

Participant's Handbook

ROSTERS & RESERVATION



VIJAY KUMAR GANGAPUTRA

Life Transformation Academy

INDEX

S. No.	Description	Page
1.	INTRODUCTION A. Constitutional and Statutory Provisions 1. SC 2. ST 3. OBC 4. EWS 5. PwD 6. Ex-Servicemen B. Evolution of Reservation in Public Services C. Applicability on CPSEs, PSBs, PFIs D. Nodal Ministries- Allocation of Business Rules	3 - 10
2.	QUANTUM AND SCOPE A. Quantum of Reservation 1. Direct Recruitment 2. Promotion B. Establishment of equivalence of posts in respect of employees of PSUs, Banks, PSICs and PFIs C. Scope of Reservation 1. Scientific and Technical Posts 2. Posts of Industrial Workers 3. Work-Charged Posts 4. Daily Rated Staff 5. Reservation in Appointments of Casual Workers to Regular Posts 6. Adhoc Promotion 7. Single Vacancy 8. PSUs, Autonomous Bodies etc 9. Voluntary Agencies 10. temporary appointments lasting for 45 days or more 11. Non-Applicability of Reservation	12 - 23
3.	RELAXATION AND CONCESSIONS 1. Concession in Promotions within Group A 2. Consideration for Appointment by Deputation and Absorption 3. Age Relaxation in Direct Recruitment 4. Age Relaxation in Promotion 5. Concession in Fee 6. Relaxation of Experience Qualification for SCs and STs in Direct Recruitment 7. Relaxation of Standard of Suitability in Direct Recruitment 8. No Relaxation in Educational Qualification 9. Relaxation of Standards in Departmental Competitive / Qualifying Examinations	24 - 27
4.	DETERMINATION OF RESERVATION QUOTA • Determination of Number of Reserved Posts • Determination of Reserved Vacancies	28 – 31

5.	RESERVATION REGISTERS AND ROSTER REGISTERS 1. Formats for Reservation Register 2. Principles 3. Grouping of Posts 4. Initial Preparation of Reservation Register / Roster 5. SC/ST/OBC Candidates Appointed on Merit 6. Adjustment of Compassionate Appointees	32 – 35
6.	FILLING UP OF RESERVED VACANCIES 1. Direct Recruitment 2. Promotion by Selection 3. Promotion by Non-Selection	36 – 40
7.	DE-RESERVATION 1. De-reservation in case of Direct Recruitment 2. De-reservation in case of Promotion	41 - 44
8.	VERIFICATION OF THE CLAIMS OF SCs/STs/OBCs	45 - 50
9.	MONITORING AND INSTITUTIONAL SAFEGUARDS 1. Annual Returns 2. Liaison Officers 3. National Commissions for SCs and STs 4. Representation of SC, ST, OBC, Minorities and the Women on Selection Board/Committees	51 - 58
10.	MISCELLANEOUS a. Arrangements for Training b. Intimation about Competitive Examinations to Pre-Examination Training Centres c. Selection of Persons for Posting Abroad d. Forwarding of Application for Employment e. Prevention of Discrimination f. Provisions In Recruitment Rules/Regulations For Examination g. Clarifications about SC/ST/OBC Status 1) General (Applicable to all cases) 2) Cases of Migration 3) Claims through Marriage 4) Cases of Conversion and Reconversion 5) Cases of Adoption	59 - 63
11.	PROVISIONS RELATING TO ECONOMICALLY WEAKER SECTIONS (EWS)	64 - 79
12.	PROVISIONS RELATING TO PERSONS WITH BENCHMARK DISABILITY (PwBDs) I. Reservation for PwDs in Direct Recruitment II. Reservation for PwBDs in Promotion	80 - 94
13.	PROVISIONS RELATING TO EX-SERVICEMEN	95 - 99

INTRODUCTION

Ensuring equitable representation in public service is a key objective of India's reservation policies, which provide opportunities for Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), Economically Weaker Sections (EWS), Persons with Disabilities (PWD), and Ex-Servicemen. These policies are rooted in constitutional provisions and reinforced by government orders, Supreme Court directives, and guidelines issued by the Department of Personnel & Training (DoPT). However, effective implementation requires structured compliance, precise roster management, and adherence to legal mandates to ensure fairness and transparency in recruitment, promotions, and career advancement. This handbook is designed to equip you with a clear understanding of reservation frameworks, best practices for roster preparation, and strategies for seamless execution within government and public sector organizations.

A. Constitutional and Statutory Provisions

India's Constitution is more than a legal document—it is the moral and philosophical compass that guides the nation's governance.

I. The Preamble: A Moral Compass

The **Preamble** sets the tone for the Constitution, proclaiming India to be a **Sovereign, Socialist, Secular, Democratic Republic**, committed to securing:

- **Justice** — social, economic, and political
- **Equality** — of status and opportunity
- **Fraternity** — assuring the dignity of the individual

These ideals are not symbolic—they guide actual policy-making. **Reservation in public employment** is a direct reflection of the promise of **social justice and equality of opportunity**, especially for those historically denied access to power and participation.

II. Article 16: Equality of Opportunity and Enabling Affirmative Action

Among the **Fundamental Rights**, **Article 16** ensures **equality of opportunity in matters of public employment**. While clause (1) guarantees equal access, several enabling clauses empower the State to take **affirmative action to address underrepresentation**:

- **16(4)**: Allows reservation for any **backward classes** not adequately represented in services.
- **16(4A)**: Enables reservation in **promotion(with consequential seniority)** for **SCs and STs**. (added via the **77th Amendment 1995**).
- **16(4B)**: Permits **carry forward of unfilled reserved vacancies** as a separate class ensuring they don't breach the 50% ceiling in future years.(added through the **81st Amendment 2000**)
- **16(6)**: Introduced by the **103rd Amendment (2019)**, allows **10% reservation for Economically Weaker Sections (EWS)** not covered under other categories.

The Article 16 as it stands today is reproduced below:

Article 16. Equality of opportunity in matters of public employment.—

(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.

(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.

(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

(Introduced by: 77th Constitutional Amendment Act, 1995. Came into effect: 17 June 1995)

(4B) 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 per cent. reservation on total number of vacancies of that year.

(Introduced by: 81st Constitutional Amendment Act, 2000. Came into effect: 9th June 2000)

(5) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

(6) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any economically weaker sections of citizens other than the classes mentioned in clause (4), in addition to the existing reservation and subject to a maximum of ten per cent. of the posts in each category.

(Introduced by: 103rd Constitutional Amendment Act, 2019. Came into effect: 14 January 2019)

These provisions reflect the understanding that real equality requires *equity—treating unequals unequally to bring about fairness*. Without such measures, the deep-rooted structural barriers in society would continue to deny a significant section of citizens access to power, representation, and dignity.

III. Further strengthening this mandate, **Article 46** of the Directive Principles of State Policy directs the State:

"to promote with special care the educational and economic interests of the weaker sections of the people, especially the Scheduled Castes and Scheduled Tribes, and to protect them from social injustice and all forms of exploitation."

Though not justiciable in court, Article 46 reflects the **moral and policy obligation** of the State to uplift and safeguard weaker sections through **concrete measures like reservation**.

IV. Who Are the Beneficiaries of Reservation? Constitutional Identification of Backward Classes

The Indian Constitution not only empowers the State to provide for reservations in public services, but also **lays down a clear and formal process** to identify the **specific social groups** eligible for such affirmative action. This identification is codified in **Part XXI** of the Constitution through a series of Articles and definitions.

Scheduled Castes (SCs)

Article 366(24) defines *Scheduled Castes* as:

"Such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under Article 341 to be Scheduled Castes for the purposes of this Constitution."

Article 341 empowers the **President of India** to notify, by public notification, the communities that shall be treated as Scheduled Castes **state-wise or union territory-wise, after consultation with the Governor** of the respective State.

Only **Parliament**, by law, can make **inclusions or exclusions** to this list. Once notified, **no further modification can be made by executive action alone**.

This ensures a **uniform, legal, and transparent basis** for identifying castes historically subject to **untouchability and social exclusion**.

Scheduled Tribes (STs)

Article 366(25) defines *Scheduled Tribes* as:

"Such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Article 342 to be Scheduled Tribes for the purposes of this Constitution."

Article 342, similar to Article 341, authorizes the **President** to specify, after consulting the **Governor**, the list of Scheduled Tribes for each **State or Union Territory**. Changes to the notified list—either **additions or removals**—can only be made by an **Act of Parliament**.

The tribal communities so notified are recognized based on criteria like **geographical isolation, distinct culture, primitive traits, and economic backwardness**.

Socially and Educationally Backward Classes

Article 366(26C) introduces the term:

"*Socially and educationally backward classes*" — defined as those groups deemed backward under **Article 342A**.

Article 342A, inserted through the **102nd Constitutional Amendment Act, 2018**, empowers the **President**, in consultation with the **Governor**, to specify **SEdBCs** for a State or Union Territory. As with SCs/STs, only **Parliament** has the authority to amend the **Central List**.

This category typically includes **Other Backward Classes (OBCs)** that suffer from cumulative **social and educational disadvantage**, yet may not fall under SC/ST.

Articles 341, 342 and 342 A are reproduced below:

Article 341. Scheduled Castes.—

(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.

(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.

Article 342. Scheduled Tribes.—

(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 purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(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.

Article 342A. Socially and educationally backward classes.—

(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 socially and educationally backward classes which shall for the purposes of this Constitution be deemed to be socially and educationally backward classes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the Central List of socially and educationally backward classes specified in a notification issued under clause (1) any socially and educationally backward class, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

Note: Income Criteria

As per the Office Memorandum No. 36039/1/2019-Estt (Res) dated January 31, 2019, issued by the Department of Personnel and Training (DoPT):

"Persons who are not covered under the scheme of reservation for SCs, STs, and OBCs and whose family has a gross annual income below ₹8 lakh are to be identified as EWS for the benefit of reservation."

Income shall include income from all sources i.e., salary, agriculture, business, profession, etc. for the financial year prior to the year of application.

Also, persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS, irrespective of the family income:

- 5 acres of agricultural land and above;
- Residential flat of 1000 sq. ft. and above;
- Residential plot of 100 sq. yards and above in notified municipalities;
- Residential plot of 200 sq. yards and above in areas other than the notified municipalities."

The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land. or property holding test to determine EWS status.

The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

Persons with Disability (Divyangjan):

The Rights of Persons with Disabilities Act, 2016

The Rights of Persons with Disabilities Act, 2016 is a significant legislation passed in India to ensure the empowerment, protection, and inclusion of persons with disabilities (PwDs) in all aspects of life. It replaced the earlier Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. The Act expands the definition of disability to include 21 categories of disabilities, including autism, cerebral palsy, multiple disabilities, and mental illness, among others. It provides greater inclusivity compared to the previous law, which recognized only 7 types of disabilities. It emphasizes the rights of persons with disabilities (PwDs) to have equal access to education, employment, and social participation. The Act mandates 4% reservation in government jobs and educational institutions for PwDs and 5% of the seats in the central and state government's schemes for various schemes and services for the disabled. The law prescribes penalties for discrimination against persons with disabilities, including discrimination in employment, access to education, and services.

Definition: Persons with Disabilities (PwD)

The Rights of Persons with Disabilities Act, 2016

Section 2 (r) - "person with benchmark disability"- means a person with not less than forty per cent. of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority;

Section 2 (s) - "person with disability" means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others;

Ex-Servicemen

The Ex-servicemen (Re-employment in Central Services and Posts) Rules, 1979:

The Ex-servicemen (Re-employment in Central Services and Posts) Rules, 1979 are regulations that were enacted to provide employment opportunities for ex-servicemen (individuals who have retired from the Indian Armed Forces) in various Central Government services and posts. The rules aim to facilitate the reintegration of ex-servicemen into civilian life and ensure that they are able to find meaningful employment after serving in the military. The rules lay down the framework for reservation of posts for ex-servicemen in central government services and organizations, aiming to give them a fair chance at securing employment. These rules apply to all the Central Services and Posts, Group 'C' (including erstwhile Group 'D') and the posts of the level of Assistant Commandant in all para-military forces.

Definition: Ex-Servicemen

The Ex-servicemen (Re-employment in Central Services and Posts) Rules, 1979, as amended from time to time, defines an ex-servicemen as a person –

(i) who has served in any rank whether as combatant or non-combatant in a Regular Army, Navy and Air Force of the Indian Union, and

(a) who either has been retired or relieved or discharged from such service whether at his own request or being relieved by the employer after earning his or her pension; or

(b) who has been relieved from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or

(c) who has been released from such service as a result of reduction in establishment;

(ii) who has been released from such service after completing the specific period of engagement, otherwise than at his own request, or by way of dismissal, or discharge on account of misconduct or inefficiency and has been given a gratuity; and includes personnel of the Territorial Army, namely, pension holders for continuous embodied service or broken spells of qualifying service;

Or

(iii) personnel of Army Postal Service who are part of Regular Army and retired from the Army Postal Service without reversion to their parent service with pension, or are released from the Army Postal service on medical grounds attributable to or aggravated by military service or circumstances beyond their control and awarded medical or other disability pension;

Or

(iv) Personnel, who were on deputation in Army Postal Service for more than six months prior to 14th April, 1987;

Or

(v) Gallantry award winners of the Armed Forces including personnel of Territorial Army;

Or

(vi) Ex-recruits boarded out or relieved on medical ground and granted medical disability pension.

(DOPT OM No. '36034/3/2013 Estt.(Res.) Dated 25/2/2014)

B. Evolution of Reservation in Public Services: A Constitutional and Judicial Timeline

The policy of reservation in public services in India has evolved through a carefully structured legal and constitutional framework, responding to judicial interpretation and administrative needs. It reflects a consistent effort to ensure equitable representation of socially and educationally disadvantaged groups in government employment, while balancing principles of merit, efficiency, and constitutional equality.

The journey began with the **Constitution of India, 1950**, which empowered the State through **Article 16(4)** to make provisions for the **reservation of appointments or posts in favour of any backward class of citizens** which, in the opinion of the State, was not adequately represented in public services. This foundational provision ensured that public employment could serve as a vehicle for inclusion.

Based on the recommendations of the Mandal Commission, the Government decided in **1990** to extend **27% reservation in public employment to OBCs**. This was challenged in court, leading to the landmark judgment in **Indra Sawhney v. Union of India (1992)**.

In the **Indra Sawhney judgment**, a nine-judge bench of the Supreme Court:

- Upheld the constitutional validity of **reservation for OBCs under Article 16(4)**;
- **Struck down** the extension of **reservation in promotions** for OBCs;
- Introduced the concept of **"creamy layer"**, excluding the advanced sections of OBCs from reservation;
- Stated that **reservation should not exceed 50%**, except in exceptional circumstances.

To restore reservation in promotions for **Scheduled Castes (SCs)** and **Scheduled Tribes (STs)**, the **77th Constitutional Amendment Act, 1995** was enacted. It inserted **Article 16(4A)**, explicitly allowing **reservation in promotion** for SCs/STs where they were not adequately represented.

