pursuance of para 2 above may please be endorsed to this Ministry also.

Ministry of Home Affairs O.M. No. 39/40/74-SCT(I) dated 30th September 1974 to all Ministries etc.

Subject:—Reservation for Scheduled Castes and Scheduled Tribes in autonomous bodies/institutions.

The undersigned is directed to say that a suggestion was received from the Commissioner for Scheduled Castes and Scheduled Tribes that autonomous bodies, including Municipal Corporations, Co-operative institutions, Universities, etc. should be asked to make reservations for Scheduled Castes and Scheduled Tribes in the matter of employment in services under their control. He also suggested that if the word "State" occurring in Article 12 of the Constitution did not cover these bodies, the Constitution should be amended suitably.

2. The question was considered in consultation with the Ministry of Law and Justice with particular reference to the interpretation of the word "State" occurring in Article 12 of the Constitution. The opinion of the Ministry of Law was that the word "State" in this article of the Constitution while covering the Municipal Corporations would not cover the other autonomous bodies, Co-operative Institutions, Universities, etc. but it was not necessary to amend the Constitution as the purpose of making reservations for Scheduled Castes and Scheduled Tribes in such bodies could be achieved by making suitable provision in the relevant statutes or in the Articles of Association etc.

3. It is, therefore, requested that suitable action may kindly be taken under advice to this Ministry to provide reservations for Scheduled Castes and Scheduled Tribes in the services of the autonomous bodies/institutions which are receiving grant-in-aid from the Government of India by making suitable provision in the relevant statutes or in the Articles of the respective bodies.

Department of Personnel and Administrative Reforms O.M. No. 27/12/73-Estt. (SCT), dated 7th October 1974 to all Ministries etc.

Subject:—Reservation of vacancies for Scheduled Castes and Scheduled Tribes in the Services and posts under the voluntary agencies receiving grants-in-aid from the Government.

The policy of the Government of India has been to ensure that adequate representation is available to members of Scheduled Castes and Scheduled Tribes in the posts and services under Government. As a further extension of this policy, the Ministries/Departments administratively concerned with the public sector undertakings have also been asked by the Bureau of Public Enterprises to issue suitable directives to the public undertakings under their control to provide for reservation for Scheduled Castes and Scheduled Tribes in the services under the public undertakings, on the pattern of the scheme of reservations under Government.

2. The question of providing adequate representation to the Scheduled Castes and Scheduled Tribes in the services and posts under the control of voluntary agencies or organisations which receive grants-in-aid from Government has been under con-

sideration of Government for some time. The matter was also discussed at the last meeting of the High Power Committee held on the 9th April, 1974, under the Chairmanship of the Prime Minister, to review the performance in the matter of recruitment of Scheduled Caste and Scheduled Tribe candidates to posts under Govt., etc. It has now been decided that all the Ministries/Departments should include a suitable clause in the terms and conditions under which the voluntary agencies/organisations, etc. are given grants-in-aid by Government, to provide for reservations for Scheduled Castes and Scheduled Tribes in posts and services under such organisations or agencies. The relative provision could be somewhat on the following lines:—

".....(Name of Organisation/Agency etc.) agrees to make reservations for Scheduled Castes and Scheduled Tribes in the posts/services under its control on the lines indicated by the Government of India."

It has been decided also that the voluntary agencies etc. need to follow only the broad features of the scheme of reservations, as indicated in the enclosed Annexure.

3. It has also been decided that Ministries/Departments should insist on the above provisions relating to reservations for Scheduled Castes and Scheduled Tribes being followed by the voluntary organisations etc. as a precondition to the sanction of grants-in-aid to the agencies where:—

- (a) the recipient body employs more than 20 persons on a regular basis and at least 50 per cent of its recurring expenditure is met from grants-in-aid from Central Government; and
- (b) the body is a registered society or a cooperative institution and is in receipt of a general purpose annual grant-in-aid of Rs. 2 lakhs and above from the Consolidated Fund of India.

4. Ministry of Finance etc. are, therefore, requested to keep the above decisions in view while sanctioning grants-in-aid to various voluntary agencies under them, and the progress made by such agencies in employing Scheduled Castes and Scheduled Tribes candidates in their services should also be kept in view by the administrative Ministries/Departments while sanctioning future grants to them. The voluntary agencies etc. should also be duly informed that the progress in regard to the employment by them of Scheduled Castes and Scheduled Tribes into services under them would be taken into account by Government while sanctioning future grants-in-aid to them.

ANNEXURE

Broad features of the scheme of reservations for Scheduled Castes and Scheduled Tribes for being followed by the voluntary agencies receiving grants-in-aid from the Government

The following measures should be taken with regard to the reservations for Scheduled Castes and Scheduled Tribes in appointments to various posts under the Voluntary Agencies:

	<i>Sch. Castes</i>	<i>Sch. Tribes</i>
I. <i>Percentages of Reservation :</i>		
(i) Direct recruitment on an All India basis.	15%	71%
(ii) Direct recruitment to post which normally attract candidates from a locality or region.		As shown in APP. II.
II. <i>Rosters :</i>		

To give effect to the above reservation, vacancies should be treated as 'reserved' or 'unreserved' according to a model roster as described below:—

- | | |
|---|---|
| (i) Direct recruitment on an all India basis. | 40 point roster as given in Appendix 1. |
| (ii) Direct recruitment to posts which normally attract candidates from a locality or region. | 100 point roster as given in Appendix II. |

The roster should be maintained in a register in the form given in Appendix II. This roster should be maintained in the form of a running account year by year i.e. if recruitment in a year stops at point 6, recruitment in the following year will start from point 7. After completing the cycle of 40/100 points, the roster will start again from point 1.

III. *Procedure for dereservation:* Before any reserved vacancy is dereserved and filled by a general candidate, the prior approval of the Governing Body/Executive Council should be obtained.

IV. *Essential steps to secure Scheduled Caste/Tribe candidates:*

The following steps should be taken to bring the reserved vacancies to the notice of the members of Scheduled Castes and Scheduled Tribes:—

- (i) All vacancies should be notified to the local or the regional Employment Exchange mentioning clearly the number of vacancies reserved for Scheduled Castes and Scheduled Tribes.
- (ii) The vacancies should be advertised in newspapers considered suitable for the purpose if candidates are not available through the Employment Exchange.

V. *Separate interview of Scheduled Castes/Tribes candidates:*

Interview of Scheduled Castes/Scheduled Tribes candidates should be held on a day or sitting of the Recruitment Committee other than the day or sitting on which general candidates are to be interviewed so that the Scheduled Castes/Scheduled Tribes candidates are not judged in comparison with general candidates and the interviewing body is prominently aware of the need for judging the Scheduled Castes/Scheduled Tribes candidates by relaxed Standards.

VI. *Carrying forward and lapse of reservations:*

If sufficient number of Scheduled Caste/Tribe candidates are not available to fill the reserved vacancies in any particular year, these may be filled by general candidates after dereservation (vide para III above) but the reservations will be carried forward to three subsequent recruitment years before they could be treated as lapsed. In the third year of such carry-forward, Scheduled Tribe candidates can be considered against the vacancies reserved for Scheduled Castes if suitable Scheduled Caste candidates are not available, and

VII. *Relaxation of age-limit:*

The maximum age-limit prescribed for appointment to a post should be increased by 5 years in the case of candidates belonging to Scheduled Castes and Scheduled Tribes.

VIII. *Relaxation of standards:*

If a sufficient number of Scheduled Caste/Tribe candidates is not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to these communities may be selected to fill up the remaining

reserved vacancies by applying relaxed standards, subject to the fitness of these candidate for appointment to the post/posts in question.

APPENDIX—I

MODEL ROSTER FOR POSTS FILLED BY DIRECT RECRUITMENT ON ALL INDIA BASIS

Point in the Roster	Whether unreserved or reserved	Point in the roster	Whether unreserved or reserved
1.	Scheduled Caste	21.	Unreserved
2.	Unreserved	22.	Scheduled Caste
3.	Unreserved	23.	Unreserved
4.	Scheduled Tribe	24.	Unreserved
5.	Unreserved	25.	Unreserved
6.	Unreserved	26.	Unreserved
7.	Unreserved	27.	Unreserved
8.	Scheduled Caste	28.	Scheduled Caste
9.	Unreserved	29.	Unreserved
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	Scheduled Tribe
12.	Unreserved	32.	Unreserved
13.	Unreserved	33.	Unreserved
14.	Scheduled Caste	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	Scheduled Caste
17.	Scheduled Tribe	37.	Unreserved
18.	Unreserved	38.	Unreserved
19.	Unreserved	39.	Unreserved
20.	Unreserved	40.	Unreserved

Appendix II

Statement showing the percentage of reservation and actual points to be reserved for Scheduled Caste and Scheduled Tribes in a 100 point roster where recruitment is made on a local or regional basis.

Sl. No.	Name of State Union Territory	Scheduled Castes		Scheduled Tribes	
		Percentage of reservation	Actual points to be reserved in a 100 point roster	Percentage of reservation	Actual points to be reserved in a 100 point roster
1	2	3	4	5	6
STATE					
1.	Andhra Pradesh	13	1, 9, 17, 26, 33, 40, 48, 56, 63, 71, 78, 85, 93,	5	4, 24, 45, 66, 87,
2.	Assam	6	4, 19, 38, 54, 73, 89,	11	1, 10, 21, 30, 40, 49, 58, 67, 76, 85, 94,
3.	Bihar	14	1, 8, 15, 22, 29, 36, 43, 50, 57, 64, 71, 78, 85, 92,	9	4, 17, 26, 38, 48, 59, 69, 81, 94,
4.	Gujarat	7	4, 18, 32, 46, 60, 74, 88,	14	1, 8, 15, 22, 29, 36, 43, 50, 57, 64, 71, 78, 85, 92,
5.	Harayana	19	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91,	5	4, 24, 44, 64, 84,
6.	Himachal Pradesh	22	1, 6, 10, 14, 18, 22, 27, 31, 35, 40, 45, 49, 53, 57, 61, 65, 70, 75, 79, 83, 87, 92,	5	4, 24, 43, 63, 85,
7.	Jammu & Kashmir	8	1, 14, 27, 40, 53, 66, 79, 92,	5	4, 24, 44, 64, 84,
8.	Kerala	9	1, 12, 23, 34, 45, 56, 67, 78, 89,	5	4, 25, 43, 64, 84,
9.	Madhya Pradesh	13	4, 13, 18, 24, 33, 38, 48, 53, 59, 68, 74, 83, 88,	20	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96,
10.	Maharashtra	6	1, 18, 35, 52, 69, 86,	6	4, 21, 38, 55, 72, 89,
11.	Manipur	2	4, 54,	31	1, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39, 42, 45, 48, 52, 56, 59, 62, 65, 68, 71, 74, 77, 80, 83, 86, 89, 92, 95,

1	2	3	4	5	6
12.	Mcghalaya	1	4	44	1, 6, 9, 11, 13, 15, 18, 20, 22, 24, 27, 29, 31, 33, 36, 38, 40, 42, 45, 47, 49, 51, 53, 56, 59, 61, 63, 65, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98,
13.	Mysore	13	1, 9, 17, 25, 33, 41, 49, 57, 65, 73, 81, 89, 97,	5	4, 22, 44, 63, 84,
14.	Nagaland . . . . .	..	..	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99,
15.	Orissa	15	4, 11, 19, 23, 31, 35, 43, 51, 59, 63, 71, 75, 83, 87, 95,	23	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 90,
16.	Punjab	25	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97,	5	4, 23, 43, 63, 83,
17.	Rajasthan	16	1, 7, 13, 19, 26, 32, 38, 43, 50, 56, 62, 67, 74, 81, 88, 95,	12	4, 11, 21, 28, 35, 45, 52, 59, 69, 76, 83, 93,
18.	Tamilnadu	18	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86,	5	4, 24, 44, 64, 84,
19.	Tripura	13	4, 11, 18, 25, 33, 40, 47, 54, 61, 68, 75, 82, 89,	29	1, 6, 9, 13, 16, 20, 23, 27, 30, 35, 38, 42, 45, 49, 52, 56, 59, 63, 66, 70, 73, 77, 80, 84, 87, 91, 93, 96, 98,
20.	Uttar Pradesh	21	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96, 99,	5	4, 24, 44, 64, 84,
21.	West Bengal	20	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96,	6	4, 23, 38, 54, 73, 89,

1	2	3	4	5	6
UNION TERRITORIES					
1.	A & N Islands			16	1, 7, 13, 20, 26, 32, 38, 44, 50, 57, 63, 69, 75, 81, 87, 93,
2.	Arunachal Pradesh			45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99.
3.	Chandigarh	12	10, 9, 28, 37, 46, 55, 65, 73, 82, 91, 99.	5	4, 24, 44, 63, 84.
4.	Dadra & Nagar Haveli	2, 4, 54.		43	1, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 51, 57, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 95, 98.
5.	Delhi		Rosters prescribed for recruitment on All India basis to be followed		
6.	Goa, Daman & Diu	2, 4, 54.		5	1, 21, 41, 61, 81.
7.	L.M. & A. Islands			45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99.
8.	Mizoram			45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99.
9.	Pondicherry	16	1, 7, 13, 20, 26, 32, 38, 45, 50, 56, 62, 62, 68, 74, 80, 86, 92.	5	4, 24, 43, 64, 84.

