

**Copy of DOPT OM No.36012/5/97-Estt. (Res), dated 20th July, 2000,
Regarding Treatment of Backlog Vacancies Reserved for SCs & STs as a Distinct
Group and Non-Applicability of 50% Ceiling Thereon**

1. The undersigned is directed to invite a reference to Department of Personnel & Trainings O.M.No.36012/5/97-Estt.(Res) dated 29th August 1997, wherein it was laid down that 50 percent limit on reservation shall apply to current as well as backlog vacancies and that backlog of reserved vacancies shall not be treated as distinct group for the purpose of 50 percent limit on reservation and to say that the matter has been reviewed. Consequently, article 16 (4B) has been incorporated in the Constitution by the Constitution (Eighty First Amendment) Act, 2000, which provides as under

"Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty percent reservation on total number of vacancies of that year"
2. In pursuance of the provisions of Article 16(4B) of the Constitution, it has been decided that in partial modification of the instructions issued vide this Department's O.M.No.36012/5/97-Estt.(Res), dated the 29th August 1997, the reserved vacancies for Scheduled Castes and Scheduled Tribes in all cases of direct recruitment and promotion, wherever applicable, which have remained unfilled in the earlier year(s) i.e. backlog and/or carried forward vacancies would be treated as a separate distinct group and will not be considered together with the reserved vacancies of the year in which they are being filled up for determining the ceiling of 50 percent reservation on total number of vacancies of that year. In other words, the ceiling of 50 percent of filling up of reserved vacancies would apply only on the reserved vacancies which arise in the current year and the backlog/carried forward reserved vacancies for SCs/STs of earlier years would be treated as a separate and distinct group and would not be subject to any ceiling. However, backlog and/or carried forward reservation will automatically lapse in a cadre as soon as combined representation of a reserved category in direct recruitment as well as promotion is either equal to or more than the prescribed number of reserved posts in the relevant post based roster.
3. As the Ministries are aware, reservation with effect from 2-7-1997 is linked to post based rosters. The backlog of vacancies would be determined with reference to the post based rosters keeping in view the instructions issued vide this Department's O.M.No.36012/2/96-Estt.(Res), dated the 2nd July, 1997.
4. The Ministries/Departments etc. are requested to carry out a review for early assessment of the backlog vacancies in respect of SCs & STs both by way of direct recruitment and promotion and make concerted efforts to fill up backlog vacancies.
5. This order takes effect from the date of issue.
6. All Ministries/Departments are requested to bring these instructions also to the notice of their Attached/Subordinate Offices and Autonomous Bodies/Public Sector Undertakings under their control for compliance.

S/d
(J. Kumar)

Deputy Secretary to the Government of India

Copy of DOPT OM No.36012/23/96-Estt (Res) Vol. II, dated 3rd October, 2000.
Regarding Prescription of Lower Qualifying Marks/Lesser
Standard of Evaluation in Promotion

1. The undersigned is directed to refer to Department of Personnel & Training's OM No 36012/23/96-Estt (Res), dated 22nd July, 1997 vide which various instructions of the Government providing for lower qualifying marks/lesser standards of evaluation in matters of promotion for candidates belonging to the Scheduled Castes and Scheduled Tribes had been withdraw. on the basis of the Supreme Court's judgement in the case of S. Vinod Kumar Vs. Union of India.
2. The undersigned is further directed to say that the matter has been reviewed, consequent to which the following proviso to Article 335 has been incorporated in the Constitution by the Constitution (Eighty-Second Amendment) Act, 2000.
"Provided that nothing in this Article shall prevent in making of any provision in favour of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State".
3. In pursuance of the enabling proviso of Article 335 of the Constitution, it has now been decided to restore, with immediate effect, the relaxations/concessions in matters of promotion for candidates belonging to SCs/STs by way of lower qualifying marks, lesser standards of evaluation that existed prior to 22.7.1997 and as contained in the instructions issued by the Department of Personnel and Training from time to time including O.M.No.8712/69-Estt. (SCT) dated 23.12.1970, No.36021/10/76-Estt.(SCT) dated 21.1.1977 and para 6.3.2 of the DPC guidelines contained in Departmental of Personnel and Training's O.M.No.22011/5/86-Estt. (D), dated 10.04.1989. In other words, the effect of these instructions would be that the Department of Personnel and Training's O.M.No.36012/23/96-Estt (Res), dated 22nd July, 1997 becomes inoperative from the date of issue of this OM.
4. These orders shall take effect in respect of selections to be made on or after the date of issue of this OM and selections finalised earlier shall not be disturbed.
5. All Ministries/Departments are requested to bring these instructions also to the notice of their Attached/Subordinate Offices and Autonomous Bodies/Public Sector Undertakings under their control for compliance.