This was followed by the **81st Amendment Act, 2000**, which introduced **Article 16(4B)**, allowing **carry-forward of unfilled reserved vacancies** to subsequent years. These carried-forward vacancies could be filled even if, in a particular year, the total number of reserved posts exceeded 50%.

The **85th Constitutional Amendment Act, 2001** further clarified the scope of Article 16(4A) by allowing **consequential seniority** to be granted to SC/ST employees promoted through reservation.

In **2019**, the Government enacted the **103rd Constitutional Amendment**, introducing **Article 16(6)**. It enabled the State to provide up to **10% reservation in public employment for Economically Weaker Sections (EWS)** of citizens **not covered under any other reservation scheme**. This marked the introduction of **economic criteria as an independent basis** for reservation.

The validity of this provision was upheld by the **Supreme Court in Janhit Abhiyan v. Union of India (2022)**. The Court ruled that reservation based solely on economic criteria was constitutionally permissible, and that the **50% ceiling laid down in Indra Sawhney was not an absolute rule**.

As of today, reservations in public services in the central government are structured as follows:

- **15% for Scheduled Castes (SC)**
- **7.5% for Scheduled Tribes (ST)**
- **27% for Other Backward Classes (OBC)**
- **10% for Economically Weaker Sections (EWS)**

Some states, under their respective policies and subject to constitutional provisions, may implement **higher percentages**, especially where protected under the **Ninth Schedule** of the Constitution.

Shift from Vacancy-Based to Post-Based Reservation: A Key Judicial Milestone

Until 1 July 1997, the system of implementing reservation in public services was based on the number of vacancies filled, not on the total number of sanctioned posts in a cadre. This method often led to over- or under-representation, and lacked consistency in maintaining the constitutional ceiling and category-wise representation.

This changed with the landmark ruling of the Supreme Court in *R.K. Sabharwal v. State of Punjab* (1995). The Court held that reservation must be applied with reference to the total number of posts in a cadre, not merely to the number of vacancies that arise each year. The Court clarified that once a candidate belonging to a reserved category is appointed against a reserved post, that post must be considered as filled for the purpose of reservation quota, regardless of whether the incumbent continues in service or retires.

In compliance with this judgment, the Government of India, through the Department of Personnel & Training (DoPT), introduced the concept of post-based reservation effective 2 July 1997. Under this system:

- Each cadre is mapped with fixed reserved posts, as per the prescribed percentage for SC, ST, and OBC categories.
- Only those many posts can be filled by candidates from a particular reserved category as are earmarked for them in the post-based roster.
- This ensures that representation remains within the prescribed quota and is spread equitably across the cadre, rather than fluctuating with each recruitment cycle.

Another key shift was the discontinuation of the "exchange of reservation" between SCs and STs. Earlier, if an SC candidate was not available, the reserved ST seat could be offered to an SC candidate and vice versa. However, post-1997, this exchange was disallowed, as each category's quota was to be filled strictly and separately according to the post-based roster system.

This reform brought about a more transparent, accountable, and sustainable method of enforcing reservation in public employment and became a model reference point for roster management in government recruitment.

C. Applicability of instructions regarding reservation to Central Public Sector enterprises (CPSEs)

Instructions as issued by Government in respect of reservations to SC/ ST/ OBC/ Disability & Ex-servicemen are to be taken as mutatis mutandis extended to all the CPSEs concerned unless specifically specified otherwise by DPE.

(DPE F. No. 20(10)99-DPE-Part-2014-FTS-1517 Dated 25/02/2015)

D. Nodal Ministries as per Allocation of Business Rules

As per the Government of India Allocation of Business Rules,

- ♦ Ministry of Social Justice and Empowerment is the nodal Ministry for the overall policy, planning and coordination of programmes relating to SCs, OBCs, EWS etc. and
- ♦ Ministry of Tribal Affairs is the nodal Ministry for policy matters related to STs.

- ◆ Amendment in 'The Constitution (Scheduled Castes) Order' for inclusion/exclusion of a caste and amendment of Central list of OBCs for inclusion/exclusion of a community pertains to Ministry of Social Justice.
- ◆ 'The Constitution (Scheduled Tribes) Order' for inclusion/exclusion of a tribe pertains to Ministry of Tribal Affairs.
- ◆ Further, the subject matter relating to 'Creamy Layer in OBC' pertains to Ministry of Social Justice and Empowerment.
- ◆ DoPT issues instructions related to reservation in posts and services under the Central Government based on the policy decision taken by the above concerned nodal Ministries.

Interesting Facts About Reservation:

- Over 15–20 countries have formal quota-based or affirmative action policies addressing historical and systemic inequalities.
- The first formal demand for reservation in India came in 1882, when Jyotirao Phule urged the Hunter Commission to guarantee access to education and jobs for backward castes.
- The first implemented reservation policy was in 1902, by Chhatrapati Shahu Ji Maharaj of Kolhapur, who reserved 50% of government jobs for backward communities—decades before Indian independence.
- India, South Africa, Malaysia, and Brazil are among the few countries with constitutionally or legally embedded large-scale reservation systems across sectors like education, jobs, and politics.
- In many Western democracies (e.g., U.S., Canada, EU), affirmative action exists without explicit quotas, using goals, outreach, and legal compliance mechanisms instead of fixed percentages.
- In South Africa, post-apartheid laws like the Employment Equity Act reserve job access and enforce racial representation for Black, Coloured, and Indian communities.
- New Zealand has reserved seats in Parliament for the Māori population since 1867—a unique example of political affirmative action that predates modern universal suffrage.

Quantum & Scope of Reservation

Quantum of Reservation in Direct Recruitment

All India- Open Competition - There shall be a reservation of 15 per cent for the members of the Scheduled Castes, 7.5 per cent for the members of the Scheduled Tribes and 27 per cent for the members of the Other Backward Classes in the matter of appointment by direct recruitment to civil posts and civil services on all India basis by open competition.[36011/33/1981-Estt.(SCT) 5/10/1981]

All India- Otherwise than by Open Competition - There shall be a reservation of 16.66 per cent for the members of the Scheduled Castes, 7.5 per cent for the members of the Scheduled Tribes and 25.84 per cent for the members of the Other Backward Classes in the matter of appointment by direct recruitment to civil posts and civil services on all India basis otherwise than by open competition.

No. 36011/33/1981-Estt.(SCT) dated 5/10/1981

No. 36012/22/93-Estt.(SCT) dated 8/09/1993

No. 36012/22/93-Estt.(SCT) dated 22/10/1993

No. 36012/2/1996 Estt (Res) dated 2/07/1997

Note:

A. The expression '**by open competition**' means

- all recruitments by Union Public Service Commission (UPSC) whether through written examination or by interview or by both; and
- recruitments made by other authorities including Staff Selection Commission or any other appointing authority through written competitive examination or tests (but not by interview alone).

B. **Otherwise than by open competition**- Any recruitment not made by the UPSC or not made through a written competitive test held by any other authority would mean direct recruitment otherwise than by open competition.

(OM No. 36034/2/2013-Estt(Res) dated 8/04/2013)

Reservation in Direct Recruitment in Group C&D attracting local candidates: Reservation for the Scheduled Castes and Scheduled Tribes in case of direct recruitment to Group C and Group D posts normally attracting candidates from a locality or a region is generally fixed on the basis of proportion of their population in the respective States/UTs. Reservation for Other Backward Classes in such cases is fixed keeping in view the proportion of their population in the respective States/UTs subject to a limit of 27% and total reservation for SCs, STs and OBCs should not exceed 50%. Quantum of reservation fixed for SCs, STs and OBCs in such cases is indicated below.

[36017/2/2004-Estt.(Res) dated 5/7/2005 and 4.7.2007]:

S. No.	Name of the State/UT	Percentage of Reservation		
		SCs	STs	OBCs
(1)	(2)	(3)	(4)	(5)
01	Andhra Pradesh	16	7	27
02	Arunachal Pradesh	1	45	0
03	Assam	7	12	27
04	Bihar	16	1	27
05	Chhattisgarh	12	32	6
06	Goa	2	12	18
07	Gujarat	7	15	27
08	Haryana	19	0	27
09	Himachal Pradesh	25	4	20
10	Jammu & Kashmir	8	11	27
11	Jharkhand	12	26	12
12	Karnataka	16	7	27
13	Kerala	10	1	27
14	Madhya Pradesh	15	20	15
15	Maharashtra	10	9	27
16	Manipur	3	34	13
17	Meghalaya	1	44	5
18	Mizoram	0	45	5
19	Nagaland	0	45	0
20	Orissa	16	22	12
21	Punjab	29	0	21
22	Rajasthan	17	13	20
23	Sikkim	5	21	24
24	Tamil Nadu	19	1	27
25	Tripura	17	31	2
26	Uttaranchal	18	3	13
27	Uttar Pradesh	21	1	27
28	West Bengal	23	5	22
29	Andaman & Nicobar Islands	0	8	27
30	Chandigarh	18	0	27
31	Dadra & Nagar Haveli	2	43	5
32	Daman & Diu	3	9	27
33	Delhi	15	7.5	27
34	Lakshadweep	0	45	0
35	Pondicherry	16	0	27

More than one State:

Where recruitment is made for zones or circles or regions consisting of more than one State, the percentages of reservation for SCs and STs is generally fixed on the basis of the proportion of SCs and STs in the respective zones/circles/regions and reservation for OBCs is fixed keeping in view their proportion in the population of the respective zones/circles/regions subject to a limit of 27% and total reservation for SCs, STs and OBCs should not exceed 50%.

Illustration: Suppose direct recruitment to a Group C post in an organization is made on the regional basis for the region consisting of the 8 States of the North East namely, Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim. Total population of these States and population of the Scheduled Castes and Scheduled Tribes in these States as per Census 2001 is 38,857,269; 2,486,474, and 10,465,898 respectively. Thus, the proportion of Scheduled Castes and Scheduled Tribes in the region is 6.39% and 26.93%. Estimated population of Other Backward Classes in the region is more than 27% of the total

population of the region. Keeping all aspects in view, percentage of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes for the region may be fixed as 6%, 27% and 17% respectively.

States Involved	Population % as per Census	Reservation allocation
Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim (Total 8)	SC – 6.39% ST- 26.93% OBC- 27%	SC- 6% ST- 27% OBC – 17%

Note: In case of recruitment on local/regional/zonal/circle basis, SC/ST/OBC candidates not belonging to the concerned locality/region/ State/ zone/ circle shall also be eligible to get the benefit of reservation.

(OM.No. 36017/1/2004-Estt(Res) dated 5/07/2005)

(OM.No. 36017/1/2007-Estt(Rcs) dated 4/07/2007)

Exclusion of Creamy Layer from amongst OBCs:

Members of the Other Backward Classes, who fall in creamy layer, shall not get the benefit of reservation. Criterion for determining creamy layer status amongst Other Backward Classes is given as under:

CRITERION FOR DETERMINING CREAMY LAYER

[O.M.No.36012/22/93-Estt(SCT) dated 08/09/1993 as amended from time to time]

Category	Description of Category	Who will fall in Creamy Layer
1	2	3
I.	CONSTITUTIONAL POSTS	Son(s) and daughter(s) of: - President of India; - Vice President of India; - Judges of the Supreme Court and of the High Courts; - Chairman & Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller & Auditor General of India; - Persons holding Constitutional positions of like nature.
II.	SERVICE CATEGORY A. Group A / Class I officers of the All India Central and State Services (Direct Recruits)	Sons(s) and daughter(s) of - parents, both of whom are Class I officers; - parents, either of whom is a Class I officer; - parents, both of whom are Class I officers, but one of them dies or suffers permanent incapacitation. - Parents, either of whom is a Class I officers and such parent dies or suffers permanent incapacitation and before such death or such incapacitation has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years. - Parents, both of whom are Class I officers die or suffer permanent incapacitation and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organisation

		like UN, IMF, World Bank, etc. for a period of not less than 5 years. Provided that the rule of exclusion shall not apply in the following cases: - Sons and daughters of parents either of whom or both of whom are Class I officers and such parent(s) dies / die or suffer permanent incapacitation. - A lady belonging to OBC category has got married to a Class I officer, and may herself like to apply for a job.
	B. Group B/Class II officers of the Central & State Services (Direct Recruitment)	Son(s) and daughter(s) of - Parents both of whom are Class II officers. - parents of whom only the husband is a Class II officers and he gets into Class I at the age of 40 or earlier. - Parents, both of whom are Class II officers and one of them dies or suffers permanent incapacitation and either one of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation; - Parents of whom the husband is a Class I officer (direct recruit or pre- forty promoted) and the wife is a Class II officers and the wife dies; or suffers permanent incapacitation; and - Parents, of whom the wife is a Class I officer (Direct Recruit or pre-forty promoted) and the husband is a Class II officer and the husband dies or suffers permanent incapacitation Provided that the rule of exclusion shall not apply in the following cases: Sons and daughters of - Parents both of whom are Class II officers and one of them dies or suffers permanent incapacitation. - Parents, both of whom are Class II officers and both of them die or suffer permanent incapacitation, even though either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation.
	C. Employees in Public Sector Undertakings etc.	The criteria enumerated in A&B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities, etc. and also to equivalent or comparable posts and positions under private employment, pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutions.
III.	ARMED FORCES INCLUDING PARAMILITARY FORCES (Persons holding civil posts are not included)	Son(s) and daughter(s) of parents either or both of whom is or are in the rank of Colonel and above in the Army and to equivalent posts in the Navy and the Air Force and the Para Military Forces; Provided that :- If the wife of an Armed Forces Officers is herself in the Armed Forces (i.e., the category under consideration) the rule of exclusion will apply only when she herself has reached the rank of Colonel;

		ii. The service ranks below Colonel of husband and wife shall not be clubbed together; iii. If the wife of an officer in the Armed Forces is in civil employment, this will not be taken into account for applying the rule of exclusion unless she falls in the service category under item No.II in which case the criteria and conditions enumerated therein will apply to her independently.
IV	PROFESSIONAL CLASS AND THOSE ENGAGED IN TRADE AND INDUSTRY I. Persons, engaged in profession as a 'doctor, lawyer, chartered accountant, Income Tax consultant, financial or management consultant, dental surgeon, engineer, architect, computer specialist, film artists and other film professional, author, playwright, sports person, sports professional, media professional or any other vocations of like status. II. Persons engaged in trade, business and industry.	Criteria specified against Category VI will apply: Criteria specified against Category VI will apply: Explanation: i. Where the husband is in some profession and the wife is in Class II or lower grade employment, the income / wealth test will apply only on the basis of the husband's income. ii. If the wife is in any profession and the husband is in employment in a Class II or lower rank post, then the income / wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed with it.
V	PROPERTY OWNERS A. Agricultural holdings	Son(s) and daughter(s) of persons belonging to a family (father, mother and minor children) which owns a. Only irrigated land which is equal to or more than 85% of the statutory area, or b. Both irrigated and unirrigated land, as follows:- The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the unirrigated portion). If this pre condition of not less than 40% exists, then only the area of unirrigated land will be taken into account. This will be done by converting the unirrigated land on the basis of the conversion formula existing, into the irrigated type. The irrigated area so computed from unirrigated land shall be added to the

		actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 85% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur. The rule of exclusion will not apply if the land holding of a family is exclusively unirrigated.
	B. Plantations i. Coffee, tea, rubber, etc. ii. Mango, citrus, apply	Criteria of income / wealth specified in Category VI below will apply. Deemed as agricultural holding and hence criteria at A above under this Category will apply.
	C. Vacant land and / or buildings in urban areas or urban agglomerations	Criteria specified in Category VI below will apply. Explanation: Building may be used for residential, industrial or commercial purpose and the like two or more such purposes.
VI	INCOME / WEALTH TEST	Son(s) and daughter(s) of (a) Persons having gross annual income of Rs. 8 lakh or above or possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years. (b) Persons in Categories I, II, III and V A who are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income / wealth criteria mentioned in (a) above. Explanation: (i) Income from salaries or agricultural land shall not be clubbed; (ii) The income criteria in terms of rupee will be modified taking into account the change in its value every three years. If the situation, however, so demands, the interregnum may be less.