FORM OF REGISTER OF ROSTER

Name of the voluntary agency/organisation

Name of post/posts

Reservations brought forward from previous years		Particulars of recruitment made					Reservations carried forward		Signature of appointing authority or other authorised officer bearer of the voluntary agency/organisation	Remarks
Sch. Castes	Sch. Tribes	Recruitment year	Roster and point No.	Unreserved or Reserved for SCs/ STs according to the roster applicable	Name of the person appointed & date of appointment	Whether he is SC/ ST/if not say 'Neither'	Sch. Castes	Sch. Tribes		
1	2	3	4	5	6	7	8	9	10	11

PART II
APPENDICES

LIST OF APPENDICES

*Heading**S.No.**Pages*

1. Model roster for (i) posts filled by direct recruitment on all-India basis by open competition and (ii) for posts, filled by promotion
2. Model roster for posts filled by direct recruitment on all India basis otherwise than by open competition
3. Statement showing the percentages and number of points to be reserved for Scheduled Castes and Scheduled Tribes in a 100 point roster where recruitment is made on a local or regional basis
4. Form of register to be maintained to give effect to the roster for reservation for Scheduled Castes/Scheduled Tribes
5. Detailed instructions for the maintenance for rosters
6. Hypothetical illustration showing how the vacancies reserved for Scheduled Castes and Scheduled Tribes but not so filled could be carried forward/lapsed
7. Proforma for conducting inspection of rosters maintained for providing reservations for Scheduled Castes and Scheduled Tribes in services
8. Statement showing the total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January
- 8A. Statement Showing representation of Scheduled Castes and Scheduled Tribes in each services Controlled by Ministry/Department
9. Statement showing the number of reserved vacancies filled by members of Scheduled Castes and Scheduled Tribes in the Ministry/Department/Office during the year.
10. Requisition form for recruitment through Employment Exchanges
11. Addresses of association etc. recognised as representative of Scheduled Castes and Scheduled Tribes for the purposes of orders relating to special representation in the Services
12. Statement showing reserved vacancies included in the roster for purely temporary appointments which are expected to last for 45 days or more but which have no chance whatever of becoming permanent or continuing indefinitely, treated as dereserved by the Ministries/Departments
13. Detailed instructions for filling vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by promotion (i) by selection in Class III and IV and (ii) through limited departmental competitive examination.
14. Form of certificate to be produced by a candidate belonging to Scheduled Caste or Scheduled Tribe in support of his claim
15. List of authorities empowered to issue certificates of verification
16. List of points for the guidance of officers authorised to issue Scheduled Castes and Scheduled Tribes certificates
17. List of All India Radio stations (in areas with concentration of Scheduled Castes and Scheduled Tribes population) to which reserved vacancies are to be notified for announcement
18. Proformae for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes
19. Statement regarding number of posts filled by deputation and the number of Scheduled Caste and Scheduled Tribe candidates appointed against such posts (for the period 1st January to 31st December)

APPENDIX I

Model roster for posts filled by direct recruitment on all-India basis by open competition (for reservation of 15% for Scheduled Castes and 7 1/2% for Scheduled Tribes) [Para 4.1(i)(a)]

[A separate roster on this pattern will be maintained for posts filled by promotion to which reservation orders apply [Para. 4.1 (ii)]

Point in the Roster	Whether Unreserved or reserved	Point in the Roster	Whether Unreserved or reserved
1.	<i>Scheduled Caste</i>	21.	Unreserved
2.	Unreserved	22.	<i>Scheduled Caste</i>
3.	Unreserved	23.	Unreserved
4.	<i>Scheduled Tribe</i>	24.	Unreserved
5.	Unreserved	25.	Unreserved
6.	Unreserved	26.	Unreserved
7.	Unreserved	27.	Unreserved
8.	<i>Scheduled Caste</i>	28.	<i>Scheduled Caste</i>
9.	Unreserved	29.	Unreserved
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	<i>Scheduled Tribe</i>
12.	Unreserved	32.	Unreserved
13.	Unreserved	33.	Unreserved
14.	<i>Scheduled Caste</i>	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	<i>Scheduled Caste</i>
17.	<i>Scheduled Tribe</i>	37.	Unreserved
18.	Unreserved	38.	Unreserved
19.	Unreserved	39.	Unreserved
20.	Unreserved	40.	Unreserved

NOTE: If there be only one vacancy in a particular year which falls on a reserved point in the roster, it will be treated as unreserved in the first instance and filled accordingly but the reservation should be carried forward to subsequent year(s). In the subsequent year(s) of recruitment the reservation should be applied by treating the vacancy arising in that year as reserved even though there might be only a single vacancy in that subsequent year(s).

APPENDIX 2

Model Roster for posts filled by direct recruitment on all-India basis otherwise than by open competition (for reservation of 16 2/3% for Scheduled Castes and 7 1/2% for Scheduled Tribes)

[Para 4.1 (i) (b)]

Point in the Roster	Whether unreserved or reserved	Point in the Roster	Whether unreserved or reserved
1.	<i>Scheduled Caste</i>	21.	Unreserved
2.	Unreserved	22.	Unreserved
3.	Unreserved	23.	Unreserved
4.	<i>Scheduled Tribe</i>	24.	Unreserved
5.	Unreserved	25.	<i>Scheduled Caste</i>
6.	Unreserved	26.	Unreserved
7.	<i>Scheduled Caste</i>	27.	Unreserved
8.	Unreserved	28.	Unreserved
9.	Unreserved	29.	<i>Scheduled Tribe</i>
10.	Unreserved	30.	Unreserved
11.	Unreserved	31.	Unreserved
12.	Unreserved	32.	<i>Scheduled Caste</i>
13.	<i>Scheduled Caste</i>	33.	Unreserved
14.	Unreserved	34.	Unreserved
15.	Unreserved	35.	Unreserved
16.	Unreserved	36.	Unreserved
17.	<i>Scheduled Tribe</i>	37.	<i>Scheduled Caste</i>
18.	Unreserved	38.	Unreserved
19.	Unreserved	39.	Unreserved
20.	<i>Scheduled Caste</i>	40.	Unreserved

NOTE. 1. In every third cycle of the above roster, the 37th point will be treated as unreserved.

2. If there be only one vacancy in a particular year which falls on a reserved point in the roster it will be treated as unreserved in the first instance and filled accordingly but the reservation should be carried forward to subsequent year(s). In the subsequent year(s) of recruitment, the reservation should be applied by treating the vacancy arising in that year as reserved even though there might be only a single vacancy in that subsequent year(s).

APPENDIX 3*

Statement showing the percentages and number of points to be reserved for Schedule Castes and Scheduled Tribes on a 100 point roster where recruitment is made on a local or regional basis. These percentages of reservation are based generally on proportion of population of Scheduled Castes and Scheduled Tribes in the respective States/Union Territories [Para—4.1 (i)]

Sl. No.	Name of State/Union Territory	Scheduled Castes		Scheduled Tribes	
		Percentage of reservation	Actual points to be reserved in a 100 points roster	Percentage of reservation	Actual points to be reserved in a 100 point roster
1	2	3	4	5	6
STATE					
1	Andhra Pradesh	13	1, 9, 17, 26, 33, 40, 48, 56, 63, 71, 78, 85, 93	5	4, 24, 45, 66, 87
2	Assam	6	4, 19, 38, 54, 73, 89	11	1, 10, 21, 30, 40, 49, 58, 67, 76, 85, 94
3	Bihar	14	1, 8, 15, 22, 29, 36, 43, 50, 57, 64, 71, 78, 85, 92	9	4, 17, 26, 38, 48, 59, 69, 81, 94
4	Gujarat	7	4, 18, 32, 46, 60, 74, 88	14	1, 8, 15, 22, 29, 36, 43, 50, 57, 64, 71, 78, 85, 92
5	Haryana	19	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91	5	4, 24, 44, 64, 84
6	Himachal Pradesh	22	1, 6, 10, 14, 18, 22, 27, 31, 35, 40, 45, 49, 53, 57, 61, 65, 70, 75, 79, 83, 87, 92	5	4, 24, 43, 63, 85

*Deptt. of Personnel & AR OM No. 1/3/72-Estt. (SCT) dated 12-3-73.

(£) Substituted vide OM No. 1/3/72 Estt (SCT) dated 15-5-74.

APPENDIX 3—contd.

1	2	3	4	5	6
7	Jammu and Kashmir	8	1, 14, 27, 40, 53, 66, 79, 92	5	4, 24, 44, 64, 84
8	Kerala	9	1, 12, 23, 34, 45, 56, 67, 78, 89	5	4, 25, 43, 64, 84
9	Madhya Pradesh	13	4, 13, 18, 24, 33, 38, 48, 53, 59, 68, 74, 83, 88	20	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96
10	Maharashtra	6	1, 18, 35, 52, 69, 86	6	4, 21, 38, 55, 72, 89
11	Manipur	2	4, 54	31	1, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39, 42, 45, 48, 52, 56, 59, 62, 65, 68, 71, 74, 77, 80, 83, 86, 89, 92, 95
12	Meghalaya	1	4	44	1, 6, 9, 11, 13, 15, 18, 20, 22, 24, 27, 29, 31, 33, 36, 38, 40, 42, 45, 47, 49, 51, 53, 56, 59, 61, 63, 65, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98
13	Karnataka	13	1, 9, 17, 25, 33, 41, 49, 57, 65, 73, 81, 89, 97	5	4, 22, 44, 63, 84
14	Nagaland			45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99

APPENDIX 3—*contd.*

1	2	3	4	5	6
15	Orissa	15	4, 11, 19, 23, 31, 35, 43, 51, 59, 63, 71, 75, 83, 87, 95	23	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 90
16	Punjab	25	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97	5	4, 23, 43, 63, 83
17	Rajasthan	16	1, 7, 13, 19, 26, 32, 38, 43, 50, 56, 62, 67, 74, 81, 88, 95	12	4, 11, 21, 28, 35, 45, 52, 59, 69, 76, 83, 93
18	Sikkim*	5	4, 23, 43, 63, 83	25	1, 6, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97
19	Tamil Nadu	18	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86	5	4, 24, 44, 64, 84
20	Tripura	13	4, 11, 18, 25, 33, 40, 47, 54, 61, 68, 75, 82, 89	29	1, 6, 9, 13, 16, 20, 23, 27, 30, 35, 38, 42, 45, 49, 52, 56, 59, 63, 66, 70, 73, 77, 80, 84, 87, 91, 93, 96, 98
21	Uttar Pradesh	21	2, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96, 99	5	4, 24, 44, 64, 84
22	West Bengal	20	1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96	6	4, 23, 38, 54, 73, 89

*Added by DP & AR OM No. 36011/3/79 Estt. (SCT) dated 18-5-79.

APPENDIX 3—Contd.

1	2	3	4	5	6
UNION TERRITORIES					
1. A. & N. Islands
				16	1, 7, 13, 20, 26, 32, 38, 44, 50, 57, 63, 69, 75, 81, 87, 93
2. Arunachal Pradesh
				45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
3. Chandigarh
		12	1, 10, 19, 28, 37, 46, 55, 65, 73, 82, 91, 99	5	4, 24, 44, 63, 84
4. Dadra & Nagar Haveli
		2	4, 54	43	1, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 51, 57, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 95, 98
5. Delhi
			Rosters prescribed for recruitment on All India basis to be followed.		
6. Goa, Daman & Diu
		2	4, 54	5	1, 21, 41, 61, 81

APPENDIX 3—contd.

1	2	3	4	5	6
7	Lakshdweep Islands	—	—	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 55, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
8	Mizoram E	—	—	45	1, 4, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 55, 56, 59, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 93, 96, 99
9	Pondicherry	16	1, 7, 13, 20, 26, 32, 38, 45, 50, 56, 62, 68, 74, 80, 86, 92	5	4, 24, 43, 64, 84

£ Added vide Deptt. of Personnel & AR OM NO. 1/3/72 Est (SCT) dated 15-5-74

NOTE : (1) If there be only one vacancy in a particular year which falls on a reserved point in the roster, it will be treated as unreserved in the first instance and filled accordingly but the reservation should be carried forward to subsequent year(s). In the subsequent year(s) of recruitment, the reservation should be applied by treating the vacancy arising in that year as reserved even though there might be only a single vacancy in that subsequent year(s).

(2) Even though in a particular State/Union Territory, the population percentage of Scheduled Tribes in less than 5%, a minimum reservation of 5% has been provided for that community.