Sd/-

(J. Kumar)

Deputy Secretary to the Government of India

**Govt. of India, Ministry of Personnel & Public Grievances & Pensions, Department of
Personnel & Training OM No. 20011/1/2001-Estt.(D) dated 21st January, 2002**

SUB: Seniority of SC/ST Government servants on promotion by virtue of rule of reservation/roster.

The seniority of a person appointed to a post is determined according to the general principle 5(i) contained in MHA OM No. 9/11/55-RPS dated 22.12.1959 and para 2.2. in DOPT OM No. 22011/7/86-Estt.(D) dated 3.7.1986 read with DOPT OM No. 20011/5/90-Estt.(D) dated 4.11.1992. Seniority of such persons is determined by the order of merit indicated at the time of initial appointment and seniority of persons promoted to various grades is determined in order of selection for such promotion. Thus, as per the aforementioned instructions, persons appointed through an earlier selection would *en bloc* be senior to those promoted through subsequent selection.

2. This position was reviewed subsequent to the judgement of the Supreme Court dated 10.10.1995 in the case of *Union of India vs. Virpal Singh Chauhan etc.* (JT 1995(7) SC 231) and it was decided vide DOPT OM No. 20011/1/96-Estt.(D), dated 30.1.1997, to modify the then existing policy by addition of the proviso to general principle 5(i) contained in MHA (now DOPT) OM No. 9/11/55-RPS dated 22.12.1959 and para 2.2 in DOPT OM No. 22011/7/86-Estt.(D) dated 3.7.1986, which stipulated that if a candidate belonging to the Scheduled Caste or the Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior general/OBC candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste and the Scheduled tribe in the immediate higher post/grade.

3. The Government have now decided to negate the effects of the DOP&T OM dated 30th January, 1997 by amending Article 16(4A) of the Constitution right from the date of its inclusion in the Constitution i.e. 17th June, 1995 with a view to allow the Government servants belonging to SCs/STs to retain the seniority in the case of promotion by virtue of rule of reservation. In other words, the candidates belonging to general/OBC category promoted later will be placed junior to the SC/ST Government servants promoted earlier even though by virtue of the rule of reservation.

4. Therefore, in pursuance of the aforementioned Constitution (Eighty-fifth) Amendment Act, 2001, it has been decided as follows:-

- (i) (a) SC/ST Government servants shall, on their promotion by virtue of rule of reservation/roster, be entitled to consequential seniority also; and
(b) the above decision shall be effective from 17th June, 1995.
- (ii) The instructions contained in DOPT OM No. 20011/1/96-Estt.(D) dated 30.1.1997 as well as the clarifications contained in DOPT OM No. 20011/2/97-Estt.(D) dated 21.3.1997 shall stand withdrawn w.e.f. 30.1.1997 itself.
- (iii) Seniority of Government servants determined in the light of OM dated 30.1.1997 shall be revised as if that OM was never issued.
- (iv) (a) on the basis of the revised seniority, consequential benefits like promotion, pay, pension, etc. should be allowed to the concerned SC/ST Government servants (but without arrears by applying principle of 'no work no pay').