No. 36012/22/93-Estt.(SCT) dated 8.9.1993

Letter No. 36033/5/2004-Estt (Res.) dated 14/10/2004

No. 36033/1/2013-Estt (Res.) dated 13/09/2017

Establishment of equivalence of posts in respect of employees of PSUs, Banks, PSICs and PFIs

Keeping in view that CPSEs are categorized into four Schedules A, B, C & D with different levels of pay scales on IDA pay pattern, perks and allowances, variable pay, affordability concept etc. and also number of levels of non-executive level posts are flexible and fixed by respective Boards of CPSEs after wage negotiations with the Unions, the CPSEs are at a completely different footing in comparison to pay pattern and allowances of functionaries of Government of India. The determination of exact equivalence of CPSEs posts with Group A, B, C and D levels posts of Central Government is therefore not feasible.

However, in view of the Government decision referred to in DoPT OM dated 06-10-2017, for determination of creamy layer criteria will be as under:

I. CPSEs	The general principle would be that all the Executive level posts in CPSEs i.e. Board level Executives and below Board level Executives which are managerial level posts, will be considered as "creamy layer" subject to those Executives whose annual income as per criteria given in DoPT OM 08-09-1993 is less than Rs.8 lakhs (as amended vide DoPT OM
----------	---

	No. 36033/1/2D13-Estt.(Res) dated 13-09-2017, which will not fall under creamy layer criteria.
II. Public Sector Banks (PSBs), III. Public Financial Institutions (PFIs), IV. Public Sector Insurance Companies (PSICs)	a. Junior Management Scale-I of Public Sector Banks (PSBs), Public Financial Institutions (PFIs), Public Sector Insurance Companies (PSICs) will be treated as equivalent to Group A in the Government of India and b. Clerks and Peons in PSBs/PFIs/PSICs will be treated as equivalent to Group C in the Government of India. Accordingly as per O.M. dated 08.09.1993, officers belonging to Junior Management Grade Scale-I and above will be considered as creamy layer. For Clerks and Peons in PSBs, FIs and PSICs, the income criteria vide O.M. referred above i.e. Rs. 6.00 lakhs per annum as revised from time to time will be applicable. These will be applicable with an exception being provided vide O.M. dated 08.09.1993 of DoP8:T as under:- i) Son(s) and daughter (s) , if father/mother is Clerk and Peon of PSBs. FIs and PSICs employee and he gets into Junior Management Grade Scale-I of PSBs, FIs and PSIC at the age of 40 or earlier, ii) Son(s) and daughter(s) of parents either of whom or both of whom are in Junior Management Grade Scale-I and above of PSBs, FIs and PSICs, and such parent(s) dies/die or suffer permanent incapacitation. iii) A lady belonging to OBC category has got married to a person of Junior Management Grade Scale-I and above of PSBs, FIs and PSICs and may herself like to apply for a job.

(DPE_GM-/0020/2014-GM-FTS-1740 Dated 25/10/2017)

Quantum of Reservation in Promotion

Reservation is provided at 15% and 7.5% to Scheduled Castes and the Scheduled Tribes, respectively,

- (i) in promotions through Limited Departmental Competitive Examination in Group B, C & D
- (ii) in promotion by selection in Group B, C & D and from Group B to the lowest rung of Group A and
- (iii) in promotion on the basis of Seniority subject to fitness in all Groups i.e. Group A, B, C & D (in all these cases).

Element of direct recruitment: Reservation in posts by promotion, as indicated above, should be made applicable to all grades or services, in which the element of direct recruitment, if any, does not exceed 75%.

No. 36012/17/88-Estt.(SCT) dated 25/04/1989

Supreme Court Directions: In pursuance of the Hon'ble Supreme Court judgement, dated 28.1.2022, in Jarnail Singh batch of cases, an OM, dated 12.4.2022, has been issued, as per the opinion of Ld. Attorney General, which mandates the Ministries/Departments to satisfy certain condition

before implementing the policy of reservation in promotions. These conditions, inter alia, are as follows:

- (i) Collection of quantifiable data regarding inadequacy of representation of SCs and STs;
- (ii) Application of this data to each cadre separately;
- (iii) Maintenance of reservation roster, as per DoPT OM, dated 2.7.1997;
- (iv) DPC to carefully assess the suitability of officers being considered for promotion to ensure administrative efficiency;
- (v) The Appointing Authority to ensure that all the conditions laid down in the OM, dated 12.4.2022, are complied with before issuing any promotion order.

Since the Jarnail Singh batch of cases is pending in the Supreme Court of India, any promotion order issued shall be subject to further orders that may be passed by the Supreme Court in the said batch of cases.

(OM No.36012/16/2019-Estt. (Res.) dated 12.4.2022)

Scope of Reservation

1. Reservation in Scientific and Technical Posts

Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes apply to appointments made to "scientific and technical" posts up to and including the lowest grade of Group A in the respective services.

Exemption: 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 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] according to which scientific and technical posts for which qualification in the natural sciences or 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.
- (iii) The posts should be 'for conducting research' or 'for organizing, 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 reservation.

Reservation, however, is not applicable to the posts available in the **Department of Space & Department of Electronics** and with regard to recruitment of trainees to the training school of the **Department of Atomic Energy**. In respect of them, the orders prior to 1975 will continue to apply.

In the case of scientific and technical posts required for research up to and inclusive of lowest grade of Group A of a service which are not exempt from the purview of reservation orders, reservation should be provided for Scheduled Castes, Scheduled Tribes and Other Backward Classes as per the scheme of reservations, except that:

- i. reserved vacancies in such posts need be advertised only once and not twice;
- ii. In the event of non-availability of candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes, vacancies in such posts may be de-reserved by the administrative Ministry/Department concerned. However, the National Commission for Scheduled Castes or the National Commission for Scheduled Tribes or the National Commission for Backward

Classes, as the case may be, and the Department of Personnel and Training should be informed about the de-reservation together with the details and reasons necessitating de-reservation.

[O.M.No.9/2/73-Estt(SCT) dated 23/06/1975]

[O.M.No.36012/27/1994-Estt(SCT) dated 13/05/1994]

2. Reservation in Posts of Industrial Workers

The industrial establishments of the Government of India and the posts and grades in such establishments, whether these have been classified as group A, B, C and D or not, are covered by the scheme of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes.

[O.M.No.8/7/1974-Estt.(SCT) dated 22/08/1975]

3. Reservation in Work-Charged Posts

The principle of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes 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 posts.

[O.M.No.36021/9/1976-Estt.(SCT) dated 10/02/1977]

4. Reservation in Appointments of Daily Rated Staff

While it may not be practical to apply the reservation orders in toto in respect of daily rated staff, it should be ensured that persons belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes are recruited in such manner as their overall representation does not go below the prescribed percentage of reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes respectively.

[O.M.No.36011/18/81-Estt.(SCT) dated 16/07/1981]

5. Reservation in Appointments of Casual Workers to Regular Posts

Appointment of casual workers against regular posts will be a case of direct recruitment. Hence all statutory requirements relating to filling up of posts by direct recruitment should be followed while regularizing the services of casual workers. General orders relating to reservation for persons belonging to SCs, STs and OBCs will be applicable in cases relating to regularization of casual workers. Vacancies meant for these categories of persons should be filled up by casual workers of respective reserved categories and the balance, if any, may be filled up by outsiders belonging to these categories, who are not casual workers. Casual workers, who do not belong to the 16 reserved categories, can be appointed against unreserved vacancies only.

[O.M.No.49014/12/1988- Estt(C) dated 22/08/1988]

6. Reservation in Ad-hoc Promotions

As a matter of basic approach, ad-hoc promotions should be avoided. However, if ad-hoc promotions are to be made in exceptional circumstances, such as during pendency of court cases, protracted seniority disputes, non-framing of recruitment rules, unforeseen delay in direct recruitment or convening of DPCs for reasons beyond the control of the appointing authority etc., following

guidelines may be followed on every occasion when ad-hoc promotions are resorted to so as to ensure that the claims of eligible officers belonging to Scheduled Castes and Scheduled Tribes are also duly considered:

- i. In cases where reservation orders for SCs and STs are applicable, the number of vacancies falling to the share of SCs and STs would be the same if the vacancies were to be filled on regular basis.
- ii. Since ad-hoc promotions are made on the basis of non-selection, all the Scheduled Caste/Scheduled Tribe candidates covered in the relevant seniority list within the total number of such vacancies against which ad-hoc promotions are to be made, 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 all be promoted on ad-hoc basis.
- iii. 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 ad-hoc appointment.
- iv. All ad-hoc appointees have to be replaced by regular incumbents at the earliest opportunity. When regular promotions are made subsequently, reversion of the ad-hoc appointees should take place strictly in the reverse order of seniority, the junior-most candidate being reverted first. No special concessions are to be given to SC/ST candidates at the time of such reversion.
- v. There is no need for maintaining any separate formal register or roster register for ad-hoc promotions. The concept of de-reservation, carrying forward of reservation etc. will also not be applicable in the case of ad-hoc appointments. However, a simple register called Ad-hoc Promotions Register may be maintained for different categories of posts for which ad-hoc appointments are made to facilitate a record being kept of the ad-hoc appointments and for ensuring reversion in the proper order on regular promotions being made to the posts in question.

[No. 36011/14/83-Estt.(SCT) dated 30/04/1983]

[O.M.No.36012/27/2000-Estt.(Res) 15/03/2002]

7. Reservation in case of a Single Vacancy

The concept of reservation in single vacancy has been clarified vide OM No. 1/9/74-Estt. SCT dated 29.4.1975. The OM dated 29.4.1975 provides that in cases where only one vacancy occurs in the initial recruitment year and the corresponding roster point happens to be for a Scheduled Caste and Scheduled Tribes, it should be treated as unreserved and filled accordingly and the reservation carried forward to subsequent three recruitment years. 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 Tribes candidate, if available, should be appointed against 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 Tribes 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 Tribes 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. The year in which no vacancy arises will be ignored for counting the effective years towards the period of carry-forward.

If a single vacancy falls at a reserved point for SC/ST and is filled by SC/ST candidate on the basis of own merit or seniority, it need not be treated as unreserved and reservation should not be carried forward. Further, if a single vacancy falls at a reserved point for SC/ST and is filled 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.

[1/9/74Estt.(SCT) dated 29/04/1975]
[36011/39/81-Estt.(SCT) dated 30/11/1981]

8. Reservation in PSUs, Autonomous Bodies etc

The Public Sector Undertakings, Statutory and Semi-Government Bodies, Autonomous Bodies/Institutions, including Municipal Corporations, Cooperative Institutions, Universities etc. under the control of the Government, may make reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes in their services on the lines of the reservations in services under Government. The Department of Public Enterprises, Ministry of Heavy Industries and Public Enterprises may arrange for issue of suitable directives to the various public sector undertakings, through the administrative Ministries concerned for making reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes in their services. The Ministries/Departments should take suitable action to provide for reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes 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.

[O.M.No.39/40/74(SCT)(I) dated 30/09/1974]

9. Reservation in Voluntary Agencies

The Ministries/Departments should insist as a pre-condition to the sanction of grants-in-aid from Central Government to a non-Government organizations/ voluntary agency etc. that it shall provide reservation to the extent of 15% to SCs, 7.5% to STs and 27% to OBCs in case of direct recruitment on all India basis and as shown in the table under in case of direct recruitment to posts normally attracting candidates from a locality or region where:

- a. The recipient body employs more than 20 persons on a regular basis and at least 50 percent of its recurring expenditure is met from grants-in-aid from the Central Government; and
- b. The body is a registered society or a cooperative institution and is in receipt of a general purpose annual grants-in-aid of Rs.2lakh and above from the Consolidated Fund of India.

A clause providing for reservations in the services under the voluntary agencies should be included in the terms and conditions under which such voluntary agencies /organizations etc. are given grants-in-aid by Government, somewhat on the following lines:

".....(Name of Organization/ Agency etc.) agrees to make reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes in the posts/ services under its control on the lines indicated by the Government of India."

While sanctioning grants-in-aid to various voluntary agencies the progress made by such agencies in employing Scheduled Caste, Scheduled Tribe and Other Backward Class candidates in their services should be kept in view by the administrative Ministries/Departments. The voluntary agencies etc.

should be informed that the progress in respect to the employment by them of Scheduled Castes, Scheduled Tribes and OBCs in the services under them would be taken into account by Government while sanctioning future grants-in-aid to them.

[O.M.No.27/12/73-Estt.SCT) dated 7/10/1974]

10. Reservation in temporary appointments lasting for 45 days or more

In respect of appointments to Central Government posts and services, there shall be reservation for Scheduled Caste/Scheduled Tribe/ Other Backward Class candidates in temporary appointments which are to last for 45 days or more.

