

M.H.A., O.M. No.1/12/67-Estt. (C), dated 11-7-1968 as amended by M.H.A., Resolution No. 27/25/68-Estt. (SCT), dated 25-3-1970, Dept of personnel O.M. No. 27/2/71-Estt. (SCT), dated 27-11-1972, O.M. No.10/41/73-Estt. (SCT), dated 20-7-1974, O.M. No.36021/7/75-Estt., dated 25-2-1976 and O.M. No. 36012/17/88-Estt., (SCT), dated 25-4-1989

Subject: - Reservation for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

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 OM, dated 8-11-1963, decided as follows:-

A. Promotions through limited departmental competitive examination:

There will be reservations at 15% and 7.5% 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 Classes II, III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 75%.

B. Promotion by selection method:

(a) Classes I and II appointment:

There will be reservations at 15% and 7.5% 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 75%.

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 and 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 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) (Not printed).
- (iv) (Not printed).

- (v) There will, however, be no carry forward of reservations from year to year in the event of an adequate number of Scheduled Castes and Scheduled Tribes candidates not being available in any particular year.
- (vi) (Not printed).
- (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 enable 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-R.P.S., dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

Clarification.- It has been brought to the notice of this department that sometimes promotions are made directly from Group 'B' (Rs. 650-1,200) to the senior scale of Group 'A' (Rs. 1,100-1,500 or Rs.1,200-1,600). Question 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 20-7-1974.

2. The matter has been carefully examined. It is clarified that in the situations mentioned in Para. 1 of this OM orders, dated 20-7-1974, will be applicable and reservations for SC/ST at the rate of 15% and 7.5% respectively will be provided when promotions are made from Group 'B' to the senior scale of Group 'A' directly bypassing any intermediate grade (Rs. 700-1,300) in between.

(b) Classes III and IV appointments:

There will be reservation at 15% and 7.5% of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in or to Classes III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 75%.

Select Lists of Scheduled Castes and 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. Promotion on the basis of seniority subject to fitness:

There will be reservation at 15 percent for Scheduled Castes and 7.5 per cent 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 75 per cent.

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-R.P.S., dated 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 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 above:-

- (i) ***
- (ii) Wherever according to the points in the roster there are any vacancies reserved for Scheduled Castes and Scheduled Tribes, separate 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 Selected 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 during the extended period.
- (vi) (Not printed).