APPENDIX 4

*Form of register to be maintained to give effect to the roster for reservations for Scheduled Castes/Scheduled Tribes.
(Para 4.4)*

Ministry/Department/Office of

Grade or Group of posts

PERMANENT AND LONG-TERM TEMPORARY/PURELY TEMPORARY

Reservations brought forward from previous years		Recruitment year	Particulars of recruitment made				Reservations Carried forward		Signature of appointing authority or other authorised officer	Remarks
Sch. Castes	Sch. Tribes		Cycle No. and point No.	Unreserved or Re-served for S.Cs./S.Ts. according to the roster applicable	Name of the person appointed and date of appointment	Whether he is S.C./S.T. If not, say 'Neither'	Sch. Castes	Sch. Tribes		
1	2	3	4	5	6	7	8	9	10	11

APPENDIX 5

Detailed instructions for the maintenance of rosters (Para 4.4)

1. A separate roster should be maintained in the form given in Appendix 4 for each type of recruitment and within it for each grade or service or a group of posts formed for the purpose of these orders.
2. Within each category of posts a separate roster may be maintained for (i) permanent appointments and temporary appointments likely to become permanent or continue indefinitely and (ii) purely temporary appointments.
3. Immediately after an appointment has been made the particulars of the persons appointed will be entered in the register in the appropriate columns and the entry signed by the appointing authority or by the officer authorised to do so.
4. No gap should be left in completing the roster. For example, if a reserved vacancy at, say point 25, has to be treated, for want of a suitable Scheduled Caste/Scheduled Tribe candidate, as unreserved, the candidate actually appointed will be shown against that point itself. Scheduled Caste/Scheduled Tribe candidate recruited later in the year against an unreserved point will be shown against such point.
5. The roster will be maintained in the form of a running account year by year. For example, if recruitment in a year stops at point 6 of a cycle, recruitment in the following year will begin at point 7.

NOTE : With reference to instructions Nos. 3 and 4 above on the point whether the entries in the roster should be made strictly according to the dates of joining or merit etc. of the candidates even if this resulted in the names of Scheduled Castes/Tribes candidates selected against reserved vacancies being shown against unreserved points in the roster, it clarified that it should be ensured that the names of the Scheduled Castes and Scheduled Tribes who have been selected against the reserved vacancies are shown against the respective reserved points in the roster as and when they join. In cases where a point in the roster is earmarked for recruitment of Scheduled Castes/Scheduled Tribes and necessary action to fill that vacancy by a candidate of the reserved community has already been initiated and is in progress, there would be no objection to keeping that reserved point temporarily unfilled till the reserved community candidate, joins or till the reserved vacancy dereserved. This need not be treated as leaving a gap in the roster. Instruction No. 4 referred to above according to which no gap should be left in the roster would require that while notifying vacancies, only the consecutive points in the roster should be taken into account without leaving any gap. Fresh recruitment should start from the point next to the point at which the previous recruitment actually made.

APPENDIX 6

Hypothetical illustration showing how the vacancies reserved for Scheduled Castes and Scheduled Tribes but not so filled could be carried forward
lapsed (Para 4)

Grade or Group of posts: Technical Assistant – PERMANENT AND TEMPORARY LIKELY TO BECOME PERMANENT

Reservation brought forward from previous years		Particulars of recruitment made					Reservation carried forward	Signature of appointing or other authorised officer	Remarks	
Scheduled Castes	Scheduled Tribes	Recruitment year	Cycle No.	and point No.	Unreserved or reserved for S.Cs./S.Ts. according to the roster applicable.	Name of the person appointed and date of appointment.	Whether he is SC/ST if not say 'Neither'	Sch. Castes	Sch. Tribes	
1	2	3	4	5	6	7	8	9	10	11
		1966	1.	Sch. Castes A		Neither				
			2.	Unreserved B		Do.				
			3.	Do. C		Do.				
			4.	Sch. Tribes D		Sch. Tribes				

APPENDIX 6—contd.

1	2	3	4	5	6	7	8	9	10	11
		5	Unreserved	E		Neither				
		6.	Do.	F		Do.				
		7.	Do.	G		Do.				
		8.	Do.	H		Do.				
		9.	Sch. Castes	I		Do.				
		10.	Unreserved	J		Do				

(2 of 1966)

1967

Assuming that no recruitment was made in 1967, that year would not be taken into account for the purpose of carrying forward and lapse of Vacancies.

APPENDIX 6 - Contd.

1	2	3	4	5	6	7	8	9	10	11
										and 1969 (Since the reservation of 1966 lapsed on 31-12-1969 i.e. prior to the date of issue the orders of 25-3-70, it need not be carried forward to third following year i.e. 1970)
									(1 of 1968) (1 of 1969)	
(1 of 1968) (1 of 1969)	..	1970	31. 32. 33.	Unreserved EE Do. FF Sch. Castes GG		Neither Neither Neither				
									(1 of 1968) (1 of 1969) (1 of 1970 upto 24-3-70)	
(1 of 1968) (1 of 1969) (1 of 1970)	..	1970 (from 25-3-1970)	1. 2. 3.	Sch. Castes HH Unreserved II Do.		Neither Do. Do.				

APPENDIX 6 - Contd.

1	2	3	4	5	6	7	8	9	10	11
(upto 24-3-70)			4.	Sch. Tribes	KK	Sch. Tribes				
			5.	Unreserved	LL	Neither				
			6.	Do.	MM	Do.				
			7.	Do.	NN	Do.				
			8.	Sch. Castes	OO	Do.				
			9.	Unreserved	PP	Do.				
			10.	Do.	QQ	Do.				
			11.	Do.	RR	Do.				

The reserved vacancy of 1968 which could not be filled by a Sch. Caste during 1969 and 1970 will be carried forward to the third recruitment year viz. 1971

in accordance with the orders in MHA O. M.

No. 27/25/68 Estt (SCT) dated

25-3-70 One reservation of 1969 and 3 reserva-

APPENDIX 6 *contd.*

1	2	3	4	5	6	7	8	9	10	11
										Sch. Caste of 1968 being in the third year of carry forward and exchangeable.
							1 of 1969 3 of 1970 1 of 1971			
1 of 1969 3 of 1970 1 of 1971	1972	20. 21. 22. 23. 24. 25.	Unreserved Unreserved Sch. Caste Unreserved Unreserved Unreserved	BA BB BC BD BD BF	Sch. Caste Sch. Caste Sch. Caste Neither Neither Neither					
							1 of 1970 1 of 1971 1 of 1972			

APPENDIX 7

Proforma for conducting inspection of rosters maintained for providing reservation for Scheduled Castes and Scheduled Tribes in services.

[Para 4.5.]

Name of Office.....

Date of last inspection.....

Name of post/group of posts.....

Date of current inspection.. ..

1. Whether separate rosters are being maintained for each grade or group of posts and within such grade/group, separately for (i) direct recruitment and (ii) for posts filled by promotions (where reservation is applicable in such posts filled by promotion) and whether all the appointments made during the period covered by the inspection are shown in the roster.
2. Whether the appropriate model roster viz. the one prescribed for (1) direct recruitment on an all India basis by open competition (2) direct recruitment on an all India basis otherwise than by open competition (3) direct recruitment on a local or regional basis or (4) promotion as the case may be is being followed.
3. Whether rosters are being maintained separately for (1) permanent appointment and temporary appointments likely to become permanent or to continue indefinitely and (2) purely temporary appointments of 45 days or more duration.
4. Whether the rosters are being maintained in the form prescribed viz., appendix 4 to the Brochure.
5. Whether the points have been earmarked in the roster for Scheduled Castes and Scheduled Tribes correctly according to the prescribed model roster for the particular type of recruitment.
6. Whether immediately after an appointment has been made the particulars of the person appointed are entered in the register in appropriate columns and the entry signed by the appointed authority or by the officer authorised to do so.
7. Whether any gap is left in the roster.
8. Whether the roster is being maintained in the form of a running account from year to year.
9. Whether before appointing a general candidate against reserved vacancy, (i) prior approval of the Department of Personnel for dereservation was obtained in the case of vacancies included in the rosters for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely, and (ii) whether the steps prescribed in para 26 of the Brochure to secure Scheduled Castes/ Tribes candidates were taken in the case of vacancies included in the roster for purely temporary appointments.
10. Whether reservation in confirmation in posts filled by direct recruitment has been correctly determined in accordance with the orders in M.H.A. O.M. No. 31/10/63 SCT(1), dated 27-3-1963 and 2-5-1963.
11. Whether an abstract is given after the last entry in a recruitment year, showing the number of reservations carried forward to the following year separately for Scheduled Castes and Scheduled Tribes. Whether these reservations have been shown as brought forward at the beginning of the roster for the following year.
12. Whether reservations have been carried forward to three subsequent recruitment years and exchange of reservations made between Scheduled Castes and Scheduled Tribes as provided in MHA O.M. No. 27/25/68-Estt. (SCT), dated 25th March 1970 before treating them lapsed.

13. Any other remarks.

summing up

14. Brief recapitulation of defects and shortcomings noticed in the maintenance of the rosters and any other suggestions which the Inspecting Officer has to make, with particular reference to the remarks given during the last inspection.

Signature of Inspecting Officer.

Designation.

Date.

Remarks of Head of
Department/Secretary of
the Ministry.....

APPENDIX 8

Ministry/Department/office of
 Statement showing the total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January, 1982.

Group Class	Permanent/ Temporary	Total No. of employ- ees	Scheduled Castes	Percentage to total employees	Scheduled Tribes	Percentage to total employees	Remarks
<i>Gr. A. (Cl. I) Permanent</i>							
	(i) Other than lowest rung of Cl. I						
	(ii) Lowest rung of Cl. I						
	<i>Total</i>						
<i>Temporary</i>							
	(i) Other than lowest rung of Cl. I						
	(ii) Lowest rung of Cl. I						
	<i>Total</i>						
<i>Gr. B. (Cl. II)</i>	<i>Permanent</i>						
	<i>Temporary</i>						
<i>Gr. C (Cl. III)</i>	<i>Permanent</i>						
	<i>Temporary</i>						
<i>Gr. D. (Cl. IV)</i>	<i>Permanent</i>						
<i>excluding sweepers</i>	<i>Temporary</i>						
<i>Gr. D. (Cl. IV)</i>	<i>Permanent</i>						
<i>Sweepers</i>	<i>Temporary</i>						

Signature

Designation

APPENDIX 8—*contd.*

- NOTE : (1) This statement relates to persons and not to posts. Posts vacant etc. should not therefore be taken into account.
- (2) A person on deputation should be included in the establishment of the borrowing Ministry/Department/office and *not* in the parent office.
- (3) Persons permanent in one grade but officiating or holding temporary appointment in the higher grades should be shown in the figures relating to the class of service in which the higher grade concerned is included.

APPENDIX 8-A

Statement showing representations of Scheduled Castes and Scheduled Tribes in each Services Controlled by the Ministry/Department.

Ministry/Department.....

Service.....

(a) Position as on 7-1-1978 :

*Grades of the service including scale of pay	Class	Total No. of posts	Total No. of employees	Employees belonging to		
				Other Community	S.C.	S.T.
1	2	3	4	5	6	7
Junior Scale 700—1300						
Senior Scale 1100—1600						
Junior Adm. Grade 1500—2000						
Selection Grade 2000—2250						
Senior Adm. Grade Level (II) 2250—2500						
Level (I) 2500—2750						
Supertime Scale 3000 & above (for all India Services).						

(b) Particular of recruitment during the period 1-1-1978 to 31-12-1978.

Grade of service	Class	Vacancy notified during the period			Vacancies filled		
		Other Community	Scheduled Castes	S.T.	Other Community	S.C.	S.T.
1	2	3	4	5	6	7	8
Junior Scale							
Senior Scale							
Junior Adm. Grade							
Selection Grade							
Senior Adm. Grade (Level II)							
(Level I)							
Supertime Scale (for All India Services)							

Vacancies lapsed after 3 years		Reserved Vacancies dereserved		Vacancies carried forward		Reasons for dereservation
SC	S.T.	S.C.	S.T.	S.C.	S.T.	
(9)	(10)	(11)	(12)	(13)	(14)	

Junior Scale

Senior Scale

Junior Adm. Grade

Selection Grade

Senior Adm. Grade

(Level II)

(Level I)

Supertime Scale

(for All India Services)

(c) Position as on 1-1-1979 (reflecting the changes on account of retirement/resignation dismissal even promotion etc. during the course of the year.)

Grade of Service (including scale of pay)	Class	Total No. of posts	Total No. of employees	Employees belonging to		
				Other Community	S.C.	S.T.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Junior Scale

Senior Scale

Junior Adm. Grade.

Selection Grade.

Senior Adm. Grade

(Level II)

(Level I)

Supertime Scale

(for all India Services)

Note : () Specific reasons for dereservations should be indicated, whether all steps were carried out and whether any persons qualified in written test but failed in interview.

***Note** (2) Column 1 of Section (a) of this Proforma may vary from service/cadre to service/cadre. The intention is that each Ministry/Department administratively concerned with the cadre will indicate the prevalent grades pertaining to that cadre.

APPENDIX—9 Para (5.1)

Statement showing the Number of Reserved vacancies filled by Members of Scheduled Castes and Scheduled Tribes in the Ministry/ Department/Office of.....

(During the year.....)