[27/4/67(II)-Estt.(SCT) dated 24/09/1968] [36036/3/2018-Estt.(Res.) dated 15/05/2018]
[41034/4/2022-Estt.(Res-I) dated 21/11/2022]

11. Non-Applicability of Reservation

Reservations do not apply to:

- (i) Temporary appointments of less than 45 days duration; [O.M.No.27/4/67(II)- Estt.(SCT) dated 24/09/1968]
- (ii) Work-charged posts which are required for emergencies like flood relief work, accident restoration and relief etc. [36021/9/76-Estt.(SCT) 10/2/1977]
- (iii) Promotions by selection method from a Group 'A' post to another Group 'A' post.[36028/21/7/2003-Estt.(SCT) dated 29/01/2004]
- (iv) Appointments to Scientific and Technical posts which are above the lowest rung of Group 'A'. [O.M.No.36012/27/1994-Estt(SCT) dated 13/05/1994]
- (v) Deputation/Absorption.[O.M.No.36012/7/77-Estt(SCT) dated 21/01/1978]
- (vi) Single post cadres

Relevant Office Memoranda etc

1. MHA O.M. No.42/21/49-NGS 28.1.1952	11. DP&AR O.M. No.27/12/73-Estt.(SCT) 7.10.1974	21. Dep. Per & Trg OM No. 36011/13/88-Estt(SCT) 22.8.1988
2. MHA O.M. No.16/2/54-(SCT) 23.11.1954	12. DP&AR O.M. No.9/2/73-Est.(SCT) 23.6.1975	22. O.M.No.49014/12/1988-Estt(C) 22/08/1988
3. MHA O.M. No.5/1/63-SCT(I) 4.3.1964	13. DP&AR O.M. No.8/7/74-Est.(SCT) 22.8.1975	23. DOP&T O.M. No.36022/4/93-Estt.(SCT) 1.6.1993
4. MHA O.M. No.16/2/67 - Est.(C) 27.9.1967	14. DP&AR O.M. No.36021/9/76-Estt.(SCT) 10.2.1977	24. DOP&T O.M. No.41015/9/93-Estt.(SCT) 7.6.1993
5. MHA O.Ms. No. 1/12/67-Est.(C) 11.7.1968	15. DP&AR O.M. No.36012/7/77-Est.(SCT) 21.1.1978 20	25. DOPT OM No. 36012/22/93-Estt(Res) 8.9.1993
6. No.17/4/69-Estt.(SCT) 3.2.1970	16. DP&AR O.M. No.36011/18/81-Est.(SCT) 16.7.1981	26. DOPT OM No.36012/22/93-Estt(Res) 15.11.1993
7. MHA OM No.27/25/68-Est.(SCT) 25.3.1970	17. DP&AR OM No.36011/39/81-Estt.(SCT) 30.11.1981	27. DOPT OM No. 36012/27/94-Estt(SCT) 13.5.1994
8. DP&AR O.M. No.27/2/71-Est. (SCT) 27.11.1972	18. DP&AR OM No.36011/14/83-Estt.(SCT) 30.4.1983	28. DOPT OM No. 36012/18/95-Estt(Res) Pt.II 13.8.1997
9. DP&AR O.M. No.10/41/73-Est.(SCT) 20.7.1974	19. Dep. Per & AR O.M. No.36011/13/83-Est.(SCT) 30.9.1983	29. DOPT OM NO. 36012/27/2000-Estt(Res) 15.3.2002
10. MHA O.M. No.39/40/74-SCT(I) 30.9.1974	20. Dep. Per & AR O.M. No.36011/14/83-Est.(SCT) 30.4.1983	30. DOPT OM NO. 36033/3/2004-Estt(Res) 14.10.2008

CHAPTER- 3

RELAXATIONS AND CONCESSIONS

1. Concession in Promotions within Group A

There is no reservation in case of promotion by 'selection' from a Group A post to another Group A post. But when promotion by 'selection' is made from a Group A post to a Group A post carrying Grade pay of Rs.8700/- or less, the Scheduled Caste and 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. Their position in the select list would, however, be same as assigned to them by the Departmental Promotion Committee on the basis of their record of service.

[O.M No. 36028/8/2009-Estt(Res) dt.7.6.2013]

Note: Fitness of the SC/ST officers in such cases would be assessed keeping in view the duties and responsibilities attached to the post and not on the basis of benchmark, if any, prescribed for promotion to the post.

2. Consideration for Appointment by Deputation and Absorption

Reservations do not apply to posts filled by deputation or absorption, but whenever a Ministry/Department/Attached Office/Subordinate Office etc. propose to depute, in public interest, officers serving under them to a post in or under another Ministry/Department etc., the Scheduled Caste/Scheduled Tribe employees serving under them, who are eligible to be sent on deputation should also be considered along with other eligible employees for such deputation. The Ministries/Departments under whose control the posts to be filled by deputation or absorption arise, should also, while selecting persons for such post(s), duly consider the cases of eligible Scheduled Caste and Scheduled Tribe employees whose names have been forwarded, for appointment on deputation or absorption to those posts. Where the number of posts to be filled on deputation or absorption by any employing Ministry or Office is fairly substantial, the employing Ministry/Head of Office concerned should endeavor to see that a fair proportion of such posts is filled by employees belonging to Scheduled Castes/Scheduled Tribes, subject of course, to availability from 28 the feeder categories of qualified persons belonging to these communities.

[DP&AR OM No. 36021/6/75-Estt(SCT), dt. 9.10.1975 and DP&AR O.M No.36012/7/77-Estt (SCT) dt. 21.1.1978].

3. Age Relaxation in Direct Recruitment

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 and by 3 years in the case of candidates belonging to OBCs.

[MHA No.15/1/55-SCT dt.30.4.1955, OM No. 43013/2/95-Estt(SCT), dt. 25.1.1995]

4. Age Relaxation in Promotion

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 Organizations.

[O.M No. 21/9/70- Estt(SCT), dt.8.12.1971]

5. Concession in Fee

The candidates belonging to Scheduled Castes and Scheduled Tribes will not be required to pay any fees for admission to any recruitment examination/selection.

[O.M No. 36011/3/84- Estt(SCT) dt. 1.7.1985]

6. Relaxation of Experience Qualification for SCs and STs in Direct Recruitment

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 the relevant Recruitment Rules as at (a) or (b) below to enable the Union Public Service Commission/competent authority to relax the 'experience' qualification in the case of Scheduled Caste/Scheduled Tribe 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. The appointing authority shall record the reasons for relaxing the qualifications regarding experience in writing while doing so."

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

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 Caste/Scheduled Tribe candidates as provided in the Recruitment Rules. This is intended to ensure that the aspirants who may fall slightly short of the requisite experience may know about the possibility of relaxation in this regard.

[DP&AR O.M No.27/10/71-Estt (SCT) dt. 5.9.1975]

7. Relaxation of Standard of Suitability in Direct Recruitment

In direct recruitment whether by examination or otherwise, if sufficient number of Scheduled Caste/Scheduled Tribe/Other Backward Class 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,

Scheduled Tribes and Other Backward Classes 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. [MHA O.M No. 1/1/70-Estt (SCT), 25.7.1970]

In addition to the concession referred to above, in cases where the requisite number of Scheduled Caste/Scheduled Tribe/Other Backward Class candidates fulfilling even the relaxed standards admissible in their cases are not available to fill the vacancies reserved for them in nontechnical and quasi-technical Group C and D services/posts required to be filled by direct recruitment otherwise than by written examination, the selecting authorities should, to the extent of the vacancies reserved for Scheduled Castes/Scheduled Tribe/Other Backward Class, select for appointment the best among the Scheduled Caste/Scheduled Tribe/Other Backward Class candidates who fulfill the minimum educational qualifications laid down in the notice for recruitment of 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 nontechnical and quasi-technical posts in Group C and D to which the provisions given above apply. While notifying vacancies in such posts or advertising them, it should be indicated that the posts are non-technical in Group C and D.

(O.M.No 24/7/67(I)-Estt.(SCT) dated 24/9/1968)

8. No Relaxation in Educational Qualification

3.11 Where an educational qualification has been prescribed in the recruitment rules, all candidates including the SC, ST and OBC candidates shall satisfy the said qualification. Sometimes, a minimum number of marks or a minimum grade is prescribed as part of the educational qualification in the recruitment rules. In such cases, the minimum marks/grade so prescribed shall uniformly apply to all candidates including SC, ST and OBC candidates.

[OM No. 36011/8/84-Estt(SCT) dt. 29.5.1985]

9. Relaxation of Standards in Departmental Competitive / Qualifying Examinations

If in case of promotions made through departmental competitive examinations, sufficient number of Schedule Caste / Scheduled Tribe candidates are not available on the basis of general standard to fill all the vacancies reserved for them, Scheduled Caste/Scheduled Tribe candidates who have not acquired the general qualifying standard can also be considered for promotion to fill up the remaining vacancies reserved for them provided they are not found unfit for such promotions. In other words, the qualifying standard in such examinations can be relaxed in favour of Scheduled Caste and Scheduled Tribe candidates if sufficient number of Scheduled Caste/Scheduled Tribe candidates is not available on the basis of general standard to fill all the vacancies reserved for them.

In promotions made on the basis of seniority subject to fitness in which there is reservation for Scheduled Castes and Scheduled Tribes and where a qualifying examination is held to determine the fitness of candidates for such promotion, suitable relaxation in the qualifying standard in such examination should be made in the case of Scheduled Caste/Scheduled Tribe candidates. Similar relaxation of standard should be made in favor of Scheduled Caste/Scheduled Tribe candidates in such departmental qualifying examinations for promotions also, where promotion is made by selection and merit is determined by qualifying examination out of the qualified candidates. The extent of relaxation in above cases should 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.

[DP&AR O.M No. 36021/10/76-Estt(SCT), 21.1.1977]

Relevant Office Memoranda etc.

1 MHA No.15/1/55-SCT 30.4.1955	6 DOP&T O.M. No.15012/2/81-Est.(D) 8.4.1981
2 MHA OM No. 1/9/69-Estt(SCT) 26.3.1970	7 DP & AR OM No.D-1458/81-Estt(SCT) 21.5.1981
3 DP & AR OM No. 1/10/74-Estt(SCT) 23.12.1974	8 DOPT OM No. 36011/8/84-Estt(SCT) 29.5.1985
4 DP & AR OM No. 27/10/71-Estt(SCT) 5.9.1975	9 DOPT O.M. No. 36013/3/84-Estt. (SCT) 1.7.1985
5 DOPT OM No. 36021/6/1975-Estt(SCT) 9.10.1975	10 DOPT OM No. 36012/23/96-Estt(Res) Vol.II 3.10.2000

DETERMINATION OF RESERVATION QUOTA

Determination of Number of Reserved Posts

Cadre with More than 13 posts: Number of posts reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes in a cadre having more than 13 posts shall be determined by multiplying the cadre strength by the percentage of reservation prescribed for respective categories. While doing so, fractions, if any, shall be ignored.

Illustration : Suppose a grade in a service where reservation in promotion is available, has a total of 600 sanctioned posts, 50% of which are filled by direct recruitment on all India basis by open competition and 50% are filled by promotion by non-selection. Number of posts reserved for Scheduled Castes in case of direct recruitment would be equal to $300 \times 15/100$ which comes to 45. Number of posts reserved for scheduled Tribes would be equal to $300 \times 7.5/100$, which after ignoring the fraction comes to 22 and number of posts reserved for Other Backward Classes would be equal to $300 \times 27/100$ i.e. 81. Similarly, the number of posts reserved for Scheduled Castes and Scheduled Tribes in case of promotion would be 45 and 22 respectively. It may be noted that the number of reserved posts for Scheduled Tribes comes to 22.5 in case of direct recruitment as well as promotion. Exact number of reserved posts is arrived at by ignoring the fraction.

Cadre Strength	Mode of Filling up	Calculation	Posts Reserved
600	50%- by Direct Recruitment (Open) =300 posts	SC= $300 \times 15/100=45$ ST= $300 \times 7.5/100=22$ OBC= $300 \times 27/100=81$	SC= 45 ST=22 OBC=81
	50%- by promotion =300 posts	SC= $300 \times 15/100=45$ ST= $300 \times 7.5/100=22$	SC= 45 ST=22

Cadre with 2 or more than 2 but less than 14 posts: If the number of posts in a cadre is 2 or more than 2 but less than 14, reservation is provided as per L-shaped rosters prescribed vide Department of Personnel & Training OM No. 36012/2/96- Estt(Res) dated 02.07.1997. These L-shaped rosters are nothing but 14- Point rosters given below. Thus in cadres with 2 posts but less than 14 posts, reservation shall be provided by rotation on the basis of following 14-point rosters:

ROSTER POINTS	DIRECT RECRUITMENT- All India Open Competition	DIRECT RECRUITMENT- Otherwise than Open Competition	PROMOTION
1	UR	UR	UR
2	UR	UR	UR
3	UR	UR	UR
4	OBC	OBC	UR

5	UR	UR	UR
6	UR	UR	UR
7	SC	SC	SC
8	OBC	OBC	UR
9	UR	UR	UR
10	EWS	EWS	UR
11	UR	UR	UR
12	OBC	OBC	UR
13	UR	SC	UR
14	ST	ST	ST

Note 1: The term ‘cadre strength’ used in relation to calculation of reservation/ maintenance of reservation registers /rosters means number of posts required to be filled by a particular mode of recruitment in terms of the applicable recruitment rules. In a grade comprising 200 posts, where the recruitment rules prescribe a ratio of 40:40:20 for direct recruitment, promotion and deputation/absorption respectively, the cadre strength for direct recruitment shall be 80 and cadre strength for promotion shall be 80. Since there is no reservation in case of deputation/absorption, 40 posts will not be subject to reservation.

Note 2: Excess or shortfall of reservation, which may arise due to change in cadre strength, shall be adjusted/made up in subsequent recruitments.

Determination of Reserved Vacancies

While filling up of vacancies in a year, efforts shall be made to make up the shortfall of reservation for all the three categories, namely, SCs, STs and OBCs subject, however, to the condition that total number of vacancies reserved for SCs, STs and OBCs is not more than 50% of the vacancies of the year.

The ceiling of 50% reservation on filling of reserved vacancies would apply only to the vacancies which arise in the current year and the backlog reserved vacancies of SCs, STs and OBCs in case of direct recruitment and backlog reserved vacancies of SCs and STs in case of promotion of earlier years, would be treated as a separate and distinct group, and would not be considered together with the reserved vacancies of the year in which they are filled for determining the ceiling of 50% reservation on total number of vacancies of that year.

Note 1: **Shortfall** of reservation of a particular reserved category in a cadre means the difference between the ‘total number of reserved posts for that category in the cadre’ and ‘the number of persons of that category appointed by reservation and holding the posts in the cadre’.

Note 2 : **Backlog** reserved vacancies of a category are those vacancies which were earmarked reserved for that category in an earlier recruitment year but remained unfilled in the previous recruitment attempt on account of non-availability of suitable candidates belonging to that category and are still lying unfilled.

In pursuance of the provisions of **Article 16(4B)** of the Constitution incorporated in the Constitution by the **Constitution (Eighty-First Amendment) Act, 2000**, DOPT vide its OM No.36012/5/97-Estt.(Res.)Vol.II Dated 20/7/2000, has been decided that

“ 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 years(s) i.e. **backlog and/or carried forward vacancies would be treated as a separate and 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 per cent reservation on total number of vacancies of the year.**

In other words, the ceiling of 50 per cent on 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 rosters.

Illustration

Given below is an **illustration** which would clarify the method of earmarking reservation for SCs, STs, and OBCs.

(i) There is a cadre having a total number of 1000 posts which are filled by direct recruitment on all India basis by open competition. The number of SC, ST and OBC employees appointed by reservation in the cadre should ideally be 150, 75 and 270 respectively when all the posts are filled.

(ii) Suppose all the 1000 posts stood filled in the year 2006 but the number of SC, ST and OBC employees appointed by reservation was 130, 75 and 100 respectively. There was, thus, a shortfall of 20 SCs and 170 OBCs in the cadre in that year, though all the posts were filled.