(b) For this purpose, senior SC/ST Government servants may be granted promotion with effect from the date of promotion of their immediate junior general/OBC Government servants.

(c) Such promotion of SC/ST Government servant may be ordered with the approval of Appointing Authority of the post to which the Government servant is to be promoted at each level after following normal procedure of DPE (including consultation with UPSC).

(v) except seniority other consequential benefits like promotion, pay, etc. (including retiral benefits in respect of those who have already retired) allowed to general/OBC Government servant by virtue of implementation of OM dated 30.1.1997 and/or in pursuance of the directions of CAT/Court should be protected as personal to them.

All Ministries/Departments are requested to bring the above decisions to the notice of all concerned for guidance and compliance. Necessary action to implement the decisions contained in para 4 (iii) above may be completed within three months from the date of issue of these instructions and necessary action to implement the decision at para (iv) above may be completed within 6 months from the date of issue of these instructions.

Govt. of India, Ministry of Personnel & Public Grievances & Pensions, Department of Personnel & Training OM No. 36028/17/2001-Estt.(Res.) dated 11th July, 2002

SUB: Reservation in promotion - Treatment of SC/ST candidates promoted on their own merit.

The undersigned is directed to say that this Department has been receiving references from various Ministries etc. regarding adjustment of SC/ST candidates promoted on their own merit in the reservation rosters introduced vide DOPT's OM No. 36012/2/96-Estt.(Res.) dated 2.7.1997. While it is clear from the OM dated 2.7.1997 that the SC/ST/OBC candidates appointed by direct recruitment on their own merit and not owing to reservation will be adjusted against unreserved points of the reservation roster, doubts have been raised about SC/ST candidates promoted on their own merit. It is hereby clarified that:

- (i) The SC/ST candidates appointed by promoted on their own merit and not owing to reservation or relaxation of qualifications will not be adjusted against the reserved points of the reservation roster. They will be adjusted against unreserved points.
- (ii) If an unreserved vacancy arises in a cadre and there is any SC/ST candidate within the normal zone of consideration in the feeder grade, such SC/ST candidate cannot be denied promotion on the plea that the post is not reserved. Such a candidate will be considered for promotion alongwith other candidates treating him as if he belongs to general category. In case he is selected, he will be appointed to the post and will be adjusted against the unreserved point.
- (iii) SC/ST candidates appointed on their own merit (by direct recruitment or promotion) and adjusted against unreserved points will retain their status of SC/ST and will be eligible to get benefit of reservation in future/further promotions, if any.
- (iv) 50% limit on reservation will be computed by excluding such reserved category candidates who are appointed/promoted on their own merit.

All Ministries/Departments are requested to bring the contents of this OM to the notice of all authorities under them for information and compliance.

No.36012/27/2000-Estt.(Res.)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL AND TRAINING
NEW DELHI

OFFICE MEMORANDUM

North Block, New Delhi

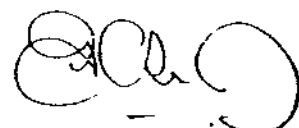
Dated: the 15th March, 2002

Subject: Adhoc promotions-consideration of cases of Scheduled Caste/Scheduled Tribe employees.

The undersigned is directed to refer to Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-4-1983 on the above noted subject according to which while making adhoc promotions, all the Scheduled Caste/Scheduled Tribe candidates covered in the relevant seniority list should be considered in the order of their general seniority as per the gradation list, on the principle of seniority-cum-fitness and if they are not adjudged unfit, they should be promoted on adhoc basis. The O.M. further provides that if the number of SC/ST candidates found fit within the range of actual vacancies is less than the number of vacancies identified as falling to their share if the vacancies were filled on a regular basis, additional SC/ST candidates to the extent required should be located by going down the seniority list, provided they are eligible and found fit for such adhoc appointment. Subsequently Department of Personnel and Administrative Reforms issued O.M. No.36011/14/83-Estt.(SCT) dated 30-9-1983 whereby the extended zone of consideration for SCs/STs in case of adhoc promotions was restricted to 5 times the number of vacancies being filled on a particular occasion.