Class of Post	Total		Scheduled Castes								Scheduled Tribes				Remarks
	No. of vacancies		No. of vacancies reserved		No. of SC's candidates appointed	No. of SCs vacancies carried forward from the previous year	No. of STs candidates appointed against vacancies reserved for SCs in the 3rd year of carry forward	No. of reservations lapsed after carrying forward for three years	No. of vacancies reserved		No. of STs candidates appointed	No. of STs vacancies carried forward from the previous year	No. of SCs candidates appointed against vacancies reserved for STs in the 3rd year of carry forward	No. of reservations lapsed after carrying forward for three years	
	Notified	Filled	Out of Col. 2	Out of Col. 3					Out of Col. 2	Out of Col. 3					
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

1-Posts filled by direct recruitment

Others Class I
 Lowest rung of Class I
 Class II
 Class III
 Class IV (excluding sweepers)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

Class IV (Sweepers)

II-Posts filled by promotion

Others Class I
Lowest rung of Class I
Class II
Class III
Class IV
(Excluding
Sweepers)
Class IV
(Sweepers)

- NOTE (1) Consolidated figures should be given under each Group (Class)
- (2) In Columns 4, 5 and 9, 10 the number of vacancies actually reserved out of Columns 2-3 whether against brought forward reservations or against normal reservations during the year should be given.
- (3) In the case of promotions by selection from Group C to Group B within Group B and from Group B to the lowest rung of Group A. (Class III to Class II, within Class II and from Class II to the lowest rung of Class I), the words "in the third year of carry-forward" in the heading of Cols. 7 and 12 and the words "after carrying forward for three years" in the heading of cols. 8 and 13 will not be applicable and these cols. may be filled accordingly. [C.F. Department of Personnel & A.R. Office Memorandum Nos. 10/41/73-Estt (SCT) dated the 20th July, 1974, 10/37/74-Estt (SCT) dated the 3rd February, 1975 and 1/9/74-Estt (SCT) dated the 29th April, 1975].

Certified that in the case of reserved vacancies wherever non-Scheduled Caste/Tribe candidates were appointed (a) prior approval of the Department of Personnel and Administrative Reforms was obtained in the case of vacancies included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely and (b) in the case of purely temporary appointments, the steps prescribed in para 8.1 of the Brochure on Reservations for Scheduled Castes and Scheduled Tribes in Services, were taken to secure Scheduled Caste/Scheduled Tribe candidates.

Station.....

Signature

Designation.....

State.....

Date.....

APPENDIX 10

Requisition Form for recruitment through Employment Exchanges

[Para 8.1 (i)]

1. Office/Department and Address.
2. Name and designation of indenting officer
Telephone No.....
3. Name and designation of the Officer to whom applicants should report.
4. Date, time and place of interview.
5. (a) Designation of the post(s) to be filled.
(b) Scale of pay and allowances.
(c) Place of work.
6. (a) Number of posts to be filled.
 - (i) Reserved for S.Cs. :
Priority.....
Non-Priority.....
 - (ii) Reserved for S.Ts. :
Priority.....
Non-Priority.....
 - (iii) Reserved for ex-servicemen
 - (iv) Unreserved :
Priority.....
Non-Priority.....

(b) Duration of Permanent vacancies	Temporary (Less than 3 months)	Temporary (between 3 months and 1 year)	Temporary (likely to continue beyond 1 year)
-------------------------------------	-----------------------------------	--	---

7. Qualifications required :
 - (a) Essential.....
 - (b) Desirable.....
 8. Whether willing to wait and consider applicants from other Exchange areas in case of local applicants are not available.
 9. Any other information considered relevant.
-

APPENDIX 10—*Contd.*

Certified that the number of vacancies reserved for Scheduled Castes/Scheduled Tribes and Ex-servicemen as mentioned in columns 6(a) above is in accordance with the reservation quota fixed by Government for these categories.

Date —————

Signature of the Head
of Office

To,

The Employment Officer,
Employment Exchange

- NOTES :
1. Please use a separate form for each type of posts.
 2. Where advertisements are inserted in the newspapers as suggested in para 5(6) of M.H.A.O.M. No. 42/21/49/-NGS dated 28-1-52 a copy of the advertisement should be attached to the requisition form which should be sent to the Employment Exchange in any case.

APPENDIX 11

[Para 8·1 (iii)]

A. Addresses of association etc. recognised as representative of SCHEDULED CASTES for purposes of orders relating to special representation in the services.

- (i) The General Secretary, Harijan Sevak Sangh, Kingsway Camp, Delhi-9.
- (ii) The General Secretary, Delhi Scheduled Castes Welfare Association, Ambedkar Bhawan, Rani Jhansi Road, New Delhi.
- (iii) The Chairman Scheduled Castes' Uplift Union, 10911—Sat Nagar, Street No. 2, Block No. S-A, Karol Bagh, New Delhi-5.
- (iv) The Office Secretary Bhartiya Depressed Classes League, 13-C, Ferozeshah Road, New Delhi-1 and its branches mentioned below:
 1. *Andhra Pradesh*—
Andhra Pradesh Depressed Classes League, 125 Hyter Basti, Secunderabad, (A.P.).
 2. *Assam*—
All Assam Scheduled Caste Association, Uzan Bazar, Sati Radhika Santi Road, Gauhati, (Assam).
 3. *Bihar*—
Bihar State Depressed Classes League, 8/20, R-Block, Patna-1. (Bihar).
 4. *Gujarat*—
Gujarat Pradesh Depressed Classes League, 12, Rohitnagar Society, near New Civil Hospital, Sahubagh, Ahmedabad-4.
 5. *Jammu and Kashmir*—
Jammu and Kashmir State Depressed Classes League, Canal View Bungalow, Canal Road. Jammu.
 6. *Kerala*—
Kerala State Depressed Classes League, Congress House, Ernakulam, Cochin-11.
 7. *Karnataka*—
Karnataka State Depressed Classes League, Adijambave Hostel, Magadi Road, Bangalore.
 8. *Madhya Pradesh*—
Madhya Pradesh Depressed Classes League, 5/3, Professors Colony, Bhopal.
 9. *Maharashtra*—
Maharashtra State Depressed Classes League, 112, Meadows Street, Fort, Bombay-1.
 10. *Tamil Nadu*—
Tamil Nadu State Depressed Classes League, 3, Pudpet Garden Street, Royapettah, Madras-14.
 11. *Orissa*—
Orissa State Depressed Classes League, Gandhi Bhavan, Station Road, Bhubaneswar.

12. *Punjab*—

Punjab State Depressed Classes League, Balmiki Bhavan, 158-R, Model Town, Hoshiarpur (Punjab).

13. *Rajasthan*—

Rajasthan State Depressed Classes League, R-13, Ashoka Nagar, C-Schemc. Jaipur.

14. *Uttar Pradesh*—

Uttar Pradesh Depressed Classes League, 104, Royal Hotel, Lucknow.

15. *West Bengal*—

Bengal Provincial Depressed Classes League, 12, Arpuli Lane, Calcutta-12.

16. *Delhi*—

Delhi State Depressed Classes League, 13-F, Shankar Market, New Delhi-1.

(v) Akhil Bharat Anusuchit Jati Parishad, 134, North Avenue, New Delhi.

(vi) Andhra Pradesh Scheduled Caste Welfare Association, 10/A, Old MLA Quarters, Himayat Nagar, Hyderabad.

(vii) Hind Sweepers Sewak Samaj, Guest Room No. 19, North Avenue, New Delhi.

(viii) Dr. Bhim Rao Ambedkar Welfare Association, 8365, Arya Nagar, Paharganj, New Delhi.

(ix) All India Scheduled Caste Federation, 39, Pataudi House, Canning Lane, New Delhi.

(x) All India SC/ST Youth Association, 10446, Street No. 2, Bagichi Allauddin, Sadar Thana Road, Paharganj, New Delhi.

(xi) Valmiki Samaj Vikas Parishad, (Regd.), T-468/2, Ahta Kidara, near Water Tank, Delhi-110006, and branches of Valmiki Samaj Vikas Parishad.

(1) *Delhi*

1. 1316, Basti Chain Sukh Dass, Kalan Mahal, Darya Gang, New Delhi-2.

2. 340A, Raj Nagar, Palam Colony, New Delhi-45.

(2) *Uttar Pradesh*

1. 14, Patel Marg, Ghaziabad.

2. 220, Civil Lane, Bullandsher, U.P.

3. 205, Jatav Pura, Bareilly.

4. 342, Sisham Bagh (Cantt.), Fateh Garh, Dist. Farukhabad.

5. 300, Mohalla Dariba, Gandhi Park, Main Puri.

6. 43, Mohamad Ganj, Mainpuri Gate, Ferozabad-283203.

7. 242A, Nawab Ganj, Kanpur-2.

8. 86, Mohalla Nakkasha, Pillibhit.

9. 39, D.A.V. Dana Mal Nagar, Firozabad, Agra.

10. 33, L.I. Bazar Cantt, Allahabad.

11. Maharishi Valmiki Mandir, Modi Nagar.

(3) *Rajasthan*

1. Arya Bhawan behind Bus Stand, Pali Marwar.

2. Dadabhai Ka Ahata, Nasirabad Road, Ajmer.

(4) *Maharashtra*

1. 333, Railway Porters Chal Kalyan Distt. Thana, Bombay.

2. Chawl No. D-18, Room No. 8, Matunga Labour Camp, Bombay-400019.

(5) *Andhra Pradesh*

23-4-577, Sultan Sahi, Hyderabad-500265.

(6) *Punjab*

1. Sector-A, Kothi No. 5, Chandigarh.

2. 508, A, Ranjit Avenue, East Mohan Nagar, Amritsar, Punjab.

(7) *Bihar*

15-E Type P & T Colony, Kidwari Puri, Patna.

(8) *West Bengal*

Valmiki Mandir, Orderly Bazar, Bardekpur 24 Pargana.

(9) *Gujarat*

19/10, Jamanakund, New Harijan Housing Colony, Bhar Nagar, Gujarat-364001.

(10) *Haryana*

Mata Gate, 12 Bisa, V & P.O. Gurgaon.

B. Addresses of associations etc. recognised as representative of Scheduled Tribes for purpose of orders relating to Special representation in the Services.

The Secretary, Bharatiya Adim-Jati Sevak Sangh Thakkar Bapa Smarak Sadan. Dr. Ambedkar Road. New Delhi 55, and Secretaries of its affiliated institutions mentioned below :—

Andhra Pradesh

1. The Secretary, Andhra Rashtra Adimjati Sevak Sangh, Ramasubaiya Street, Nellore: 524001, Dist. Nellore (Andhra Pradesh).

2. The Secretary, Andhra Shramik Dharma Rajya Sabha, Kovvur, Dist. West Godavari. Pin Code No. 534350.

3. General Secretary, Andhra Pradesh Adimijati Seva Sangham, Ramanna-gudam, Via Puttayagudam, (Polvaram "B" Block) Distt. W. Godavari (A.P.).

Assam

4. The Secretary, Shakti Ashram, P.O. Shakti Ashram, Fakiragram, (Goalpara Dist.) Goalpara (Assam).

5. The Secretary, Barama Ashram Barma, P.O. Barma-781346 Distt. Kamrup (Assam).

6. The Secretary, Mikir Hills Seva Kendra, Sarihajan, Mikir Hills (Assam).

Bihar

7. The Secretary, Adimjati Seva Mandal Ranchi, P.O. Hinoo-Ranchi-834001, Distt. Ranchi (Bihar State).
8. Secretary, Santhal Pahadia Seva Mandal, Bidhyanath Deogharh-814112, Distt. Santhal Pargana (Bihar).
9. The Secretary, Manbhum Adimjati Savak Sangh, Gosaindih, P.O. Gobindpur-828109 Dist. Dhanbad (Bihar State).
10. The Secretary, Bihar Rajya Gond Mahasabha L.I.G. Flat No. 11 Kankad Bagh Colony, Patna-800020 (Bihar State).
11. The Secretary, Santhal Parganas Adimjati Savak Sangh, Dumka, Distt. Santhal Pargana, Pin Code No. 814010 (Bihar State).
12. The Secretary Adim Saber Jativa Sabha, Ghatshila, Singhbhum (Bihar).

Gujarat

13. The Secretary, Bhil Seva Mandal, Dabod. Distt. Panchmahals, Pin Code No. 389151 (Gujarat State).
14. The Secretary, Rani Paraj Seva Sabha, Vedchhik, Via Valod. Distt. Surat (Gujarat).
15. The Secretary, Baroda Zila Pachhtvarg Seva Mandal Baroda, Sardar Bhavan-390001 (Baroda) Gujarat State.
16. The Secretary, Broch Dist. Adivasi Seva Sangh Rajpipla. Dist. Bharoch (Gujarat).
17. The Secretary, Adivasi Seva Samiti, Shamlaji, P.O. Sarvodaya Kendra-383355. Distt. Sabarkantha (Gujarat).