(iii) (a) Suppose 200 vacancies occurred in the cadre in the recruitment year 2007, of which 20 were vacated by SCs, 10 by STs and rest by unreserved category candidates. After vacation of these posts, shortfall of SCs, STs and OBCs in the cadre became 40, 10 and 170 respectively. Though there was a big shortfall of SCs, STs and OBCs in the cadre, only 100 of these vacancies could be earmarked reserved because all the 200 vacancies were current vacancies and limit of 50% on reservation in a year would apply on these vacancies.

(b) Shortfall of SCs and OBCs was more than 15% and 27% respectively of the current vacancies. Therefore, 15% of the current vacancies were straightway earmarked reserved for SCs and 27% for OBCs i.e. 30 vacancies were earmarked reserved for SCs and 54 for the OBCs. Shortfall of STs was 10 which is less than 7.5% of total vacancies. Therefore, only 10 vacancies were earmarked reserved for STs. Applying the above principle, 94 vacancies were earmarked reserved. This left room for 6 $\{100-(30+54+10)\}$ more vacancies to be earmarked reserved to make up the shortfall. These 6 vacancies were apportioned between SCs and OBCs in the ratio of percentage of reservation prescribed for these categories viz. 15: 27, i.e. 2 for SCs and 4 for OBCs (fractions rounded off to the nearest whole number). However, while making such distribution, it has to be kept in view that the number of vacancies earmarked reserved for any category is not more than the shortfall of that category. Thus, final earmarking of reservation in respect of the vacancies for the year 2007 was 32 for SCs, 10 for STs and 58 for OBCs.

(c) Suppose only 20 SC candidates, 5 ST candidates and 50 OBC candidates could be appointed in the recruitment year 2007 against the vacancies reserved for them. Thus, 12 vacancies of SCs, 5 vacancies of STs and 8 vacancies of OBCs which were earmarked reserved could not be filled and remained vacant. These 12 vacancies of SCs, 5 vacancies of STs and 8 vacancies of OBCs

which were earmarked reserved but remained vacant in the recruitment attempt will be treated as backlog reserved vacancies for the subsequent recruitment year. After the recruitment process for the year 2007 was over, total number of posts filled was 975, of which 130, 70 and 150 were held respectively by SCs, STs and OBCs. It may be noted that shortfall of reservation of SCs, STs and OBCs at this stage was 20, 5 and 120 respectively. However, number of backlog reserved vacancies of SCs, STs and OBCs was 12, 5 and 8 respectively.

(iv) Suppose 200 vacancies occurred in the recruitment year 2008 of which 20 were vacated by SCs, 10 by STs and 20 by OBCs. At this stage shortfall of SCs, STs and OBCs was 40, 15 and 140 respectively. Total vacancies in the year were $200+12+5+8=225$, of which 200 were current vacancies and 25 backlog vacancies. While earmarking reservation, 25 backlog reserved vacancies of SCs, STs and OBCs will be treated as a separate and distinct group and will be kept reserved- 12 for SCs, 5 for STs and 8 for OBCs. Of the 200 current vacancies, not more than 100 can be earmarked reserved. By applying the same principles as in the year 2007, out of 200 current vacancies, 28 were earmarked reserved for SCs, 10 for STs and 62 for OBCs. Thus the number of vacancies reserved for SCs, STs and OBCs in the recruitment year 2008, including the backlog reserved vacancies, were 40, 15 and 70 respectively. If only 35 SCs, 12 STs and 50 OBCs become available to fill up the reserved vacancies, 5 vacancies of SCs, 3 vacancies of STs and 20 vacancies of OBCs will be kept vacant and will be treated as backlog reserved vacancies for the subsequent recruitment year.

(O.M.No.36033/1/2008-Estt.(Res.)15/07/2008)

In case of cadres where reservation is given by rotation, number of reserved vacancies will be determined as per roster points. It would have to be kept in view that not more than 50 per cent of current vacancies of a year are reserved and total reservation in the cadre does not exceed the limit of 50%. If at any stage, filling up of a vacancy results into more than 50% reservation in the cadre, reservation shall be skipped.

1.DOPT OM NO. 36012/2/1996-Estt(Res) 2.7.1997

2 DOPT OM No 36033/1/2008-Estt(Res) 15.7.2008

RESERVATION REGISTERS AND ROSTER REGISTERS

Formats for Reservation Register

I. Reservation Register for Cadres having more than 13 posts:

1. Name of the post: 2. Method of Recruitment: DR/ Promotionby Selection/ Promotion by non-selection/ Promotion by Limited Departmental Examination 3. Number of posts in the cadre (cadre strength): 4. Percentage of Reservation prescribed: SC_____, ST_____, OBC_____						
Sl. No	Name	Date of Appointment	Whether belongs to SC/ST/OBC/General	Filled as UR or as reserved for SC/ST/OBC	Signature of appointing authority or other authorised officer	Remarks
1	2	3	4	5	6	7

II. Reservation Register for Cadres having less than 14 posts:

1. Name of the post: 2. Method of Recruitment: DR/ Promotionby Selection/ Promotion by non-selection/ Promotion by Limited Departmental Examination 3. Number of posts in the cadre (cadre strength): 4. Percentage of Reservation prescribed: SC_____, ST_____, OBC_____							
Cycle No./ Point No.	UR or Reserved for SC/ST/OBCs	Name	Date of Appointment	Whether SC/ST/OBC/General	Filled as UR or as reserved for SC/ST/OBC	Signature of appointing authority or other authorised officer	Remarks
1	2	3	4	5	6	7	8

--	--	--	--	--	--	--	--

Principles

Following **principles** shall be followed for preparation and maintenance of reservation registers and reservation roster registers:

- (a) Separate registers/ roster registers shall be maintained for appointments made by direct recruitment and promotion. In case of promotion, separate registers / roster registers shall be maintained for each mode of promotion viz. limited competitive examination, selection, non-selection, etc.
- (b) A common register / roster register shall be maintained for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely.
- (c) A separate register / roster register shall be maintained for purely temporary appointments of 45 days or more but which have no chance whatever of becoming permanent or continuing indefinitely.
- (d) Immediately after an appointment is made, the particulars of the person appointed shall be entered in the register / roster register in the appropriate columns and the entry signed by the appointing authority or by an officer authorized to do so.
- (e) No gap shall be left in completing the register / roster register.
- (f) The register / roster register shall be maintained in the form of a running account year after year. For example if recruitment in a year stops at point 6, recruitment in the following year shall begin from point 7.
- (g) If reservation register becomes unwieldy or difficult to manage, a fresh register may be started by applying the method of initial preparation of registers.
- (h) In case of cadres where reservation is given by rotation, fresh cycle of roster shall be started after completion of all the points in the roster.
- (i) Since reservation does not apply to deputation/absorption, where the recruitment rules prescribe a percentage of posts to be filled by these methods, such posts shall be excluded for determining reservations.
- (j) After every recruitment year, an account shall be noted in the reservation register indicating representation of Scheduled Castes/Scheduled Tribes/Other Backward Classes and details of backlog reserved vacancies etc.

Note: Reservation registers / roster registers are only an aid to ensure that Scheduled Castes, Scheduled Tribes and Other Backward Classes get quota reserved for them. These registers/roster registers do not determine seniority.

Grouping of Posts

In the case of posts filled by direct recruitment, isolated posts and small cadres may be grouped with posts in the same class for the purpose of reservation orders taking into account the status, salary and qualifications prescribed for the posts in question.

For the purposes of determining the reservation, the vacancies occurring in various constituents of the Group may be plotted on the roster strictly in a chronological order i.e. sequence of date of occurrence.

While reservations would be made according to the groups as provided above, the total reservation in any of the posts/services so grouped should not exceed 50 per cent of the vacancies to be filled in it i.e. in the particular post/service, in a recruitment year. The total reservation for SCs, STs and OBCs in any post or service should also not exceed 50 percent of the total number of posts in the particular post/service.

Initial Preparation of Reservation Register / Roster

In order to prepare the reservation register initially, names of all the candidates holding the post as on the date of starting the reservation register may be entered in the register starting with the earliest appointee who was in the cadre as on the date of start of register. If an appointee in the cadre is a Scheduled Caste candidate, SC may be entered in column 4 of the register against his name. If that candidate was appointed by reservation, SC may be written in column 5 also but if he was appointed on his own merit, UR will be written in column 5. If the next appointee is a general category candidate, general shall be written in column 4 against his name and UR in column 5, and so on till all the appointments are adjusted. After making entries as indicated above, details about the number of SC, ST and OBC candidates appointed by reservation, backlog reserved vacancies, if any, may be indicated in 'Remarks' column.

After initial preparation of the register, the names of persons appointed thereafter may be added by filling up the columns as stated above.

Roster registers shall be maintained for cadres with 2 to 13 posts. For preparing roster, names of all the incumbents in the cadre as on 2.7.1997 may be entered in the register starting from the earliest appointee. If an appointee in the cadre is a Scheduled Caste candidate, SC may be entered in column 5 of the register against his name. If that candidate was appointed by reservation, SC may be written in column 6 also but if he was appointed on his own merit, UR will be written in column 6. If the next appointee is a general category candidate, general shall be written in column 5 against his name and UR in column 6, and so on till all appointments are adjusted. In doing so, a general category candidate may appear on a reserved point and an SC/ST/OBC candidate may appear against an unreserved point. If name of an SC/ST/OBC candidate appointed by reservation is entered against a general point, entries may be made in remarks column against that point and also against nearest point reserved for SCs/STs/OBCs, as the case may be, to the effect that such a candidate is to be treated to have been adjusted against the relevant reserved point. Likewise, entries will be made in remarks column for candidates who are appointed as general category 41 candidates but whose names appear against reserved points. Similar adjustments will be made in respect of SC candidates appearing against a point reserved for STs or OBCs and so on. After all the 14 points are consumed, fresh cycle of the roster may be started. As many roster points may be treated to have been consumed on the date of start of the roster register as many employees occupy the roster points as on the date of start of the register. From that point onward, vacancies may be filled as per roster points subject to adjustment of reserved category candidates appointed by reservation and general category candidates as explained above.

SC/ST/OBC Candidates Appointed on Merit

Own Merit in direct recruitment: In case of direct recruitment, SC/ST/OBC candidates, who are selected on the same standard as applied to general candidates i.e. without relaxation in age limit, experience qualification, permitted number of chances in written examination, extended zone of

consideration larger than what is provided to the general category candidates etc., shall not be adjusted against reserved vacancies.

(OM No. 36011/1/98-Estt (Res) dated 1/07/1998)

Own Merit in promotion: In case of promotion, the instructions relating to own merit are as under:

1. The SC/ST candidates appointed by promotion 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.
2. They will be adjusted against unreserved points.
3. 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 along with 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.
4. 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.
5. 50% limit on reservation will be computed by excluding such reserved category candidates, who are appointed/promoted on their own merit.
6. The principle of Own Merit will apply whether the promotion is made by selection method or non- selection method.

(OM No.36028/17/2001 – Estt (Res.) dated 11/07/2002) (OM No.36028/17/2001 – Estt (Res.) dated 31/01/2005) (OM No. 36012/45/2005-Estt. (Res.) dated 10/08/2010)

Note: DoPT OM dated 10.8.2010 regarding promotion of SC/ST on Own Merit is presently sub judice before the Hon'ble Supreme Court in the SLP No. 30621/2011 titled 'Jarnail Singh & Ors Vs. Lachhmi Narain Gupta & Ors.'.

Adjustment of Compassionate Appointees

A person selected for appointment on compassionate grounds should be adjusted in the reservation register/ reservation roster register against the appropriate category viz. SC/ST/OBC/UR category depending upon the category to which he belongs. For example, if he belongs to SC, he shall be adjusted against a vacancy reserved for SCs. Similarly if he is an ST or OBC candidate, he shall be adjusted against vacancy reserved for STs or OBCs, as the case may be. An unreserved category candidate shall be adjusted against an unreserved vacancy.

(O.M.No.14014/6/1995- Estt(D) dated 26.09.1995)

Relevant Office Memoranda etc.

1 MHA OM NO. 7/2/55-Estt(SCT) 14.10.1955	10 DOP&AR OM No. 36012/3/1978-Estt(SCT) 9.2.1982
2 MHA OM No. 31/10/63-SCT(1) 27.3.1963 and 2.5.1963	11 DPAR OM NO. 36011/12/82-Estt(SCT) 26.6.1982
3 MHA OM NO. 1/11/69-Estt(SCT) 22.4.1970	12 DPAR OM No. 36011/28/83-Estt(SCT) 12.3.1984
4 DOP&T O.M. No. 1/4/70-Estt. (SCT) 11.11.1971	13 DOPT's O.M.No.14014/6/1995-Estt(D) 26.09.1995
5 DPAR OM NO. 10/52/72-Estt(SCT) 24.5.1974	14 DOPT's OM No. 36011/1/98-Estt(Res) 1.7.1998
6 DOP&T O.M. No.8/1/74 -Estt.(SCT) 12.12.1974	15 DOPT's OM NO. 36028/17/2001-Estt(Res) 11.7.2002
7 DPAR OM NO. 36011/1/76-Estt(SCT) 6.3.1976	
8 DOP&AR OM NO. 36011/33/81-Estt(SCT) 5.10.1981	

9 DPAR OM No. 36011/46/81-Estt(SCT) 4.2.1982	16 DOP&T O.M No.36017/1/2004-Estt.(Res) 5.7.2005
	17 DOPT OM No.36017/1/2007-Estt.(Res) 4.7.2007
	18 DOPT OM No. 36012/45/2005-Estt(Res) 10.8.2010

CHAPTER-6

FILLING UP OF RESERVED VACANCIES

Direct Recruitment

When direct recruitment is to be made for reserved as well as unreserved vacancies on any one occasion, a single advertisement should be issued specifying clearly therein the vacancies reserved for Scheduled Castes, Scheduled Tribes and OBCs.

(O.M.No.36012/6/88-Estt.(SCT), SRD dated 6.9.1999)

While notifying the vacancies to the local or the regional employment exchange, a single requisition should be sent to the Employment Exchange for such reserved and unreserved vacancies. The number of vacancies reserved for Scheduled Castes, Scheduled Tribes and OBCs out of the total vacancies notified should be clearly indicated in the requisition to the employment Exchange. The following certificate should also, be given in the requisition:

"Certified that the number of vacancies reserved for Scheduled Castes/Scheduled Tribes/OBCs/ ex-servicemen/ Persons with Disabilities is in accordance with the reservation quota fixed by Government for these categories."

If sufficient number of Scheduled Caste/Scheduled Tribe candidates are not available or are not sponsored by the Employment Exchange for the reserved vacancies, the appointing authority should also intimate the reserved vacancies to the Director of Scheduled Castes/Scheduled Tribes Welfare in the State/Union Territory concerned.

The vacancies should also be brought to the notice of the Scheduled Caste/Scheduled Tribe Organizations recognized by this Department for the purpose of notifying to them the vacancies. It may, however, be made clear to such organizations that their function is limited to advising the Scheduled Caste/Scheduled Tribe candidates about the recruitment proposed and that it will not be for them to recommend or press the names of any individuals. The candidates should apply to the appointing authority either direct or through the Employment Exchange, as the case may be.