2. The Supreme Court in its judgement dated 7-9-2000 in the case of Union of India and others Vs. Shri Basudeo Anil and others (Civil Appeal No.1194/1992) has quashed the Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-9-1983. It has, therefore, been decided to withdraw the Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-9-1983 with immediate effect. Thus claims of the Scheduled Caste/Scheduled Tribe candidates in the matter of adhoc promotions would henceforth be regulated as per instructions contained in Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-4-1983.

3. All Ministries/Departments are requested to bring these instructions also to the notice of Attached/Subordinate offices and Autonomous Bodies/Public Sector Undertakings under their control for compliance.



(K.G. Verma)

Deputy Secretary to the Govt. of India
Tele: 3011797

To

1. All Ministries/Departments of the Government of India.
2. Department of Economic Affairs (Banking Division), New Delhi.
3. Department of Economic Affairs (Insurance Division), New Delhi.
4. Department of Public Enterprises, New Delhi.
5. Railway Board.
6. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat, Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
7. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
8. Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi.
9. National Commission for SCs and STs, Lok Nayak Bhavan, New Delhi.
10. National Commission for Backward Classes, Trikot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.

No. 36012/17/2002-Estt. (Res)
Government of India, Ministry of Personnel, P.G. & Pensions,
Department of Personnel & Training, New Delhi

Dated the 6th November, 2003

OFFICE MEMORANDUM

SUB: Non-permissibility of exchange of reservation between SCs and STs.

The undersigned is directed to say that after introduction of post based reservation various ministries/departments have been seeking clarification whether it is possible to fill up a post reserved for Scheduled Tribes by a Scheduled Caste candidate or vice versa by applying the principle of exchange of reservation between Scheduled Castes and Scheduled Tribes as was possible when vacancy based rosters were in vogue.

2. Basic principle of post based reservation is that the number of posts filled by reservation by any category in a cadre should be equal to the quota prescribed for that category. If exchange of reservation between SCs and STs is permitted, number of employees of one reserved category of employees appointed by reservation will go beyond reservation prescribed for that category. It would be against the spirit of post based reservation. Therefore, after introduction of post based reservation, it is not permissible to fill up a post reserved for Scheduled Tribes by a Scheduled Caste candidate or vice-versa by exchange of reservation between SCs and STs.

3. If sufficient number of SC/ST/OBC candidates fit to appointment against reserved vacancies are not available, procedure as given below should be followed for filling up such reserved vacancies:

A. In cases of Direct Recruitment

- (i) Where sufficient number of candidates belonging to SC/ST/OBC are not available to fill up the vacancies reserved for them in direct recruitment, the vacancies shall not be filled by candidates not belonging to these communities. In other words, there is a ban on dereservation of vacancies reserved for SCs, STs and OBCs in direct recruitment.
- (ii) If sufficient number of suitable SC/ST/OBC candidates are not available to fill up vacancies reserved for them in the first attempt of recruitment, a second attempt shall be made for recruiting suitable candidates belonging to the concerned category in the same recruitment year or as early as possible before the next recruitment to fill up these vacancies. If the required number of SC/ST/OBC candidates are not even then available, the vacancies which could not be filled up shall remain unfilled until the next recruitment year. These vacancies will be treated as "backlog vacancies".
- (iii) In the subsequent recruitment year when recruitment is made for the vacancies of that year (called the current vacancies), the backlog vacancies of SCs, STs and OBCs will also be announced for recruitment. While doing so it may be kept in view that the vacancies of the particular recruitment year, i.e., the current vacancies and the backlog vacancies of OBCs will be treated as one group and backlog vacancies of SCs and STs as a separate and distinct group. Thus, there will be two distinct groups of vacancies. One group will contain the current vacancies and the backlog vacancies of OBCs, and the another group will contain

backlog vacancies of SCs and STs. While in respect of vacancies in the first group instructions that not more than 50% of the vacancies can be reserved in a year will apply, all the backlog vacancies reserved for SCs and STs will be filled up by the candidates belonging to concerned category without any restrictions whatsoever as they belong to distinct group of backlog vacancies of SCs and STs.