Himachal Pradesh

18. The Secretary, Parvatiya Adimjati Sevak Sangh, Salogra, Distt. Solan (H.P.).

Kerala

19. The Secretary, Sarva Seva Ashram, Thottumukham, Alwaye-683103 Distt. Ernakulam (Kerala).

Madhya Pradesh

20. The Secretary, M.P. Vanvasi Seva Mandal, Mandla Dist. I Mandala (M.P.).
21. The Secretary, Malva Bhil Seva Mandal, Moti Tabela No.1 Indore, Dist. Indore (M.P.)
22. The Secretary. Adivasi Seva Sangh, 54 Jawaharlal Nehru Marg, Jhabua Dist. Jhabua (M.P.)
23. The Secretary, M.P. Sharaia Seva Sangh, Patankar-ka-bada. Jooob-ki-Parade. Laskar. Dist. Gwalior (M.P.)
24. The Secretary, Adivasi Seva Sangh, Badi, P.O. Badi. Dist. Rayasena (M.P.)
25. The Secretary, Kalyan Ashram, Jashpurangar, Dist. Raigada (M.P.)

Maharashtra

26. The Secretary, Adivasi Seva Mandal, 6-Vir Nariman Rd., Bombay-400001.
27. The Secretary, West Khandesh Bhil Seva Mandal, Nandurbar-425412, Dist. Dhulia (Maharashtra).
28. The Secretary, Dangh Seva Mandal, Nasik-422002 Distt. Nasik (Maharashtra).
29. The Secretary, Adivasi Shikshan Prasarak Mandal, Yootmal Dist., Yootmal, Maharashtra 445001
30. The Secretary, Adivasi Seva Samiti Nasik Dist. Nasik (Mharashtra)-445001.

31. The Secretary, Bhaneali Gram Seva Mandal, Takli Teh., Saonir. Dist. Nagpur (Maharashtra).
32. The Secretary, Akhil Bharatiya Sri Gurudeo Seva Mandal, Gurukunj Ashram, Dist. Amravati-44601 (Maharashtra).
33. The Secretary, Gokhale Education Society Kosbad Centre, P.O. Kosbad Hills Dist. Thana-401703 (Maharashtra).
34. The Secretary, Thakkar Ashram, Rayagada, Dist. Koreput (Orissa).
35. The Secretary, Gram Bal Shiksha Kendra, Kosbad Hills-401703. Dist. Thana (Maharashtra).
36. The Secretary, Satyaniketan, 817. (New) Sadashiv Peth, Poona-410030 (Maharashtra).
37. The Secretary, Mahatma Gandhi Vidya Mandir, Malegaon Camp, P.O. Malegaon Camp. Dist. Nasik (Maharashtra).
38. The Secretary, Satpuda Sarvodaya Seva Mandal, Dhadgaon, Dist. Dhulia (Maharashtra).

Orissa

39. The Secretary, Servants of India Society, Buxi Bazar, Cuttack.
40. The Secretary, Utkal Navjeevan Mandal, Angul Dist. Dhenkanal (Orissa):
41. The Secretary, Sarvodaya Seva Samiti, Keonjhar P.O., Sukati, Dist. Keonjhar-Orissa.

Rajasthan

42. The Secretary, Rajasthan Seva Sangh, Dungepur, Dist. Dunga'pur (Rajasthan).
43. The Secretary, Banswara Zilla Seva Sangh, Partepur, Distt. Banswara (Rajasthan).
44. The Secretary, Rajasthan Moena Sevak Sangh, Jaipur, (Rajasthan).
45. The Secretary, Rajasthan Adimjati Sevak Singh Jaipur (Rajasthan) Sodulu, Jamuna, Dairy, 4th Mile, Jaipur.

Tamil Nadu

46. The Secretary, Shri Sadguru Seva Samraja Sangham, Gandhi Nagar, Coonoor Dist. Nilgiri (Tamil Nadu).
47. The Secretary, Nilgiri's Adivasi Welfare Association, Kotagiri, Dist. Nilgiri (Tamil Nadu).
48. The Secretary, Servants of India Society, 8, West Cott Road, Royepettah, Madras-Tripura-600014.
49. The Secretary, Tripura Adimjati Sevak Sangh, No. III, Hind Lane, Joynagar Agartala-799001 (Tripura).

Uttar Pradesh

50. The Secretary, Ashok Ashram, P.O. Ashok Ashram, Via Dak Pathar, Dist. Dehradun (U.P.).
51. The Secretary, Servants of India Society, Purshottam Das Tandon Road, Allahabad (U.P.).
- 51.A. The Secretary, Servants of India Society, V. Sarsa Dist. Allahabad (U.P.).
52. The Secretary, Vandasi Seva Ashram, Govindpur, Via Turra, Dist. Mirzapur (U.P.).
53. The Secretary, Adimjati Sevak Sangh, Room No. 111, Royal Hotel, Lucknow-226001(U.P.)

West Bengal

54. The Secretary, Bharat Mahajati Mandal, 73/11, Palm Avenue, Calcutta-700001.

The following branches of the Akhil Bharat Anusuchit Jati Parishad have also been recognised vide O.M. No. 36014/3/82-Estt (SCT) dated 27-4-82.

AKHIL BHARAT ANUSUCHIT JATI PARISHAD

President,

ABAJ Parishad, West Bengal State,
C/o. P-1115/1, Benaras Road,
HOWRAH-710 008 (W.B.)

President/General Secretary,

ABAJ Parishad, Maharashtra State,
C/o. P-115/1, Benaras Road,
T.H. Kataria Marg,
Mahim,
BOMBAY-400 016 (Maharashtra)

Convenor,

ABAJ Parishad, Bihar State,
C/o. 41, Hardings Road,
PATNA. (Bihar)

Shri H. L. Hitaishi,

President, ABAJ Parishad,
Jammu and Kashmir,
P.O. Bhadrwah,
Distt. DODA. (J & K)

President,

ABAJ Parishad, Bombay Region,
C-4, Azad Nagar,
Wadala,
BOMBAY. (Maharashtra)

President,

ABAJ Parishad, Madhya Pradesh,
5, Civil Lines,
BHOPAL. (Madhya Pradesh)

President,

ABAJ Parishad, Haryana State,
Sector No. 23-A/103,
CHANDIGARH.

President/General Secretary,

ABAJ Parishad, Himachal Pradesh,
132, Grand Hotel,
SIMLA. (Himachal Pradesh)

President/General Secretary,
 ABAJ Parishad, Orissa State,
 Qr. No. 5/4, D.S.
 MLA. Colony,
 BHUBANESHWAR (Orissa)

President,
 ABAJ Parishad,
 Goa, Daman and Diu,
 Mandrem Pernem,
 GOA.

President,
 ABAJ Parishad, Rajasthan State,
 Raj Bhavan Marg,
 Civil Lines,
 JAIPUR. (Rajasthan)

General Secretary,
 ABAJ Parishad,
 C/o. Nagsen Sporting Club,
 Untkhana Dahipura,
 P.O. Ajni,
 NAGPUR. (Maharashtra)

President,
 ABAJ Parishad, Tamil Nadu State,
 1, Pandian Ani,
 Government Estate,
 MADRAS-600 002. (T.N.)

General Secretary,
 ABAJ Parishad,
 1-1-750/1, Gandhi Nagar.
 HYDERABAD. (A.P.)

President/General Secretary,
 ABAJ Parishad, U.P. State,
 115, Royal Hotel,
 LUCKNOW. (U.P.)

President,
 ABAJ Parishad, Delhi State,
 18, Ashoka Road,
 NEW DELHI.

President,
 ABAJ Parishad, Pondicherry,
 119, Mahatma Gandhij Road,
 PONDICHERRY.

President,
 ABAJ Parishad, Gujarat State,
 "DWARAKESH",
 12, Hemant Kunj Society,
 Fate Nagar, South Paldi,
 AHMEDABAD-380 007. (Gujarat)

President/General Secretary,
 78, Church Road Narappa Garden,
 Benson Town,
 BANGALORE-560 046.

APPENDIX 12

(Para 10.5)

Ministry/Department) (including attached and subordinate offices)

Statement showing reserved vacancies includes in the roster for purely temporary appointments which are expected to last for 45 days or more but which have no chance whatever of becoming permanent or continuing indefinitely, treated as dereserved by the Ministries/Departments

1st January to 31st December.....

Class of post	Scheduled Castes		Scheduled Tribes		Brief reasons for dereservation	REMARKS
	Total Number of vacancies reserved for Scheduled castes filled during the year	Number of reserved vacancies in col. 2 treated as dereserved i.e. filled by non-Scheduled Castes	Total number of vacancies reserved for Scheduled Tribes filled during the year	Number of reserved vacancies in col. 4 treated as dereserved i.e. filled by non-Scheduled Tribes		
1.	2	3	4	5	6	7
Class I						
Class II						
Class III						
Class IV						

APPENDIX 13

Detailed instructions For Filling vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by promotion (i) by selection in class III and IV and (ii) through limited Departmental Competitive Examinations.

[Paras (12.1. 12.2(c)]

The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

- (1) (a) Scheduled Caste and Scheduled Tribe Officers who are within the normal zone of consideration should be considered for promotion along with others and adjudged on the same basis as others and those Scheduled Castes and Scheduled Tribes amongst them who are selected on that basis may be included in the general select list in addition to their being considered for separate select list for Scheduled Castes and Scheduled Tribes respectively.
- (b) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of their positions in the aforesaid general select list, less vacancies than are reserved for them, the difference should be made up by selected candidates of these communities who are in the separate select lists for Scheduled Castes and Scheduled Tribes respectively.
- (2) In the separate select lists drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, Officers belonging to Scheduled Castes or Scheduled Tribes, as the case may be, will be adjudged separately amongst themselves and not along with other officers, and if selected, they should be included in the concerned separate select list, irrespective of their merit as compared to other officers. It is needless to mention that officers not belonging to Scheduled Castes and Scheduled Tribes will not be considered whilst drawing up separate select list for Scheduled Castes and Scheduled Tribes. For being considered for inclusion in the aforesaid separate select lists, the zone of consideration for Scheduled Castes and Scheduled Tribes as the case may be would be of the same size as that for the general select list that is if for the general select list the zone of consideration is 5 times the number of vacancies likely to be filled, the zone for considered for the separate list for Scheduled Castes will also be 5 times the number of reserved vacancies for them, and likewise for Scheduled Tribes subject of course to the condition that officers coming within such zone are eligible by length of service etc. as prescribed, for being considered for promotion.
- (3) If, owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, a reference for dereservation should be made to the Department of Personnel and admn. Reforms indicating whether claims of Scheduled Castes/Scheduled Tribes candidates eligible for promotion in reserved vacancies have been considered in the manner indicated in (1) and (2) above. When dereservation is agreed to by the Department of Personnel and admn. Reforms the reserved vacancies can be filled by other candidates, subject to the reservations being carried forward to three subsequent recruitment years and subject to exchange of vacancies between Scheduled Castes and Scheduled Tribes in the last year to which reserved vacancies are carried forward.
- (4) Where promotions in the above manner are first made on a longterm officiating basis, confirmations should be made according to the general rule *viz.* that an officer who has secured earlier officiating promotion on the basis of his place in the select lists should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an appropriate standard *vide* para. 1(iii) of the Ministry of Home Affairs office memorandum No. F. 1/1/55-RPS, dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

APPENDIX 14

Form of certificate to be produced by a candidate belonging to a Scheduled Caste or Scheduled Tribes in support of his claim [Para 14.1]

FORM OF CASTE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumari*
 son/daughter* of of village/town*
 in District/Division* of the State/Union
 Territory* belongs to the Caste
 Tribe* which is recognised as a Scheduled Caste

 Scheduled Tribe.

under :

- *The Constitution (Scheduled Castes) Order, 1950;

- *The Constitution (Scheduled Tribes) Order, 1950;

- *The Constitution (Scheduled Castes) (Union Territories) Order, 1951;

- *The Constitution (Scheduled Tribes) (Union Territories) Order, 1951;

(as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North Eastern Areas (Reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976).

- *The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956;

*The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959
as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976.

- *The Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962;

- *The Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962;

- *The Constitution (Pondichery) Scheduled Castes Order, 1964;

- *The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967;

- *The Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

- *The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;

- *The Constitution (Nagaland) Scheduled Tribes Order, 1970.

2. Shri Shrimati*/Kumari*.....and*or*/his/her*
family ordinarily resides(S) in village/town*Of
District/Division* of the State/Union Territory of

Signature

Designation
(with seal of office)

State

Union Territory

Place

Date

*Please delete the words which are not applicable.

NOTE : The term "Ordinarily resides" used here will have the same meaning as in
Section 20 of the Representation of the People's Act, 1950.

APPENDIX 15

*List of authorities empowered to issue certificates of verification
(Para 14.1.)*

1. District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/City Magistrate/*Sub-Divisional Magistrate/ Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.
2. Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
3. Revenue Officer not below the rank of Tehsildar.
4. Sub-Divisional Officer of the area where the candidate and/or his family normally resides.
5. Administrator/Secretary to Administrator/Development Officer (Lakshdweep Islands).