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 should not be filled by candidates not belonging to these communities. In other words, there is a ban on de-reservation of vacancies reserved for SCs, STs and OBCs in direct recruitment.

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 should 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 year 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."

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 will be treated as one group and backlog vacancies of SCs, STs and OBCs as a separate and distinct group. Of the vacancies in the first group, not more than 50% of the vacancies shall be reserved. Vacancies in the second group i.e. all the backlog vacancies reserved for SCs, STs and OBCs will be filled up by the candidates belonging to category concerned without any restriction whatsoever as they belong to distinct group of backlog vacancies of SCs, STs and OBCs.

Vacancies reserved for SCs/STs/OBCs which could not be filled up and are carried forward as backlog vacancies and remain unfilled in the following recruitment year also, 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.

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/Other Backward Class 47 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 the purpose of interview/selection.

In direct recruitment made otherwise than through examination and in direct recruitment made through examination followed by an interview, the interview of Scheduled Caste/Scheduled Tribe 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 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.(O.M No.27/14/71-Estt.(SCT) dated 30/01/1973)

Promotion by Selection

In case of promotion by selection, selection against vacancies reserved for Scheduled Castes and Scheduled Tribes should be made only from among those Scheduled Caste /Scheduled Tribe officers who are within the normal zone of consideration. Where adequate number of SC/ST candidates are not available within the normal field of choice, it may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other candidates) coming within the extended field of choice should also be considered against the vacancies reserved for them. The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes in such promotions:

- (i) Scheduled Caste and Scheduled Tribe officers who are within the normal zone of consideration shall be considered for promotion alongwith others and adjudged on the same basis as others and those Scheduled Caste and Scheduled Tribe officers amongst them who are selected on that basis may be included in the general select list. If some of the SC/ST candidates so selected have been selected on their own merit in all respect and are so placed in the select list that their names fall within the number of unreserved vacancies, such candidates shall be adjusted against unreserved vacancies.
- (ii) If number of candidates from Scheduled Castes and Scheduled Tribes other than the candidates selected on their own merit who are adjusted against unreserved vacancies 48 is less than the number of vacancies 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) If the number of SC/ST candidates found fit for promotion against reserved vacancies is still less than the number of vacancies reserved for them, the difference should be made up by selecting candidates of these communities who are in the extended zone of consideration irrespective of merit but who are considered fit for promotion.
- (iv) 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. However, such of the SC/ST candidates who are in the extended field and get selected should en block be placed in the end by maintaining their inter se position in accordance with their gradation by the DPC. This select list should, thereafter, be followed for making promotions in vacancies as and when they arise during the year.

Promotion by Non-Selection

In case of promotion by non-selection, all Scheduled Caste and Scheduled Tribe candidates covered in the relevant seniority list within the total number of such vacancies against which the promotions are to be made, shall be considered in the order of their general seniority, and if they are not judged unfit, they shall be promoted. If the number of Scheduled Caste / Scheduled Tribe candidates found fit within the range of actual vacancies is less than the number of vacancies reserved for them, additional Scheduled Caste / Scheduled Tribe candidates to the extent required shall be located by going down the seniority list, provided they are eligible and found fit for appointment.

Note 1: In order to ensure proper implementation of reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion, number of vacancies should be assessed 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 necessary to ensure that the number of vacancies is not reduced. All clear vacancies arising due to death, retirement, resignation and long term promotion of incumbents from one post/grade to a higher post/ grade 49 should be taken into account while fixing the number of vacancies and the number of reserved vacancies for Scheduled Castes and Scheduled Tribes.

Note 2: Since appointment to Selection Grade also constitutes promotion, the appropriate orders relating to reservation/concessions for Scheduled Castes and Scheduled Tribes in promotions, would apply to the appointment to the Selection Grade also.

Note 3: While constituting the Departmental Promotion Committee, instructions regarding nomination of SC/ST officers on the DPC, as issued from time to time, should be followed.

Steps To Be Taken in Case of Non-Availability of SC/ST Candidates for Promotion

If sufficient number of SC/ST candidates fit for promotion against reserved vacancies is not available, such vacancies may be de-reserved as per prescribed procedure and filled by candidates of other communities.

If sufficient number of SC/ST candidates fit for promotion against reserved vacancies is not available and such vacancies can also not be de-reserved 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 and will be treated as "backlog vacancies". (O.M.No.36020/2/2007-Estt.(Res) dated 7/12/2009)

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. Of the current vacancies, not more than 50% of the vacancies shall be reserved. However, 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.

Diversion of Reserved Vacancies from Promotion Quota to Direct Recruitment

Where recruitment to a grade is made both by promotion and direct recruitment i.e. where separate quota for promotion and direct recruitment are prescribed in the Recruitment Rules, reserved vacancies falling in the promotion quota which cannot be filled due to non-availability of eligible persons belonging to SC/ST in the feeder cadre may be temporarily diverted to the direct 50 recruitment quota and filled by recruitment of candidates belonging to SC or ST, as the case may be, in accordance with the provisions relating to direct recruitment contained in the Recruitment Rules. In the subsequent year(s) when reserved vacancies in the direct recruitment quota become available they may be diverted to the promotion quota to make up for the vacancies diverted earlier and filled from SC/ST candidates in the feeder cadre who might by then become eligible for promotion. This involves relaxation of the Recruitment Rules. The Ministries/Departments may themselves exercise the power of relaxation subject to approval of UPSC, wherever necessary.

Safeguards against Supersession of SC/ST Candidates

In posts filled by promotion (by selection or by non-selection) wherever the orders regarding reservation apply the following procedure should be observed by the appointing authorities, in regard to cases where eligible Scheduled Caste/Scheduled Tribe candidates, though available, are not appointed/selected for the reserved as well as unreserved vacancies:

- (a) 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.
- (b) In promotion 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 finalization of the select list.
- (c) In promotion to and in Group C and within 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.

In regard to promotions by selection from Group A post to a Group A post which carries an ultimate salary of Rs. 18,300 (pre-revised) or less, cases where the Scheduled Caste / Scheduled Tribe candidates available 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.

Implementation of the Findings of DPC 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, the findings of the Department Promotion Committee in respect of a person under suspension or against whom vigilance enquiries are pending are kept in sealed cover and a vacancy is kept reserved for him and is filled only on officiating basis till the finalization of the departmental proceedings. If the officer is completely exonerated and the charges leveled against him are proved to be wholly unjustified then he is promoted 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 reversions should be made in such a manner that the total number of SC/ST candidates in the cadre appointed by reservation is not reduced below the reservation prescribed for them.

Relevant Office Memoranda etc.

1 Para 5 (6) MHA O.M. No. 42/21/49-NGS 28.1.52	7 Dept. of Per & AR OM No. 36012/3/75-Estt(SCT) 6.10.1976
2 MHA OM No.14/12/67-Estt.(D) 10.4.68	8 DP&AR O.M. No.36014/3/77-Est.(SCT) 23.4.77
3 MHA OM No. 27/2/69-Est. (SCT) 5.7.69	9 Dept. of Per & AR OM No. 36013/6/80-Estt(SCT) 28.1.1982
4 MHA OM No. 27/2/70-Est. (SCT) 5.6.70	10 DOP&T O.M.No.36012/6/88-Estt(SCT), SRD 6.9.1989
5 DOP&T O.M. No. 14/17/71 27.11.71	11 DOPT OM No. 36012/5/97-Estt.(Res.) 20.7.2000
6 DOP&AR O.M. No.16/1/72-Estt.(SCT) 11.08.1972	

CHAPTER-7

DE-RESERVATION

A vacancy reserved for SCs or STs or OBCs cannot be filled by a candidate other than an SC or ST or OBC candidate, as the case may be. However, a reserved vacancy may be declared unreserved in exceptional cases, by following the procedure of de-reservation, as given below whereafter it can be filled as an unreserved vacancy.

De-reservation in case of Direct Recruitment

There is a general ban on de-reservation of reserved vacancies in case of direct recruitment. However, in rare and exceptional cases when a vacancy in a Group 'A' service cannot be allowed to remain vacant in public interest, the administrative Ministry/Department may prepare a proposal for de-reservation of the vacancy giving following information:

- i. Designation of the post;
- ii. Pay scale of the post;
- iii. Name of the service to which the post belongs;
- iv. Duties and responsibilities attached to the post;
- v. Educational and other qualifications prescribed for the post;
- vi. Efforts made to fill up the post;
- vii. Reasons why it cannot be allowed to remain vacant;
- viii. Justification for de-reservation; and
- ix. Any other relevant information.

The administrative Ministry shall consult the National Commission for Scheduled Castes in respect of vacancy reserved for SCs, the National Commission for Scheduled Tribes in respect of vacancy reserved for STs and the National Commission for Backward Classes in respect of vacancy reserved for OBCs. After obtaining the comments of the concerned Commission, the administrative Ministry/Department shall place the proposal alongwith the Commission's comments before a Committee comprising of the Secretaries in the Department of Personnel and Training, the Ministry of Social Justice and Empowerment, and the Ministry/Department under which the recruitment is to be made for consideration and recommendation. The recommendations of the Committee shall be placed before the Minister in charge of the Department of Personnel and Training for taking a final decision. If de-reservation of the vacancy is approved, it can be filled as an unreserved vacancy.

De-reservation in case of Promotion

In case of promotion, if sufficient number of SC/ST candidates fit for promotion against reserved vacancies are not available, such vacancies may be de-reserved and filled by the candidates of other

communities. The power to accord approval to de-reservation of the reserved vacancies in such cases is delegated to the administrative Ministries and Departments subject to the following conditions:

- i. no candidate belonging to the category for which the vacancy is reserved is available within the zone of consideration or extended zone of consideration or eligible for promotion in the feeder cadre(s) specified in the relevant service / recruitment rules / orders;
- ii. the proposal for de-reservation has been seen and concurred in by the Liaison Officer of the Ministry / Department;
- iii. the proposal for de-reservation 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; and
- iv. in the event of disagreement between the appointing authority and the Liaison Officer, the advice of the Department of Personnel & Training is obtained.

Before taking a decision to de-reserve a vacancy under the delegated powers, the administrative Ministry / Department shall prepare a proposal in the proforma given in the **Annexure** (See below) and send one copy thereof each to the Department of Personnel & Training and the National Commission for Scheduled Castes in respect of vacancies reserved for SCs and to the National Commission for Scheduled Tribes in respect of vacancies reserved for STs. After sending the proposal, the Ministry / Department shall wait for a period of at least two weeks for the comments of the Department of Personnel & Training and the concerned National Commission. If no comments are received from the Department of Personnel & Training or the concerned Commission within two weeks, the administrative Ministry / Department may presume that the DOPT or the concerned National Commission, as the case may be, do not have any comments to offer and may take a decision regarding de-reservation of the vacancy. In case the Ministry / Department receives comments from the DOPT or the concerned Commission within two weeks, the comments so received shall be considered while taking a decision in the matter.

While sending the copy of the proposal to the Commissions / Department of Personnel & Training, it should be ensured that the proposal / proforma duly filled in is signed by an officer of the rank of Under Secretary or above in the administrative Ministry / Department.

The Attached / Subordinate Offices etc. should not send the proposal direct to the Department of Personnel and Training or to the concerned National Commission. They should send the proposal to the administrative Ministry/ Department who will examine the proposal and send it to the Department of Personnel and Training and to the concerned National Commission.

Annexure

PROPOSAL FOR DE-RESERVATION OF VACANCIES RESERVED FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN POSTS FILLED BY PROMOTION.

1. Name of the Office/Organisation to which the post (s) relate	
2. Particulars of the post in which vacancies are proposed to be de- reserved (a) Name of the post (b) Group (Class) (c) Scale of Pay	

3. Information about posts in the promotion quota a) Mode of promotion viz by Selection or Non-Selection or by Departmental Examination etc. b) No. of posts already filled by the given mode of promotion c) Number of backlog reserved vacancies in respect of the given mode of promotion d) Number of current vacancies to be filled by the given mode of promotion e) Total number of vacancies to be filled (current vacancies + backlog vacancies) by the given mode of promotion f) Total number of posts in the given mode of promotion (b+c)	SCs....STs...Total...
4. No. of posts already held by the candidates appointed by reservation in the cadre	SCs....STs...Total...
5. If cadre strength is less than 14 and reservation is given by rotation, cycle no. and point no. of the roster on which the vacancy falls	Cycle No...Point No...
6.Number of vacancies earmarked reserved (a) Out of the current vacancies (b) Backlog reserved vacancies (c) Total reserved vacancies (a+b)	SCs... STs... SCs... STs... SCs... STs...
7. Number of vacancies proposed to be de-reserved	SCs... STs...
8. If promotion is by non-selection (a) Whether the SC/ST candidates who are eligible for promotion including those holding lower positions in the general seniority list were considered for promotion (b) Total number of SC/ST candidates in the feeder grade (c) No. of eligible SC/ST candidates in the feeder grade (d) Number of SC/ST candidates considered fit for promotion (e) Number of SC/ST candidates considered not fit for promotion (f) If sufficient number of SC/ST candidates are not eligible for promotion on the crucial date, the date on which the senior most SC/ST candidate in the grade will become eligible for promotion	SCs... STs... SCs... STs... SCs... STs... SCs... STs...
9. If promotion is by selection (a) Size of the normal zone of consideration (b) Size of the extended zone of consideration for SCs/STs (5 times the total number of vacancies) (c) Number of eligible SC/ST candidates in the extended zone of consideration (d) Number of SC/ST candidates found fit for promotion (e) Number of SC/ST candidates considered not fit for promotion (f) If sufficient number of SC/ST candidates are not eligible for promotion on the crucial date, the date on which the senior-most SC/ST candidate will become eligible for promotion and his place in the seniority list	SCs... STs... SCs... STs... SCs... STs... SCs... STs...
10. If promotion is through Departmental Qualifying or Departmental Competitive Examination, the number of SC/ST candidates who qualified the examination	SCs... STs...
11. Whether other category candidates are available in the Select List for appointment to the vacancies sought to be de-reserved	
12(a) Whether SC/ST candidates considered unfit had any adverse entries in their C.R.s considered by the DPC (b) If yes, whether such adverse entries were communicated in time to the SC/ST officer (s) concerned	

(c) Whether the cases of the eligible SC/ST candidates not found fit for promotion were submitted / reported to the Minister / Minister of State / Deputy Minister / Secretary / Head of the Department, as the case may be	
13. 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	
14(a) If ex-post-facto approval is sought to the de-reservation of vacancies, the reasons why proposal for prior de-reservation was not made, and what steps have been taken to prevent its recurrence	
(b) The level at which it was decided to fill the reserved vacancies by other category candidate (s) without prior de-reservation	

It is certified

(1) that the proposal for de-reservation is agreed to at the level of Joint Secretary to the Government of India in the administrative Ministry / Department.

(2) that the proposal has been seen and concurred in by the Liaison Officer of the Ministry / Department.