- (iv) If vacancies reserved for SCs/STs/OBCs cannot be filled up and are carried forward as backlog vacancies and remain unfilled in the following recruitment year also, they will be carried forward as backlog vacancies for subsequent recruitment year(s) as long as these are not filled by candidates of the category for which these are reserved.
- (v) There may be rare and exceptional cases in Group 'A' services, where posts cannot be allowed to remain vacant in public interest. In such situations, the administrative Ministry/Department under which the recruitment is being made shall make a proposal for dereservation giving full justification for such action, and consult the National Commission for Scheduled Castes and Scheduled Tribes in case of posts reserved for SCs/STs and the National Commission for Backward Classes in case of posts reserved for OBCs and obtain the comments of concerned Commission on each proposal. After obtaining the comments of the concerned Commission, the administrative Ministry/Department shall place the proposal for dereservation alongwith the Commission's comments before a Committee comprising the Secretaries in the Department of Personnel and Training, in the Ministry of Social Justice and Empowerment and in the Ministry/Department under which the recruitment is being made for consideration and recommendation. The recommendation of the Committee shall be placed before the Minister in charge of the Department of Personnel and Training for a final decision. If dereservation of the vacancies is approved, these can be filled by the candidate of other communities.

B. In cases of Promotion

- (i) In cases of promotion including promotion by selection from Group 'C' to Group 'B', within Group 'B' and from Group 'B' to the lowest rung of Group 'A', if sufficient number of SC/ST candidates fit for promotion against reserved vacancies are not available, such vacancies may be dereserved as per prescribed procedure and filled by candidates of other communities.
- (ii) If sufficient number of SC/ST candidates fit for promotion against reserved vacancies are not available and such vacancies can also not be dereserved for reasons like non-availability of candidates of other categories to fill up the posts etc., the vacancies shall not be filled and will remain unfilled until the next recruitment year. These vacancies will be treated as "backlog vacancies".
- (iii) In the subsequent recruitment year when recruitment is made for the vacancies of that year (called the current vacancies), the backlog vacancies of SCs and STs will also be filled up, keeping the current vacancies and the backlog vacancies of SCs and STs as two distinct groups. While in respect of the current vacancies the instructions that not more than 50% of the vacancies can be reserved will apply, all the backlog vacancies reserved for SCs and STs will be filled up by candidates belonging to the concerned category without any restriction whatsoever as they belong to distinct group of backlog vacancies.

- (iv) If backlog vacancies reserved for SCs/STs cannot be filled up by reservation and can also not be dereserved in the subsequent recruitment year as well, such backlog vacancies will be carried forward as backlog reserved vacancies for subsequent recruitment year(s) as long as these are not filled by candidates of the category for which these are reserved or by candidates of other communities after dereservation.
4. In cadres having more than 13 posts, number of posts filled by reservation by any category at any point of time should ideally be equal to the quota determined as per percentage of reservation prescribed for that category. Whenever the posts are filled, efforts have to be made to complete reservation quota for SCs/STs/OBCs in case of direct recruitment and for SCs/STs in case of promotion so that the number of posts filled by reservation by SCs, STs and OBCs, as the case may be, in the cadre equal to the number of posts earmarked for them. It means that if reservation quota is not complete, efforts would be made to complete the reservation quota whenever the recruitments are made in the cadre. Thus, reservation would not lapse in cases of post based reservation for the reason that reserved posts could not be filled for a specified number of years.
5. In cadres having 13 or less number of posts where 14 point L-shaped rosters are applied, if a reserved vacancy is filled by a candidate belonging to other community after dereservation, the reservation will be carried forward for subsequent recruitment year. Such carry forward of reservation would be permitted for three subsequent recruitment years. In the third year of carried forward of reservation, the vacancy will be treated reserved for the concerned category, but if it cannot be filled by reservation in the third year of carried forward of reservation by candidate of the concerned category, reservation will be treated as lapsed and it will be filled as an unreserved vacancy.
6. It is possible that some posts reserved for STs might have been filled by SC candidates by exchange of reservation or vice versa before issue of this OM. Such cases need not be reopened. However, if number of SC or ST candidates appointed by reservation including by exchange of reservation between SCs and STs is in excess of reservation prescribed for them, such excess representation may be adjusted in future recruitment.
7. All Ministries/Departments are requested to bring these instructions to the notice of all offices/organizations/establishments etc. under their control.