*Not below the rank of 1st Class Stipendary Magistrate.

APPENDIX 16

*List of points for guidance of the authorities empowered to issue Scheduled Castes and Scheduled Tribes certificates (Ministry of Home Affairs circular letter No. 35/1/72 -RU) (SCT V), dated 2.12.1975
(Para 13-2)*

(1) *General (Applicable in all cases).*

Where a person claims to belong to a Scheduled Caste or a Scheduled Tribe by birth it should be verified:-

- (i) that the person and his parents actually belong to the community claimed;
- (ii) that this community is included in the Presidential Orders specifying the Scheduled Castes and Scheduled Tribes in relation to the concerned State;
- (iii) that the person belongs to that State and to the area within that State in respect of which the community has been scheduled;
- (iv) if the person claims to be a Scheduled Caste, he should profess either the Hindu or the Sikh religion;
- (v) if the person claims to be a Scheduled Tribe, he may profess any religion.

(2) *Cases of migration :*

- (i) Where a person migrates from the portion of the State in respect of which his community is scheduled to another part of the same State in respect of which his community is not scheduled, he will continue to be deemed to be a member of the Scheduled Caste or the Scheduled Tribe, as the case may be, in relation to that State;
- (ii) where a person migrates from one state to another, he can claim to belong to a Scheduled Caste or a Scheduled Tribe only in relation to the State to which he originally belonged and not in respect of the State to which he has migrated.

(3) *Claims through marriages:*

The guiding principle is that no person who was not a Scheduled Caste or a Scheduled Tribe by birth will be deemed to be a member of a Scheduled Caste or a Scheduled Tribe merely because he or she had married a person belonging to a Scheduled Caste or a Scheduled Tribe.

Similarly a person who is a member of a Scheduled Caste or a Scheduled Tribe would continue to be a member of that Scheduled Caste or Scheduled Tribe as the case may be, even after his or her marriage with a person who does not belong to a Scheduled Caste or a Scheduled Tribe.

(4) *Cases of conversion and reconversion :*

- (i) Where a Scheduled Caste person gets converted to a religion other than Hinduism or Sikhism and then reconverts himself back to Hinduism or Sikhism, he will be deemed to have reverted to his original Scheduled Caste, if he is accepted by the members of that particular caste as one among them.
- (ii) In the case of a descendent of a Scheduled Caste convert, the mere fact of conversion to Hinduism or Sikhism will not be sufficient to entitle him to be regarded as a member of the Scheduled Caste to which his forefathers belonged. It will have to be established that such a convert has been accepted by the members of the caste claimed as one among themselves and has thus become a member of that caste.

(5) *Cases of adoption:*

Great care has to be exercised in dealing with cases where a person claims to be a Scheduled Caste on the ground that he has been adopted by a Scheduled Caste person.

The validity of the adoption has to be clearly established before any caste certificate can be given. It is for the party to prove his claim by cogent and reliable evidence.

- (i) The requirements of valid adoption are given in sections 6 to 11 of the Hindu Adoptions and Maintenance Act, 1956. The actual giving and taking of the child in adoption is a mandatory requirement and thereafter the adopted child is deemed to be the child of his or her adoptive father or mother for all purposes and the child severs all ties with the family of his or her birth. Ordinarily, no child who has attained the age of 15 years or who is married can be given in adoption unless there is a custom or usage applicable to the parties.
- (ii) In deciding whether an adoption is valid, the certificate issuing authority should satisfy himself, that all the requirements of Law have been complied with. He should also take into account the behaviour of the child after adoption whether he physically lives with and is supported by his adoptive parents and receives no financial help from his original parents. In case these conditions are not satisfied, the certificate should be refused.
- (iii) Where the case relates to an adoption of a married person or of a person of the age of 15 years and above, the certificate shall be required to be given by the Distt. Magistrate who shall, after making due enquiries as to the validity of the adoption and as to whether such adoption is permitted by a customs or usage applicable to the parties, make an endorsement to that effect on the certificate. Such custom or usage should have been continuously and uniformly observed for a long time and obtained the force of law among the Hindus of that particular area, or that community group or family provided that the custom or usage is certain and not unreasonable or opposed to public policy and in the case of custom or usage in respect of a particular family, that the custom or usage has not been discontinued. In addition it should be verified that all other conditions for a valid adoption, including the physical transfer of the adopted persons to the family of the adoptive parents and that he has severed all ties with the original parents are fulfilled.
- (6) Clarification regarding the term 'residence' for the guidance of the authorities empowered to issue Scheduled Caste and Scheduled Tribes certificates (Ministry of Home Affairs circular letter No. BC. 12025/2/76-SCT.I, dated 22-3-1977).

As required under Articles 341 and 342 of the Constitution, the President has, with respect to every State and Union Territory and where it is State after consultation with the Governor of the concerned State, issued orders notifying various Castes and Tribes as Scheduled Castes and Scheduled Tribes in relation to that State or Union Territory from time to time. The inter-State area restrictions have been deliberately imposed so that the people belonging to the specific community residing in a specific area, which has been assessed to qualify for the Scheduled Caste or Scheduled Tribes status, only benefit from the facilities provided for them. Since the people belonging to the same caste but living in different States, Union Territories may not necessarily suffer from the same disabilities, it is possible that two persons belonging to the same caste but residing in different States, U.T.s. may not both be treated to belong to Scheduled Caste, Tribe or *vice-versa*. Thus the residence of a particular persons in a particular locality assumes a special significance. This residence has not to be understood in the literal or ordinary sense of the word. On the other hand it connotes the permanent residence of a person on the date of the notification of the Presidential Order scheduling his caste/tribe in relation to that locality. Thus a person who is temporarily away from his permanent place of abode at the time of the notification of the Presidential Order applicable in his case, say, for example, to earn a living or seek education, etc. can also be regarded as a Scheduled Caste or a Scheduled Tribe, as the case may be if his caste/tribe has been specified in that Order in relation to his State/U.Ts. But he cannot be treated as such in relation to the place of his temporary residence notwithstanding the fact that the name of his caste/tribe has been scheduled in respect of that area in any Presidential Order.

It is to ensure the veracity of this permanent residence of a person and that of the caste/tribe to which he claims to belong that the Government of India has made a special provision in the proforma prescribed for the issue of such certificate. In order that

APPENDIX 16 *Contd.*

the certificates are issued to the deserving persons it is necessary that proper verification based primarily on revenue records and if need be, through reliable enquiries, is made before such certificates are issued. As it is only the Revenue Authorities who, besides having access to the relevant revenue records are in a position to make reliable enquiries, Government of India insists upon the production of certificates, from such authorities only. In order to be competent to issue such certificate therefore the authority mentioned in Appendix 15 of this Brochure should be the one concerned with the locality in which the person applying for the certificate had his place of permanent abode at the time of the notification of the relevant Presidential Order. Thus the Revenue Authority of one District would not be competent to issue such a certificate in respect of persons belonging to another district. Nor can such an authority of one State/UT issue such certificate in respect of persons whose place of permanent residence at the time of the notification of a particular Presidential Order, has been in a different State/Union Territory. In the case of persons born after the date of notification of the relevant Presidential Order, the place of residence for the purpose of acquiring Scheduled Caste or Scheduled Tribes status, is the place of permanent abode of their parents at the time of the notification of the Presidential Order under which they claim to belong to such a caste/tribe

APPENDIX 17

(Para 8.1(iv))

List of All India Radio Stations (in areas with concentration of Scheduled Castes and Scheduled Tribes Populations) to which Reserved vacancies are to be notified for Announcement

Name of State	Stations in areas of S.C. concentrations	Stations in areas of S.T. concentrations	Stations in areas of both S.C. and S.T. concentrations	Remarks
1	2	3	4	5
1. Andhra Pradesh	Cuddapah	Visakhapatnam	—	
2. Assam	—	Dibrugarh Silchar	Gauhati	
3. Bihar	Patna	Ranchi	—	
4. Gujarat	Ahmedabad Baroda Rajkot	—	—	
5. Jammu & Kashmir	Jammu	—	—	
6. Kerala	Trivandrum Trichur Alleppy	Calicut	—	
7. Madhya Pradesh	Gwalior	Indore	Bhopal Jabalpur Raipur	
8. Maharashtra	Sangli	—	Pune Aurangabad	
9. Manipur	—	Imphal	—	
10. Meghalaya	—	Shillong	—	
11. Karnataka	Dharwar Gulbarga	—	Bangalore	
12. Nagaland	—	Kohima	—	
13. Orissa	Cuttack	Jeypore	Sambalpur	
14. Punjab	Jullundur	—	—	
15. Rajsthan	Bikaner Jodhpur Ajmer	—	Jaipur Udaipur	
16. Tamilnadu	Tirchirapalli Tirunelveli Coimbatore	—	—	

1	2	3	4	5
17. Tripura . . . . .	..	..	Agartala	
18. Uttar Pradesh	Lucknow Allahabad Mathura Rampur Gorakhpur	..	..
19. West Bengal . . . . .	..	..	Kurseong Siliguri	
20. Union Territories	Chandigarh Pondicherry	Tezu Aizawal Tawang	..	

Himachal Pradesh (A.I.R.) Simla
 J & K State (A.I.R.) Leh
*Union territories of Andaman and Nicobar
 Islands & Goa (A.I.R. Port Blair and A.I.R.
 Panaji) Assam (A.I.R. Passighat)*

According to the population statistics available from the Planning Commission, there is no concentration of S. C. and S.T. communities in and around the A.I.R. stations as mentioned under each in brackets in these States/Union Territories. Notwithstanding, according to the existing arrangements, these stations also regularly broadcast announcements of vacancies reserved for Scheduled Castes and Schedule Tribes.

APPENDIX 18

[Para 10.2]

Proforma I (a)

Proforma for sending Proposals for dereservation of vacancies reserved for Schedule Castes and Scheduled Tribes in posts filled by DIRECT RECRUITMENT ON ALL INDIA BASIS.

-
1. Name of the Ministry/Department.
 2. Name of the Service/Office to which the vacancies relate.
 3. Designation, classification, Group and Scale of pay of the post in respect of which dereservation is sought.
 - 3.1 Designation :
 - 3.2 Group (i.e. Class)
 - 3.3 Scale of pay :
 4. *Mode of recruitment & the roster applicable*
 - 4.1 Through open competitive examination held by UPSC or other authority (please name the other authority concerned) (40 point roster *vide* appendix I to the Brochure). Yes/No
 - 4.2 Through UPSC by selection otherwise than through a competitive examination (40 point roster *vide* appendix I to the Brochure). Yes/No
 - 4.3 Through selection otherwise than through UPSC or through an open competitive examination (40 point roster *vide* appendix II to the Brochure). Yes/No
 5. *Particulars of the total vacancies*
 - 5.1 Total number of vacancies (reserved and general) being filled in the present recruitment : _____
 - 5.2 Points in the 40 points roster against which these vacancies fall and the number of the current cycle.

	Cycle		Point
	No.	From	To
_____	_____	_____	_____
_____	_____	_____	_____
 6. *Particulars of reserved vacancies*

	SC	ST
6.1 Number of vacancies reserved out of Col. 5.1 above :		
(a) Due to carried forward reservation (seperately for each year of carry forward).		
In III yr	_____	_____
In II yr	_____	_____
In I yr.	_____	_____
(b) Due to the fresh reservation according to the roster.	_____	_____

- (c) Net reservation out of total of (a) & (b) above after applying the restriction of 50% *where applicable* in the light of the instructions contained in Deptt. of Personnel & A.R. O.M. No. 16/3/73 Estt (SCT) dated 27-12-77 (Please see notes No. 2 & 3 below). -----
- (d) Number of vacancies out of (c) above which being in the third year of carry forward are mutually exchangeable between SC & ST. -----
- 6.2 Number of vacancies in 6.1(c) for which SC/ST candidates have become available ; -----
- 6.3 Number of vacancies proposed for dereservation (*vide* Note No. 1 below). -----

NOTES :

(1) While filling up reserved vacancies mentioned in Col. 6.1 it should be ensured that reservations brought forward from an earlier year are utilised first. For instance, if the figure mentioned in Col. 6.1(c) includes reservation brought forward from recruitment years 1975 and 1976 then reservation brought forward from 1975, would be utilised first before utilising reservations brought forward from 1976 and the current reservations. Also please refer to the instructions contained in para 3 of MHA's O.M. No. 27/25/68 Estt. (SCT) dated 25-3-70 and Department of Personnel & A.R. O.M. No. 36013/2/79 Estt(SCT). dated 2-4-79.

(2) The total reservation cannot exceed the total number of vacancies. The excess reservation, if any, being carried forward direct to the next recruitment year.

(3) The limit of 50% on reservation of vacancies for Scheduled Castes and Scheduled Tribes in any recruitment *Can be exceeded only if* the Scheduled Castes and Scheduled Tribes in the cadre/grade/post concerned are under-represented.