(3) that copies of this proposal are simultaneously being sent to the National Commission for Scheduled Castes / National Commission for Scheduled Tribes and the Department of Personnel & Training

Signature.....

Name of the Signing Officer.....

Designation..... Tele. No.....

No.

Date.....

To

1. Department of Personnel & Training, New Delhi.

National Commission for Scheduled Castes / National Commission for Scheduled Tribes.

(OM No. 3602012/2007-Estt(Res) dated 7/12/2009)

NOTE: DoPT does not encourage dereservation of reserved vacancies. On receiving the proposal from the Ministries/Departments, they are advised by DoPT to explore the possibility of filling up the reserved vacancy by other mode of recruitment as per provision of the Recruitment Rules.

Relevant Office Memoranda etc.

1 MHA O.M. No.31/10/63 SCT(I) 02.05.1963	7 DOP&AR No.16/3/74-Estt.(SCT) 26.04.1974
2 MHA No.16/1 (J)/65-Estt.(C) 20.07.1965	8 DOP&AR No.16/27/74-Estt.(SCT) 12.11.1975
3 MHA No 1/6/67-Estt.(C) 20.09.1967	9 DOP&AR O.M. No.36011/25/79-Estt.(SCT) 16.11.1979
4 MHA No. 27.05.1968-Estt.(C) 13.03.1968	10 DOP&AR OM No.36011/5/81-Estt.(SCT) 07.04.1981
5 MHA No.1/8/69-Estt.(SCT) 28.01.1969	11 DP&T O.M. No.36020/2/2007-Estt (Res) 07.12.2009
6 DOP&AR O.M. No.16/1/72-Estt.(SCT) 11.08.1972	

(c) Whether the cases of the eligible SC/ST candidates not found fit for promotion were submitted / reported to the Minister / Minister of State / Deputy Minister / Secretary / Head of the Department, as the case may be	
13. 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	
14(a) If ex-post-facto approval is sought to the de-reservation of vacancies, the reasons why proposal for prior de-reservation was not made, and what steps have been taken to prevent its recurrence	
(b) The level at which it was decided to fill the reserved vacancies by other category candidate (s) without prior de- reservation	

It is certified

(1) that the proposal for de-reservation is agreed to at the level of Joint Secretary to the Government of India in the administrative Ministry / Department.

(2) that the proposal has been seen and concurred in by the Liaison Officer of the Ministry / Department.

(3) that copies of this proposal are simultaneously being sent to the National Commission for Scheduled Castes / National Commission for Scheduled Tribes and the Department of Personnel & Training.

Signature.....

Name of the Signing Officer.....

Designation..... Tele. No.....

No. _____

Date _____

To

1. Department of Personnel & Training, New Delhi.

National Commission for Scheduled Castes / National Commission for Scheduled Tribes.

(OM No. 3602012/2007-Estt(Res) dated 7/12/2009)

NOTE: DoPT does not encourage dereservation of reserved vacancies. On receiving the proposal from the Ministries/Departments, they are advised by DoPT to explore the possibility of filling up the reserved vacancy by other mode of recruitment as per provision of the Recruitment Rules.

Relevant Office Memoranda etc.

1 MHA O.M. No.31/10/63 SCT(I) 02.05.1963	7 DOP&AR No.16/3/74-Estt.(SCT) 26.04.1974
2 MHA No.16/1 (I)/65-Estt.(C) 20.07.1965	8 DOP&AR No.16/27/74-Estt.(SCT) 12.11.1975
3 MHA No 1/6/67-Estt.(C) 20.09.1967	9 DOP&AR O.M. No.36011/25/79-Estt.(SCT) 16.11.1979
4 MHA No. 27.05.1968-Estt.(C) 13.03.1968	10 DOP&AR OM No.36011/5/81-Estt.(SCT) 07.04.1981
5 MHA No.1/8/69-Estt.(SCT) 28.01.1969	11 DP&T O.M. No.36020/2/2007-Estt.(Res) 07.12.2009
6 DOP&AR O.M. No.16/1/72-Estt.(SCT) 11.08.1972	

VERIFICATION OF THE CLAIMS OF SCHEDULED CASTES, SCHEDULED TRIBES AND OTHER BACKWARD CLASSES

Any person who claims to belong to a Scheduled Caste or a Scheduled Tribe or Other Backward Class will have to produce a certificate to the Appointing Authority/Selection Committee/Board etc. in support of his claim so as to make him eligible for reservation and various relaxations and concessions.

The Caste/Tribe/Community certificate issued by the following authorities in the prescribed form for SCs/STs and for OBCs will only be accepted as proof in support of a candidate's claim as belonging to the Scheduled Caste or the Scheduled Tribe or the Other Backward Class as given in Annexure-I and Annexure-II

- (i) District Magistrate/Additional District Magistrate/Collector /Deputy Commissioner/Additional Deputy Commissioner/ Deputy Collector/ 1st Class Stipendary Magistrate/Sub Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.
- (ii) Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/Presidency Magistrate;
- (iii) Revenue Officer not below the rank of Tehsildar; and
- (iv) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

(O.M.NO.36012/6/88-Estt. (SCT) dated 24.4.1990 and OM No.36012/22/93-Estt(Res) dated 15.11.1993 & OM No. 36011/3/2009-Estt(Res) dated 02.09.2009)

Modification/Revision in instructions

Hon'ble Supreme Court, vide its judgement, dated 2.9.1994, in the matter of '**Kumari Madhuri Patil vs Addl. Commissioner**', has held that the admission wrongly gained or appointment wrongly obtained on the basis of false social status certificate necessarily has the effect of depriving the genuine Scheduled Castes or Scheduled Tribes or OBC candidates, as enjoined in the Constitution, of the benefits conferred on them by the Constitution. Accordingly, in order to streamline the procedure for the issuance of social status certificates, their scrutiny and their approval, it has been decided to delegate the powers **to the State Government/UT Administration to decide the authorities competent to issue the Caste/ Tribe /Community certificates in respect of SC/ST/OBC**. The State Governments/UT Administrations shall upload on their website the details of the authorities competent to issue such caste/tribe/community Certificate. The earlier instructions issued vide OM No. 36012/6/88-Estt (SCT) dated 24.4.1990 and letter No. 36012/22/93-Estt (SCT) dated 15.11.1993 (as mentioned above) with regard to the authorities prescribed for issuance of Caste/Tribe/Community certificates in respect of SC/ST/OBC are modified to that extent.

(DoPT letter No. 36039/1/2019-Estt.(Res.-II) dated 15/3/2024)

Provisional appointment in case of false certificate produced by the candidates

Where a candidate belonging to a Scheduled Caste(SC) Scheduled Tribe(ST) and Other Backward Classes(OBC) is unable to produce a certificate from any of the prescribed authorities, he/she may be appointed provisionally on the basis of whatever prima-facie proof he/she is able to produce in support of his/her claim subject to his/her furnishing the prescribed certificate within a reasonable time and if there is genuine difficulty in his/her obtaining a certificate, the appointing authority should itself verify his/her claim through the District Magistrate concerned.

(DoPT OM No. 36019/7/1975-Estt (SCT) dated 31/10/1975) (DoPT OM No. 36011/1/2012-Estt (Res.) dated 08/10/2015) (DoPT letter No. 41034/4/2020-Estt (Res.) dated 19/03/2021)

In case of OBC certificate, it consists of two parts. The first part indicates that the concerned person belongs to a community listed as OBC and the second part indicates that the candidate does not fall in the creamy layer. While the OBC status of a candidate may change only when the community of the concerned candidate is removed from the OBC list, his/her creamy layer status may change any time.

Every candidate, seeking reservation as OBC, is required to submit a certificate regarding his/her 'OBC status and non-creamy layer status' issued by the prescribed authority. The 'OBC status' and/or 'non-creamy layer status' of the candidate, as pointed out above, may change after issue of the certificate making him/her ineligible for reservation. In order to ensure that candidates not eligible to get reservation do not seek reservation, a declaration, in addition to certificate issued by the competent authority, may be obtained from the candidates seeking reservation as OBCs in the following format:

"I, _____ son/daughter of Shri _____ resident of village/town/city _____ district _____ State _____ hereby declare that I belong to the _____ community which is recognized as a backward class by the Government of India for purpose of reservation in services as per orders contained in Department of Personnel and Training Office Memorandum No.36012/22/93-Estt.(SCT) dated 8.9.1993. It is also declared that I do not belong to persons/ sections (Creamy Layer) mentioned in Column 3 of the Schedule to the above referred Office Memorandum dated 8.9.1993."

The appointing authority before appointing a person seeking appointment on the basis of reservation to OBCs should verify the veracity of the community certificate submitted by the candidate and also the fact that he/she does not fall in creamy layer on the crucial date. The crucial date for this purpose may be treated as the closing date for receipt of applications for the post except in cases where crucial date is fixed otherwise.

(DoPT OM No. 36033/4/97-Estt (Res.) dated 25/07/2003)

In view of the above, the appointing authorities should, in the offer of appointment to the candidates belonging to SC/ST/OBC, insert the following clause in the offer of appointment:

- (a) The clause to be inserted in the offer of appointment in case of SC/ST candidates:

"The appointment is provisional and is subject to the castes/tribe certificates being verified through the proper channels and if the verification reveals that the claim to belong to Scheduled Caste and Scheduled Tribes, as the case may be is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate."

(b) The clause to be inserted in the offer of appointment in case of OBC candidates:

"The appointment is provisional and is subject to the community certificate being verified through the proper channels. If the verification reveals that the claim of the candidate to belong to Other Backward Classes or not to belong to creamy layer is false, his/her services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of Indian Penal Code for production of false certificate."

(DoPT OM No. 36033/4/97-Estt (Res.) dated 25/07/2003)

Timely verification of caste certificate

Government of India has been issuing instructions to all the States/UT Government for streamlining the process of verification of Caste certificate and ensuring its timely completion.

In this regard, this Department, vide letter No.41034/4/2020-Estt.(Res-I), dated 19.03.2021, addressed to the Chief Secretaries of all States/UTs and letter No.41034/2/2022-Estt.(Res-I), dated 21.10.2022, addressed to the Secretaries (General Administrative Departments) of all States/UTs, invited attention of all the States/ UT Governments towards some cases of withholding of pensionary benefits of the employees of the Central Government belonging to ST category due to pendency of their caste verification process at the end of concerned State Government. The concern and the serious view taken by the Parliamentary Committee on the Welfare of SC and ST in this regard was also communicated to the State/ UT Governments vide the aforesaid letters. Copies of the aforesaid two letters are attached.

The Parliamentary Committee on the Welfare of SC and ST, vide its recommendations in its 21st Report (17th Lok Sabha), has reiterated its earlier recommendations for timely completion of caste verification process.

The State/UT Governments have been requested from time to time that they are required to ensure at their own level that veracity of the Caste/Community certificate referred to the district authorities is verified and reported to the appointing authority within one month of receipt of request from such authority. The State/UT Governments are also required to initiate disciplinary proceedings against the officers of the State who default in timely verification of Caste Status.

In view of the above, all the State/ UT Governments have once again been requested to ensure adherence to the aforesaid instructions and ensure that veracity of the Caste/Community certificate, referred to the district authorities, is verified and reported to the appointing authority within one month of receipt of request from such authority.

(DoPT letter No. 36022/1/2007 – Estt (Res) dated 20.3.2007) (DoPT letter No. 41034/1/2022 – Estt (Res) dated 29.3.2023)

In order to ensure that the benefit of reservation and other schemes of concessions, etc. meant for SCs/STs/OBCs go only to the rightful claimants, it is necessary to ascertain the caste verification status of an employee. Hon'ble Supreme Court, vide its judgement, dated 2.9.1994, in the matter of '**Kumari Madhuri Patil vs Addl. Commissioner**', has held that the admission wrongly gained or appointment wrongly obtained on the basis of false social status certificate necessarily has the effect of depriving the genuine Scheduled Castes or Scheduled Tribes or OBC candidates, as enjoined in the Constitution, of the benefits conferred on them by the Constitution. Accordingly, in order to streamline the procedure for the issuance of social status certificates, their scrutiny and their approval, the Hon'ble Supreme Court, vide its aforesaid judgement, has laid down detailed guidelines to be followed by the State Governments (as already stated above).

In view of the above, all the Ministries/ Departments, including their attached, subordinate offices, PSUs, Autonomous Bodies etc., are required to ensure that process for verification of the caste certificate of the employee may be initiated immediately and a communication may be issued to the concerned State/ UT Authorities within a week of joining of government service by the employee. As already stated above, the State/UT Authorities have been requested from time to time to verify the caste/community certificate of the candidates/ employees and report the same to the appointing authority within one month of receipt of request from such appointing authority. Hence, if no report is received from the concerned State/UT Authorities within a period of one month, the matter may be taken up at the highest level and it may be ensured that the process for verification of the caste/tribe/community certificate of the employee is completed within a period of six months of her/his joining the service.

(DoPT letter No. 36022/1/2007 – Estt (Res) dated 20.3.2007)
(DoPT OM No. 36011/1/2012-Estt (Res.) dated 08.10.2015) (OM No. 36011/1/2012-Estt. (Res.) dated 10.1.2013) (OM No. 41034/1(ii)/2022 – Estt (Res) dated 29.3.2023)

Verification of caste status is necessary at every important upturn of employee's career

A candidate who entered into service as a Scheduled Caste/ Scheduled Tribe candidate may discontinue to be so if the caste/community to which he belongs is de-scheduled subsequently. A Scheduled Caste candidate also loses his status of Scheduled Caste if he embraces a religion other than Hinduism, Sikhism or Buddhism. Though such officers who lose the status of SC or ST after entering into service are required to inform the Government about it, many of them do not do so. In the absence of necessary vigil, there are possibilities of non-SC/ST candidates getting benefit of reservation and various concessions in the matter of promotion. Therefore, verification of caste status at every important upturn of employee's career is necessary so that the benefit of reservation and other schemes of concessions, etc. meant for SCs/STs go only to the rightful claimants and not those who become disentitled to them. With a view to facilitating such verification, the caste/community to which the 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 and other relevant documents relating to the employee. Further, caste/community status and creamy layer status of OBC candidates should be verified at the time of initial appointment as well.

(DoPT O.M. No.36033/16/80-Estt.(SCT) dated 27.2.1981)
(DoPT OM No. 36011/3/2005-Estt (Res) dated 9.9.2005)

Termination/dismissal/removal of candidates who have secured appointment on the basis of false caste certificate

Wherever it is found that a Government servant, who was not qualified or eligible in terms of the recruitment rules etc., for initial recruitment in service or had furnished false information or produced a false certificate in order to secure appointment, he should not be retained in service. If, he is probationer or a temporary Government servant, he should be discharged or his services should be terminated. If he has become a permanent Government servant, an inquiry as prescribed in Rule 14 of CCS(CCA) Rules, 1965 may be held and if the charges are proved, the Government servant should be removed or dismissed from service. In no circumstances should any other penalty be imposed.