(K. G. VERMA
Deputy Secretary to the Govt. of India

No.36028/21/2003-Estt.(Res)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

...
New Delhi, Dated: the 29th January, 2004

OFFICE MEMORANDUM.

Subject: Concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion by selection – posts within Group A (Class I)

The undersigned is directed to invite a reference to the Ministry of Home Affairs OM No.1/9/69-Estt.(SCT) dated 26th March, 1970 which, as amended vide this Department OM No.36012/12/88-Estt.(SCT) dated 21.9.1988, provides that in promotions by selection to posts within Group A (Class I) which carry an ultimate salary of Rs.5700/- per month or less, the Scheduled Caste/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. The scales of pay of Group A post have been revised on the basis of the recommendations of the 5th Central Pay Commission. Keeping that in view, it has been decided that orders contained in the aforesaid OM would apply to promotions by selection to posts within Group A carrying an ultimate salary of Rs.18300/- or less in the revised scale of pay.

2. All Ministries/Departments are requested to bring the above decision to the notice of all concerned.


(K.G. Verma)

Deputy Secretary to the Govt. of India

1. All Ministries / Departments of the Government of India.
2. Union Public Service Commission, Dholpur House, New Delhi

3. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
4. Department of Economic Affairs (Banking Division), Jeevan Deep Building, New Delhi.
5. Department of Economic Affairs (Insurance Division), Jeevan Deep Building, New Delhi.
6. Department of Public Enterprises, CGO Complex, New Delhi.
7. National Commission for Scheduled Castes and Scheduled Tribes, Vth Floor, Lok Nayak Bhawan, New Delhi
8. National Commission for Backward Classes, Trikoot-I, Bhikaji-Cama-Place, R.K. Puram, New Delhi.
9. Ministry of Social Justice & Empowerment, Shastri Bhawan, New Delhi
10. Ministry of Railways, Railway Board, Rail Bhawan, New Delhi
11. Ministry of Home Affairs, New Delhi
12. Ministry of Communications (D/o Posts), New Delhi
- 13. Ministry of Communications (D/o Telecommunications) New Delhi
14. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, Delhi.
15. Spare copies -200.

No.36028/17/2001-Estt.(Res.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, dated the 31st January, 2005.

OFFICE MEMORANDUM

Subject: Reservation in promotion – Treatment of SC/ST candidates promoted on their own merit.

The undersigned is directed to refer to this Department's O.M.No.36028/17/2001-Estt.(Res.), dated 11th July, 2002 whereby it was clarified that the Scheduled Caste and Scheduled Tribe candidates appointed by promotion on their own merit and not owing to reservation or relaxation of qualifications will be adjusted against unreserved points. References have been received seeking clarification on the following points:

- (i) The date of effect of the O.M. No.36028/17/2001-Estt.(Res.), dated 11.7.2002; and
- (ii) Whether the orders will apply in case of promotions made by non-selection method.