7. If the recruitment is through competitive examination, please indicate :

7.1	Date of publication of the rules for the examination		
7.2	Date on which the examination was held	SC	ST
7.3	Number of SC's/ST's who qualified in the written examination.		-----
7.4	Number of SC's/ST's out of 7.3 above who appeared for the interview (if any, prescribed)		-----
7.5	Number of SC's/ST's finally selected		-----
	(a) on own merit		-----
	(b) by relaxed standards of suitability		-----
	(c) Total		-----

	SC	ST
--	----	----

- | | | |
|---|----|----|
| 7.6 Number of SCs/STs who took up the appointment. | | |
| 8. <i>If recruitment is through selection (i.e. otherwise than through competitive examination), please indicate.</i> | | |
| 8.1 Whether the vacancies were first advertised as exclusively reserved for SC/ST only (vide instructions in O.M. No. 1/1/70-Estt. (SCT) dated 31-7-70) and if so ; | | |
| (i) the date of publication of the advertisement ; | | |
| (ii) the number of SC/ST candidates appeared ; | SC | ST |
| (iii) Number of SC/ST candidates found fit after applying relaxed standards. | | |
| 8.2 Whether the vacancies were re-advertised, simultaneously inviting applications from others as well, if so ; | | |
| (i) the date of re-advertisement ; | | |
| (ii) Number of SC/ST candidates interviewed | | |
| (iii) Number of SC/ST candidates found fit after applying relaxed standards. | | |
| 9. Whether SCs/STs were interviewed separately, i.e. on a day or in a sitting of the selection committee other than the one on / in which general candidates were interviewed. | | |
| 10. Whether as a result of the second advertisement general candidates have already been selected and are available for appointment against the reserved vacancies sought to be dereserved. | | |
| 11. If ex-post facto approval is being sought for dereservation of vacancies, please indicate : | | |
| (i) the reasons for not having obtained prior approval for dereservation. | | |
| (ii) level at which a decision was taken to fill the reserved vacancies without prior dereservation. | | |
| 12. Additional information/remarks, if necessary. (If this post is grouped with other posts for applying reservations, please indicate whether the grouping has been approved by the DOP & AR and whether the provisions of para 6.5 of the Brochure have been kept in view). | | |

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed by this Ministry/Department (proper) to the Commissioner for Scheduled Castes and Scheduled Tribes. R.K. Puram, New Delhi 110022.

Signature -----

Designation -----

Ministry/Department of -----

Telephone No. -----

1. Department of Personnel & A.R. (Personnel Wing-SCT Section). Government of India. North Block. New Delhi.
2. Commissioner for Scheduled Castes and Scheduled Tribes. West Block. 1. Wing No. 7. First Floor. R.K. Puram. New Delhi.

Ministry/Department of ----- U.O.No. -----
 ----- dated -----

- * To be signed by an officer of the status of Under Secretary or above in the Ministry/Department (proper)

PROFORMA I (b)

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by DIRECT RECRUITMENT THROUGH EMPLOYMENT EXCHANGES etc. on local or regional basis.

1. Name of the Ministry/Department.
2. Name of the Service/Office to which the vacancies relate.
3. Designation, Classification and Scale of pay of the post in respect of which dereservation is sought.
 - 3.1 Designation
 - 3.2 Group (Class)
 - 3.3 Scale of pay
 - 3.4 Technical/Non-technical
- 4.1 State/Region/U.T. in which the vacancies are located.
- 4.2 Indicate points reserved for SCs & STs in the roster used if different from those given in appendix 3 of the Brochure.
5. *Particulars of total vacancies.*
 - 5.1 Total number of vacancies being filled in the present recruitment.

- 5.2 Indicate the cycle No. of the roster (40 or 100 points) and the points against which these vacancies fall.
- | | Cycle No. | Points | |
|-------|-----------|--------|-------|
| | | From | To |
| ----- | ----- | ----- | ----- |
| ----- | ----- | ----- | ----- |

6. *Particulars of reserved vacancies*

- 6.1 Number of vacancies reserved out of 5.1. above :
- | | SC | ST |
|--|-------------|-------|
| (a) Due to carried forward reservations (separately for each year of carry forward) : | In III year | ----- |
| | In II year | ----- |
| | In I year | ----- |
| (b) Due to fresh reservations according to the roster. | ----- | ----- |
| (c) Net reservations out of total of (a) and (b) above after applying the restriction of 50% (if applicable in the light of the instructions contained in Deptt. of Personnel & A.R. O.M. No. 16/3/73 Estt. (SCT) dated 27-12-1977). | ----- | ----- |

	SC	ST
(d) Number of vacancies out of (c) above which being in the third year of carry forward are mutually exchangeable between SC and ST.		
6.2 Number of vacancies in 6.1. (c) for which SC/ST candidates have become available.		
6.3 Number of vacancies proposed for dereservation.		

NOTES

(1) While filling up reserved vacancies mentioned in col. 6.1 it should be ensured that reservations brought forward from an earlier year are utilised first. For instance, if the figure mentioned in col. 6.1 (c) includes reservations brought forward from recruitment years 1975 and 1976 then reservations brought forward from 1975 would be utilised first before utilising reservations brought forward from 1976 and current reservations. Further, attention is also drawn to the Deptt. of Personnel of A.R. & O.M. No. 36013,2/79-Est. (SCT) dated 2-4-1979.

(2) The total reservation cannot exceed the total number of vacancies, the excess reservation, if any, being carried forward direct to the next recruitment year.

(3) The limit of 50% on reservation of vacancies for Scheduled Castes and Schedule Tribes in any recruitment can be exceeded only if Scheduled Castes and Scheduled Tribe in the cadre/grade/post concerned are under-represented.

-
- 7.1 Whether non-availability certificate was obtained from the Employment Exchange ; if so, the date thereof.
- 7.2 Whether after receipt of non-availability certificate, the reserved vacancies were advertised and if so, when and with what results.
- 7.3 Whether reserved vacancies were intimated/copies of advertisements were endorsed to :
- the recognised associations of Scheduled Castes & Scheduled Tribes (Vid: para 8.1 (iii) of Brochure ; and
 - the Director (s) of Welfare /SC & ST welfare of the State Government /U.T. concerned (vide paras 8.1. (V) *ibid*).
- 7.4 Whether simultaneously with the notification of the vacancies to the Employment Exchange and advertisement through the Press, they were also notified to the appropriate station of the All India radio for announcement over the radio, if so, indicate :
- the A.I.R. station over which the vacancies were announced.
 - the date of announcement (*vide* para 8.1 (iv) *ibid*).
- 7.5 Whether there is a provision for relaxation of experience qualification in the recruitment rules if any prescribed in favour of Scheduled Castes and Scheduled Tribes (*vide* para 7.4 *ibid*).

- | | SC | ST |
|--|-------|-------|
| | ----- | ----- |
| 8.1 Total number of candidates who passed in the written test (if any held). | | |
| 8.2 The number of Scheduled Castes/Scheduled Tribes candidates interviewed (if interview prescribed). | | |
| 8.3 Number of candidates finally selected after applying relaxed standards (as required in O.M. No. 1/1/70-Estt. (SCT) dated 25-7-1970). | | |
| (i) Number selected on own merits. | ----- | ----- |
| (ii) By application of relaxed standards. | ----- | ----- |

Total :

-
9. Whether SCs/STs were interviewed separately, i.e. on a day or in a sitting of the selection committee other than the one on/ in which general candidates were interviewed (*vide* para 7.9 *ibid*).
10. In cases involving *ex-post-facto* approval to *dereservation* indicate :
- (i) the reasons for not having obtained prior approval for the *dereservation*.
- (ii) the level at which decision taken to fill vacancies without prior *dereservation*.
11. In the case of Group C (Class III) and Group D (Class IV) non-technical and quasi-technical posts filled other-wise than through examination. i.e. on the basis of the interview only, please also indicate:--

- | | SC | ST |
|--|-------|-------|
| | ----- | ----- |
| (1) Total number of candidates who fulfilled the minimum qualifications prescribed in the recruitment rules. | | |
| (2) Number of candidates called for interview. | ----- | ----- |
| (3) Number of candidates selected after application of the principles contained in MHA's O.M. No. 24/7/67 (i)-Estt. (SCT) dated 24-9-1968 and No. 16/8/69-Estt. (SCT) dated 31-10-1969). | ----- | ----- |

- | | SC | ST |
|---|-------|-------|
| | ----- | ----- |
| (4) Reason why for the remaining reservations, candidates of SC/ST possessing the minimum qualifications could not be selected. | ----- | ----- |
| (5) Number of candidates out of (3) above who took up appointments. | ----- | ----- |
12. Whether general candidates have already been selected for appointment against the vacancies sought to be *dereserved*.

13. Additional information, if any. (If this post is grouped with other posts for applying reservations, please indicate whether the grouping has been approved by the DOP & AR and whether the provisions of para 6.5 of the Brochure have been kept in view).

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed to the Commissioner for Scheduled Castes & Scheduled Tribes, R.K. Puram, New Delhi.

Signature* -----

Designation -----

Ministry/Department of -----

Telephone No. -----

1. Department of Personnel & A.R. (Personnel Wing-SCT Section), Government of India, North Block, New Delhi.
2. Commissioner for Scheduled Castes and Scheduled Tribes, West Block No. 1, Wing No. 7, 1st Floor, R.K. Puram, New Delhi.

Ministry/Department of -----

U.O./ENDT. No. ----- dated -----

*(To be signed by an officer of Under Secretary or higher status in the Ministry/Department proper).

ROFORMA II

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

-
1. Name of the Ministry/Department.
 2. Name of the Office/Organisation to which the vacancies relate.
 3. Particulars of the post/grade/service in which the vacancies are ought to be de-reserved.
 - 3.1 Designation.
 - 3.2 Group (Class).
 - 3.3 Scale of pay :
 4. Mode of promotion i.e. whether by selection, seniority cum fitness or through a departmental qualifying or limited competitive examination.
 5. Criteria for determining eligibility for promotion (as prescribed in Recruitment Rules).

. *Particulars of total vacancies*

6.1 Total number of vacancies being filled in the present recruitment.

Cycle No.	Points	
	From	To

6.2 Number of cycle and points in the roster against which these vacancies fall. (vide roster given in Appendix I of the Brochure).

7. *Particulars of reserved vacancies*

7.1 Number of vacancies reserved out of 6.1. above

SC	ST
----	----

(a) Due to carried forward reservations (separately for each year of carry forward).

In III yr.	-----
In II yr.	-----
In I yr.	-----

(b) Due to fresh reservations according to the roster.

(c) Net reservations out of total of (a) and (b) above after applying the restriction of 50% where applicable in terms of this Department O/M. No. 16/3/73-Estt. (SCT) dated 27-12-1977 (vide Note No. 2 below col. 7.4)

(d) Number of vacancies out of (c) above which are mutually exchangeable between SC & ST.

7.2 Number of vacancies in col. 7.1 (c) for which SC/ST candidates have become available.

7.3 Number of vacancies proposed for dereservation.

NOTE ;

1. While filling up reserved vacancies mentioned in col. 7.1, it should be ensured that reservations brought forward from an earlier year are utilised first. For instance, if the figure mentioned in col. 6(i)(c) includes reservations brought forward from recruitment years 1975 and 1976, then reservation brought forward from 1975 would be utilised first before utilising reservations brought forward from 1976 and current reservations. Further, the instructions contained in the MHA's O.M. No. 27/25/68-Estt. (SCT) dated 25-3-1970 and this Department's O.M. No. 36013/2/79-Estt. (SCT) dated 2-4-1979 may be kept in view for appointment of candidates against exchangeable vacancies.

2. Reservation can exceed 50% of vacancies in any recruitment only SCs/STs are under-represented in the cadre/grade concerned.

8. In the case of promotions on the basis of seniority subject to fitness. (vide Department of Personnel & A.R. O.M. No. 27/2/71-Estt. (SCT) dated 27-11-72).

8.1 Whether the SC/ST candidates who are eligible for promotion including those holding lower positions in the general seniority list were considered for promotion on the basis of their separate seniority list for filling the reserved vacancies.

- | | SC | ST |
|--|-------|-------|
| 8.2 Number of SC/ST candidates considered fit for promotion. | ----- | ----- |
| 8.3 Number of SC/ST candidates considered <i>not</i> fit for promotion. | ----- | ----- |
| 8.4 If sufficient number of SC/ST candidates were not eligible for promotion, the date on which the senior-most SC/ST candidate in the grade will become eligible for promotion. | ----- | ----- |
| 9. <i>In the case of promotions by selection in Group C(Cl. III) and Group D(Cl. IV) posts (vide MHA's O.M. No. 1/12/67-Estt. (C) dated 11-7-1968).</i> | | |

9.1 Size of the normal zone of consideration for all candidates, i.e. 3 times, 5 times the number of vacancies etc. followed for making promotions to the post in question.