2. It is clarified that the O.M. No.36028/17/2001-Estt.(Res.), dated 11.7.2002 takes effect from the date of its issue i.e. with effect from 11.7.2002. However, the cases where SC/ST candidates promoted on their own merit before 11.7.2002 have been adjusted against unreserved points need not be re-opened.

3. It is also clarified that since in the case of promotions by non-selection, promotions are made on the basis of seniority-cum-fitness and the concept of merit is not involved in such promotions, the O.M. dated 11.7.2002 does not apply to the promotions made by non-selection method.

4. Contents of this O.M. may be brought to the notice of all concerned.



(K.G. Verma)

Deputy Secretary to the Govt. of India

1. All Ministries/Departments of Govt. of India.
2. Department of Economic Affairs (Banking Division), New Delhi.
3. Department of Economic Affairs (Insurance Division), New Delhi.
4. Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi.
5. M/o Railways (Railway Board), Rail Bhawan, New Delhi.
6. Union Public Service Commission, Dholpur House, New Delhi/Supreme Court of India/Election Commission of India, Nirvachan Sadan, New Delhi/Lok Sabha Secretariat, New Delhi/Rajya Sabha Secretariat, New Delhi/Cabinet Secretariat, Rashtrapati Bhawan, New Delhi/Central Vigilance Commission, New Delhi/President Secretariat, Rashtrapati Bhawan, New Delhi/Prime Minister's Office, South Block, New Delhi/Planning Commission, Yojana Bhawan, New Delhi/National Commission for Scheduled Castes, Lok Nayak Bhawan, New Delhi/National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi/National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, New Delhi,
7. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
8. Comptroller and Auditor General of India, 10, Bahadurshah Zaffar Marg, New Delhi.

No.36017/1/2004-Estt.(Res.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, dated the 5th July, 2005.

OFFICE MEMORANDUM

Subject: Revision of quantum of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes in case of direct recruitment to Group 'C' and 'D' posts normally attracting candidates from a locality or a region.

The undersigned is directed to say that reservation for Scheduled Castes and Scheduled Tribes in case of direct recruitment to Group 'C' and 'D' posts, normally attracting candidates from a locality or a region, which is generally fixed in proportion to the population of the Scheduled Castes and Scheduled Tribes in the respective States/UTs, was last fixed in 1985 on the basis of the 1981 Census. Reservation for Other Backward Classes in such cases was fixed in 1993 keeping in view the proportion of their population in the respective States/UTs subject to a ceiling of 27% while also ensuring that the total reservation for SCs, STs and OBCs did not exceed the limit of 50% in any case. It has now been decided to revise the quantum of reservation for SCs, STs and OBCs in case of direct recruitment to Group 'C' and 'D' posts normally attracting candidates from a locality or a region, keeping in view the figures of the 2001 Census, as given in the Annexure to this O.M.

2. These orders will take effect from the date of issue of this O.M. However, the cases where requisitions for filling up the posts have already been sent to the recruiting agencies or posts have already been advertised in accordance with the percentages of reservation existing prior to issue of this O.M., need not be re-opened.
3. It is requested that contents of this O.M. may be brought to the notice of all concerned.


(K.G. Verma)

Deputy Secretary to the Government of India
Tele: 23092797

To

1. All Ministries/Departments of the Government of India.

.....2/-

2. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
3. Department of Economic Affairs (Banking Division), New Delhi.
4. Department of Economic Affairs (Insurance Division), New Delhi.
5. Department of Public Enterprises, New Delhi.
6. Railway Board.
7. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
8. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
9. Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi.
10. National Commission for SCs, Lok Nayak Bhavan, New Delhi.
11. National Commission for STs, Lok Nayak Bhavan, New Delhi.
12. National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.
13. Office of the Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi - 110002.
14. CBI, LBSNAA, ISTM, PESB, Central Sectt. Library, MHA Library.
15. Information and Facilitation Centre, DOPT, North Block, New Delhi.
16. 300 spare copies for Estt.(Res.) Section.