- | | SC | ST |
|--|-------|-------|
| 9.2 Number of SC/ST candidates within the normal zone of consideration found fit for promotion on the same basis as others (vide para 3(1) of O.M. dated 11-7-1968 cited above). | ----- | ----- |

- | | SC | ST |
|--|-------|-------|
| 9.3 Number of SC/ST candidates who were in the separate zone of consideration for reserved vacancies. (Note : For reserved vacancies the zone of consideration is separate for SCs/STs i.e. if for general list, the zone of consideration is 5 times of the number of vacancies likely to be filled, the zone of consideration for separate lists of SC/ST, will be 5 times the number of reserved vacancies subject to the conditions that officers coming within such zone are eligible by length of service etc. as prescribed for being considered for promotion. | ----- | ----- |
| 9.4 Were separate lists drawn of SC/ST candidates and such candidates judged separately for inclusion in the select list without comparing their merit with other officers. | | |
| 9.5 Number of SC/ST candidates considered fit for promotion (including those mentioned in col. 9.2 above). | | |
| 9.6 Number of SC/ST candidates considered not fit for promotion. | ----- | ----- |
| 9.7 If sufficient number of SC/ST candidates were not eligible for promotion, the date on which the senior-most SC/ST candidate will become eligible for promotion. | ----- | ----- |
| 10. In the case of promotions by selection from Group C (Class III) to Group B (Class II), within Group B (Class II) and from Group B (Class II) to the lowest rung of category in Group A (Class I) (Vide Department of Personnel & A.R. O.M. No. 10/41/73-Estt. (SCT) dated 20-7-1974). | | |

- 10.1 Size of the normal zone of consideration for all candidates i.e. 3 times, 5 times, the number of vacancies etc.
- 10.2 Number of SC/ST candidates in the normal zone of consideration (For promotions by selection in Class II and to the lowest rung of Class I, SC/ST candidates within the normal zone of consideration alone are to be considered and there is no separate zone of consideration for SC/ST). SC ST

- 10.3 Number of SC/ST candidates considered fit for promotion. -----
- 10.4 Number of SC/ST candidates considered not fit for promotion.
- 10.5 Number of--
- SC vacancies filled by ST : -----
- ST vacancies filled by SC : -----
- (Note : In promotions of this category reservations are exchangeable between SC and ST candidates in the first year itself).
11. *In the case of promotion through Departmental qualifying or limited departmental competitive examination :*
- SC ST

- 11.1 Number of SC/ST candidates who appeared at the examination. -----
- 11.2 Number of SC/ST candidates who qualified in the examination on the basis of their own merit. -----
- 11.3 Number of SC/ST candidates who qualified in the examination on the basis of relaxed standards (vide instructions contained in Department of Personnel & A.R. O.M. No. 8/12/69-Estt (SCT) dated 23-12-70; O.M. No. 36021/10/76-Estt (SCT) dated 21-1-77 and O.M. No. 36011/6/79-Estt (SCT) dated 19-4-79.
12. Whether approved general category candidates are available in the Select List for appointment to vacancies sought to be dereserved and date of commencement of the Select List.
- 13.1 Whether SC/ST candidate considered unfit had any adverse entries in their C.R. considered by the D.P.C.
- 13.2 Whether such adverse entries were communicated in time to the SC/ST officer(s) concerned; if not what action has been taken against those responsible for their non-communication.
- 13.3 Whether the cases of the eligible SC/ST candidates not found fit for promotion against reserved vacancies have been submitted/reported to the authorities prescribed in Department of Personnel & A.R. O.M. No. 36012/3/75-Estt (SCT) dated 6-10-1976.
14. Where interviews are prescribed, whether SC/ST candidates were interviewed on a day or sitting of the selection Committee other than the day/sitting on which general candidates were interviewed.
- 15.(i) If ex-post-facto approval is sought to the dereservation of vacancies. The reason: why proposals for prior dereservation were not made and what steps have been taken to prevent its recurrence.
- (ii) The level at which it was decided to fill the vacancies without prior dereservation
16. Additional instruction (if any) :

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

2. A copy of this proposal has been endorsed by the Ministry/Department proper to the Commissioner for Scheduled Castes and Scheduled Tribes, R.K. Puram, Delhi 22.

Signature*

Designation

Ministry/
Department of

Telephone No.

1. Department of Personnel & A.R. (Personnel Wing--SCT Selection) Govt. of India, North Block, New Delhi.
2. Commissioner for Scheduled Castes and Scheduled Tribes, West Block No. 1, Wing No. 7, 1st Floor, R.K. Puram, New Delhi.

Ministry/Department of.....
U.O./ENDT. No.....dated.....

- * To be signed by an officer of Under Secretary or higher level in the Ministry/Department (proper).

PROFORMA—III

Proforma for sending proposals for dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in posts filled by CONFIRMATION in posts filled by direct recruitment only.

1. Name of the Ministry/Department
2. Name of the Office/Service to which the vacancies relate
3. Designation, Classification and scale of pay of the post/service in respect of which dereservation is sought.
 - (a) Designation
 - (b) Group (class)
 - (c) Scale of pay
4. Particulars of vacancies

- (i) Total number of permanent vacancies against which confirmations are being made and against which persons are already working in the Department on a temporary basis.

	Total No.	Sch. Castes	Sch. Tribes
--	--------------	----------------	----------------

- (ii) Number out of (i) above which have become available by conversion of temporary posts; and the number out of them reserved for SCs/STs as per the roster maintained at the time of initial recruitment against the concerned temporary posts. _____

- (iii) Number out of (i) above which have become available for other reasons e.g. due to death, retirement resignation etc. and number out of them reserved for SCs & STs as per the current roster. _____

- (iv) Total number of vacancies and those which are reserved for SCs & STs (i.e. (i) + (ii) above).

- (v) Number of SC & ST available for confirmation _____

- (vi) Number of vacancies to be dereserved. _____

5. In the case of permanent vacancies which are not physical vacancies and have become available due to conversion of temporary posts into permanent ones, please indicate :

- (i) The serial number of the points in the relevant rosters on which the corresponding temporary vacancies when initially filled had fallen and those, out of them which were reserved for SC/ST.
 - (ii) Whether the vacancies referred to above which fell on reserved points were actually filled by persons of the reserved category concerned.
 - (iii) If reply to (ii) above is in the negative and all the reserved vacancies were not filled by the reserved category candidates. Whether all the remaining reserved vacancies in question were got formally dereserved at the time of initial appointment according to the procedure then in force in this regard.
 - (iv) If the reserved vacancies referred to above were neither filled by reserved category candidates nor formally got dereserved at the time of initial appointment. Please indicate the reasons for the same.
6. In the case of confirmation against permanent vacancies which have become available due to reasons other than conversion of temporary posts :

- (1) Which roster is in use or recruitment to the post in question

As in Appendix 1 to the Brochure.
As in Appendix 2 to the Brochure
As for.....State/U.T.
in Appendix 3 to the Brochure.

Cycle No.	Points	
	From	To

- (2) Cycle No. and the points in the roster against which the total vacancies in col. 4 (iii) above fall.

- (3) Do the reserved vacancies shown against col. 4 (iii) above include any carried forward reservation, if so give details.

SC	ST
----	----

- Number of SC/ST persons working in the grade on temporary basis who are eligible for confirmation on the crucial date irrespective of their position in the general seniority list.
- Are all SC/ST candidates in col. 7 above being considered for confirmation? If not, please indicate the reasons for not considering them for confirmation.
- If ex-post-facto approval is sought, for dereservation of vacancies, please indicate why proposals for prior dereservation were not made.
- Additional information if any :

CERTIFICATES

Certified that this proposal is being made with the full knowledge and concurrence of the Liaison Officer of the Ministry/Department (proper).

- A copy of this proposal has been endorsed to the Commissioner for Scheduled Castes and Scheduled Tribes. R.K. Puram. New Delhi-22.

Signature* -----

Designation -----

Ministry/Department of -----

Telephone No. -----

- Department of Personnel & A.R. (Personnel Wing-SGT Section). Govt. of India. North Block. New Delhi.
- Commissioner for Scheduled Castes & Scheduled Tribes. west Block. No. 1. Wing No. 7. 1st Floor. R.K. Puram. New Delhi-22.

Ministry/Department of -----

U.O. ENDT. No. ----- dated -----

* To be signed by an officer of the status of Under Secretary or above in the administrative Ministry/Department.

APPENDIX 19

Statement showing number of Posts filled by deputation and the number of Scheduled Castes and Scheduled Tribes candidates appointed against such posts (for the period 1st January to.....31st December)

Ministry/Department(including all the Attached/Subordinate etc. offices).

[Para 3.7]

Group/Class of service	Total number of posts filled by deputation	Number of eligible persons belonging to SC/ST if any whose names were forwarded along with others for such deputation	Number of SC/ST persons appointed in posts in Col. 2		Remarks
			Sch. Castes	Sch. Tribes	
1	2	3	4	5	
I					
II					
III					
IV					

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PROCESS OF RECRUITMENT AND APPLICATION OF RESERVATION ORDERS

PROMOTIONS

[In accordance with chapter 12]

- (1) Reservations will be applicable if element of direct recruitment does not exceed 66 2/3%.
- (2) Existing and anticipated vacancies should be computed correctly.

**PROMOTION BY SENIORITY
SUBJECT TO FITNESS**

**PROMOTION BY LIMITED DEPTT
COMPETITIVE EXAMINATION**

**PROMOTION BY SELECTION IN
GROUP C & D POSTS.**

**PROMOTION FROM GROUP 'C' TO 'B'
WITHIN GROUP 'B' AND FROM GROUP
'B' TO THE LOWEST RUNG OF
GROUP 'A'**

- (a) Plot the vacancies in the 40-point roster at Appx. I.
(b) Take carried forward reservations into account.

PLOT THE VACANCIES IN THE ROSTER AT
APPX. I AND DETERMINE THE EXTENT
OF RESERVATIONS

- (a) Concept of zone of consideration is not applicable.
- (b) The candidates should fulfil eligibility conditions prescribed in the recruitment rules and no relaxations are admissible to SC/ST candidates.
- (c) separate lists are to be prepared for general, SC and ST candidates.
- (d) SC and ST candidates are to be considered separately.
- (e) after separate consideration, the lists are to be merged to form one select list in which the names will appear in accordance with the interse seniority in the original seniority list.
- (f) promotions should be made from the select list as and when vacancies occur and not according to roster points.
- (g) The select list should relate to the number of existing and anticipated vacancies which are likely to occur during the course of the year.
- (h) if fitness is adjudged through an examination, relaxation of standards is to be extended to SC/ST candidates.

- (a) qualifying standard should be relaxed in favour of SC/ST candidates.
(b) SC/ST candidates who have not acquired general standard should also be considered for promotions provided they are not unfit for promotion.

- (a) The candidates should fulfil eligibility condition prescribed in the recruitment rules and no relaxation is admissible to SC/ST candidates.
- (b) The concept of zone of considerations is applicable.
- (c) The SC/ST candidates who are within the normal zone of consideration should first be considered in accordance with general standards with others and may be included in the Select list.
- (d) If SC/ST candidates are not available for all the reserved vacancies, then separate list for SCs and STs are to be prepared in accordance with para 12.2(c) (i) of chapter 12. In these lists SC/ST candidates are to be adjudged amongst themselves irrespective of merit and the required number of candidates are to be taken.
- (e) a final common select list will be prepared in which names will be arranged and promotion will be made as and when vacancies occur and not according to roster points.
- (f) the Select list should relate to the number of existing and anticipated vacancies which are likely to occur during the course of the year.
- (g) If merit is adjudged by the qualifying exam., SC/ST candidates should be given relaxed standards.

- (a) The candidates should fulfil eligibility conditions prescribed in the recruitment rules and no relaxation is admissible to SC/STs.
- (b) the zone of consideration is applicable.
- (c) The SC/STs, who are within the zone of consideration should be considered in accordance with general standards with others and may be included in the select list.
- (d) If SC/ST candidates are not available for all the reserved vacancies in accordance with general standards, the difference should be made up by selecting candidates of these communities who are in the zone of consideration irrespective of merit but who are considered fit for promotions.
- (e) A select list is to be prepared by taking into account the grading assigned by the DPC and this list is to be followed for making promotions in vacancies as and when they arise during the year and not according to roster points.

- (a) adjust the oldest carry forward reservations chronologically.
(b) exchange the reservations between SCs/STs, if the reservations are in the IIIrd year of carry forward.
(c) Plot the names of the candidates in the roster.
(d) do not leave any gap in the roster.

- (a) exchange the reservations between SC/STs, if necessary.
(b) plot the names of the candidates in the roster.
(c) do not leave any gap in the roster.

- (a) Reserved vacancies, for which SC/ST candidates are not available, may be dereserved and filled up by general candidates. Power of dereservation has been delegated to the Min./Depts. subject to the conditions mentioned in the O.M. of 16-11-79.
(b) carry forward principle is applicable in these cases and after dereservation, carry the reservations forward to further recruitment years.

- (a) reserved vacancies for which SC/ST candidates are not available may be dereserved and filled up by general candidates. Powers of dereservation has been delegated to Min./Depts. subject to the conditions mentioned in the O.M. of 16-11-1979.
(b) CARRY FORWARD PRINCIPLE IS NOT APPLICABLE, except in the case of a single vacancy treated as unreserved in accordance with OM of 29-4-1975.