(DoPT OM No. 36011/1/2012-Estt (Res) dated 10.1.2013)

1 Para 5(7) of MHA O.M. No.42/21/49-NGS 28.01.1952	5 DOPT OM No.36033/4/97-Estt (Res) 25.07.2003
2 DOPT OM No. 13/3/71-Estt.(SCT) 10.09.1971	6 DOP&T O.M. No.36011/3/2005-Estt.(Res) 09.09.2005
3 DOPT OM No. 36012/06/88 24.04.1990	7 DOPT OM No. 36011/3/2009-Estt(Res) 02.09.2009
4 DOPT OM No. 36012/22/93-Estt(Res) 15.11.1993	8.DoPT letter No. 41034/1/2022 – Estt (Res) dated 29.3.2023

FORM OF SCHEDULED CASTE/TRIBE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumar* _____ son/daughter* of
_____ of village* /town* _____ in district/Division*
_____ belongs to the _____ Caste/Tribe* which is recognised as a
Scheduled Caste/Scheduled Tribe* under:

- @The Constitution (Scheduled Castes) Order, 1950.
- @ The Constitution (Scheduled Tribe) Order, 1950.
- @ The Constitution (Scheduled Castes) (Union Territories) Order, 1951.
- @ The Constitution (Scheduled Tribes) (Union Territories) Order, 1951.[as amended by the Scheduled Caste or Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State Himachal Pradesh Act, 1970, the North Eastern Areas (Reorganisation) Act, 1971 and the Scheduled Caste and Scheduled Tribe Orders (Amendment) Act, 1976].
- @ 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 & Diu) Scheduled Castes Order, 1968.
- @ The Constitution (Goa, Daman & Diu) Scheduled Tribes Order, 1968.
- @ The Constitution (Nagaland) Scheduled Tribes Order, 1970.
- @ The Constitution (Sikkim) Scheduled Castes Order, 1978.
- @ The Constitution (Sikkim) Scheduled Tribes Order, 1978.

%2. Application in the case of Scheduled Caste/Scheduled Tribes persons who have migrated from one State/Union Territory Administration:

This Certificate is issued on the basis of the Scheduled Caste/Scheduled Tribes certificate issued to Shri/Shrimati* _____ father/mother of Shri/Shrimati/Kumari* _____ of village/town* _____ in district/Division _____ of the State/Union Territory* _____ who belongs to the _____ Caste/Tribe* which is recognised as a Scheduled Caste/Scheduled Tribes in the State/Union Territory* _____ issued by the _____ (name of prescribed authority) vide their No. _____ dated _____

%3. 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 _____

Place _____

Designation _____

State/Union Territory

Date _____

* Please delete the words which are not applicable

@Please quote specific Presidential Order

%Delete the paragraph which is not applicable.

Note: The term "Ordinarily resides(s)" used here will have the same meaning as in Section 20 of the Representation of the People Act, 1950.

REVISED OBC CERTIFICATE FORMAT

Since a large number of castes and communities have been added to the Central List of OBCs through various resolutions of the Ministry of Social Justice and Empowerment, subsequent to the Resolution dated 10th September 1993

Keeping in view such problems faced by the candidates, this issue was examined in consultation with the National Commission for Backward Classes and it has been decided to revise the existing format of OBC Caste Certificate.

All the certificate issuing authorities are requested to invariably mention the details of the Resolution (Number and Date) by which the caste/community of the candidate has been included in the Central List of OBCs and also to ensure that he/she does not belong to the persons/sections (Creamy Layer) mentioned in Column 3 of the Schedule to the aforesaid O.M. dated 8.9.1993 as amended from time to time.

(OM No. 36036/2/2013-Estt.(Res) dated 30/05/2014)

Annexure-II

FORM OF CERTIFICATE FOR OTHER BACKWARD CLASSES

This to certify that Shri/Smt./Kumari _____ son/daughter
of _____ of village/town _____ in District/Division
_____ in the State/Union Territory _____ belongs to the
_____ community which is recognised as a backward class under the
Government of India, Ministry of Social Justice and Empowerment's Resolution No.
_____ dated _____.

Shri/Smt./Kumari _____ and/or his/her family ordinarily reside(s) in the _____
District/Division of the _____ State/Union Territory.

This is also to certify that he/she does not belong to the persons/sections (Creamy Layer) mentioned
in column 3 of the Schedule to the Government of India, Department of Personnel & Training OM
No.36012/22/93- Estt(SCT) dated 8.9.1993**.

District Magistrate,

Deputy Commissioner etc.

Dated: SEAL:

* The authority issuing the certificate may have to mention the details of Resolution of Government
of India, in which the cast of candidate is mentioned as OBC.

** As amended from time to time.

Note: The term "Ordinarily resides(s)" used here will have the same meaning as in Section 20 of the
Representation of the People Act, 1950.

MONITORING AND INSTITUTIONAL SAFEGUARDS

Annual Returns

Soon after the first of January of every year, each Appointing Authority shall send to its administrative Ministry/Department:-

- (i) SC/ST/OBC Report-I in the proforma given in **Annexure-I** showing the total number of Government servants and the number of SCs, STs and OBCs amongst them as on the 1st January of the year and the number of appointments made during the preceding calendar year along with the number of SCs, STs and OBCs amongst them; and
- (ii) SC/ST/OBC Report-II in the proforma given in **Annexure-II** showing the representation of SCs, STs and OBCs in various grades of organized Group 'A' services as on the 1st January of the year and the particulars of recruitment to the various grades during the preceding calendar year in the service.

Annexure-I

SC/ST/OBC Report-I

ANNUAL STATEMENT SHOWING THE REPRESENTATION OF SCs, STs AND OBCs AS ON FIRST JANUARY OF THE YEAR AND NUMBER OF APPOINTMENTS MADE DURING THE PRECEDING CALENDAR YEAR

MINISTRY/ DEPARTMENT/ ATTACHED/ SUBORDINATE OFFICE:

Groups	Representation of SCs/ STs/ OBCs				Number of Appointments made during the preceding calendar year									
	(As on 1st January)				By Direct Recruitment				By Promotion			By Deputation/ Absorption		
	Total number of Employees	S Cs	S Ts	OB Cs	Tot al	SC s	ST s	OB Cs	Tot al	SC s	ST s	Tot al	SC s	ST s
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Group A														
Group B														
Group C														
Group D (Excluding)														



January of the year and particulars of recruitment to various grades of the service during the preceding calendar year.

Information in respect of public sector undertakings, statutory, semi-Government and autonomous bodies **should not be included** in the reports sent to the Department of Personnel and Training. Statutory, semi-Government and autonomous bodies should furnish consolidated information in the prescribed proforma to the administrative Ministry/Department. The administrative Ministry/Department may maintain this information in respect of all statutory, semi Government and autonomous bodies under its control. The Department of Public Enterprises may collect similar information in respect of all public sector undertakings and may maintain it.

While furnishing the figures of representation of SCs, STs and OBCs in Report-I, information in respect of the posts of “sweepers/safai karamcharies” should not be included as such inclusion results in inflating the figures of representation of SCs in group D posts. In the report, information in respect of group D posts (excluding sweepers) and group D posts (sweepers) should be given separately.

The reports relate to persons and not to posts. Therefore, the posts vacant etc. should not be taken into account while furnishing the reports. A person on deputation should be included in the establishment of the borrowing Ministry/Department/Office and not in the parent office. Figures in respect of Scheduled Castes, Scheduled Tribes and Other Backward Classes should include persons appointed by reservation as well as appointed on their own merit. The 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.

Incorporation of Reservation Information in Annual Reports

Each Ministry/Department should include in its Annual Report a note about the activities of the Reservation Cell set up within the Ministry/Department under the control of the Liaison Officer and the steps taken by the Ministry/Department to implement the provisions about reservation for SCs, STs, OBCs and PWDs. The statistics relating to representation of Scheduled Castes, Scheduled Tribes, Other Backward Classes and Persons with Disabilities should also be incorporated in the Annual Report. This should include the information contained in SC/ST/OBC Report-I, SC/ST/OBC Report-II, and reports prescribed in respect of persons with disabilities which each Ministry/Department is required to furnish to the Department of Personnel and Training in a consolidated form every year. 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 incorporate information in respect of each organization/establishment under the Ministry/Department in the Annual Report. Similar information in respect of statutory and semi-Government bodies and in respect of public sector undertakings under the control of the Ministry/Department may also be usefully included in the Annual Report.

Liaison Officers

A. APPOINTMENT OF LIAISON OFFICERS

(i) Liaison Officer for SCs, STs and PwDs: As per DoPT OM No. 43011/153/2010-Estt.(Res.), dated 4.1.2013, in each Ministry/Department/Attached and Subordinate Office, Deputy Secretary in charge of Administration (or any other officer at least of the rank of Deputy Secretary), shall be designated as Liaison Officer in the Ministries/ Departments in respect of matters relating to the representation of the Scheduled Castes, Scheduled Tribes and Persons with Disabilities.

(ii) Liaison Officer for OBCs: Similarly, the aforesaid instructions, dated 4.1.2013 also provide that Ministries/Departments shall designate a separate Liaison Officer at least of the rank of Deputy Secretary to deal with the matters relating to the representation of the Other Backward Classes.

(iii) Liaison Officer for Ex-servicemen: As per DoPT OM No. 36034/2/2017-Estt.(Res.), dated 31.12.2021, in each Ministry/Department/Attached and Subordinate Office, the Deputy Secretary in charge of administration (or any other officer at least of the rank of Deputy Secretary) should be designated as a Liaison Officer in respect of matters relating to representation of Ex-servicemen, either exclusively or in combination (the Officer already appointed as Liaison Officer for other categories), may be appointed as Liaison Officer for Ex-Servicemen also, depending upon the availability of Officer of the requisite rank. The particulars and contact details of Liaison Officer, so appointed, may be intimated to the Department of Ex-servicemen Welfare.

(iv) Liaison Officer for Economically Weaker Section (EWS): DoPT OM No.36039/1/2019-Estt.(Res), dated 31.1.2019, also provides that the Ministries/Departments/Attached and Subordinate Offices shall appoint Liaison Officer to monitor the implementation of reservation for EWSs.

B. RESPONSIBILITIES OF THE LIAISON OFFICERS:

The Liaison Officer is responsible for:

i. Ensuring due compliance by the Ministry/ Department and subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of the category for which, he/she is a liaison officer i.e. Scheduled Castes, Scheduled Tribes, Persons with Disabilities, Other Backward Classes, Economically Weaker Sections and Ex-servicemen. In addition, he/she shall also ensure that other benefit admissible to them.

ii. Ensuring timely submission of reports regarding appointment/representation of SC, ST, OBC, PwD and EWS by each appointing authority in the Ministry/Department concerned. He shall also ensure scrutiny and consolidation of the above reports in respect of all establishments and services in and under the control of the Ministry/Department, and sending the consolidated reports, in the prescribed proformae, to the Department of Personnel & Training. In case of Ex-servicemen, the Liaison Officer concerned shall ensure maintenance of reservation rosters and preparation of reports on appointment/representation of Ex-servicemen, in the formats as prescribed by the Department of Ex-servicemen Welfare, and timely submission of these reports to the Department of Ex-servicemen Welfare.

iii. The Liaison officers, designated for SC/ST/OBC, have to endorse the non-availability of an SC/ST/OBC Officer for being associated in the DPC before the DPC is actually conducted without a SC/ST/OBC Member. Therefore, it will be one of the duties of the Liaison Officers to acquaint themselves well in time about the dates of various DPCs to be held in future. He should maintain with him a ready list of officers of various levels, belonging to SC/ST/OBC of a few sister Departments/Ministries, so that whenever requirement arises, an SC/ST/OBC officer of appropriate level, consistent with the level of the other members of the DPC, and the level of appointment for which a DPC is proposed to be convened, can always be associated as a member. Such a list may be prepared by the Liaison Officers concerned by informally consulting the administrative wing of other Ministries/Departments.

iv. Ensuring that while making a reference to the Department of Personnel and Training and to the National Commission for Scheduled Castes/the National Commission for Scheduled Tribes

for de-reservation of reserved vacancies, full details in support of the proposal for de-reservation are given.

v. Ensuring the extension of necessary assistance to the National Commission for Scheduled Castes, the National Commission for Scheduled Tribes, National Commission for OBC and the Office of the Chief Commissioner for Persons with Disabilities in the investigation of complaints received by them from the officer(s) of respective category with regard to service matters and also in collection of information for their annual reports. In respect of EWS and PwBD, the concerned Liaison Officers shall extend all help to Grievance Redressal Officers appointed in respect of EWS and PwD reservation.

vi. Conducting annual inspection of the reservation registers/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.

vii. Acting as Liaison Officer between the Ministry/Department and the Department of Personnel & Training (Department of Ex-servicemen Welfare in case of matters relating to Ex-servicemen) for supply of information, answering questions and queries and clearing doubts in respect of matters covered by the reservation orders.

C. CONSTITUTION OF RESERVATION CELL:

Each Ministry/Department is required to set up a Special Reservation Cell within the Ministry/Department under the direct control of the Liaison Officer to assist the Liaison Officer in discharging of his duties effectively.

D. PRIVILEGES OF THE LIAISON OFFICER:

Cases of negligence or lapse in the matter of following the reservation and other orders relating to SC, ST, OBCs, PwDs, EWS and Ex-servicemen coming to the light through the inspections carried out by the Liaison Officer, or otherwise shall be reported/submitted by him direct to the Secretary/Additional Secretary to the Government of India in the respective Ministry/ Department or to the Head of the Department in respect of offices under the Heads of Department, as the case may be. The concerned Secretary/Additional Secretary/Head of the Department shall pass necessary orders on such reports to ensure strict compliance of the reservation orders by the appointing authority concerned.

E. APPOINTMENT OF LIAISON OFFICERS IN ESTABLISHMENTS/ ORGANISATIONS UNDER THE MINISTRY/DEPARTMENT

Establishments/Organisations under the Government of India such as Public Sector Undertakings, Statutory and Semi Government Bodies, Autonomous Bodies/ Institutions including Municipal Corporations, Co-operative Institutions, Universities, Voluntary Agencies, receiving grants in aid from the Government, shall also appoint Liaison Officers in the same manner as is existing in the Ministries/Departments.

F. SPECIAL RESPONSIBILITIES OF THE LIAISON OFFICERS OF THE MINISTRIES/DEPARTMENTS TOWARDS IMPLEMENTATION OF RESERVATION POLICIES IN THE ESTABLISHMENTS UNDER THE GOVERNMENT:

The Liaison Officer of a Ministry/Department has to act as Liaison Officer in respect of the matters relating to the representation SCs/STs/PwDs, OBCs, Ex-servicemen and EWS in all establishments and services under the administrative control of the Ministry/Department. The appointment of Liaison Officers separately by the Organisations under the Government of India such as Public Sector Undertakings, Statutory and Semi Government Bodies, Autonomous Bodies/Institutions, including Municipal Corporations, Co-operative Institutions, Universities, Voluntary Agencies receiving grants in aid from the Government etc. does not, however, dilute or alter or curtail the responsibilities of the Liaison Officers of the administrative Ministry/ Department with regard to implementation of reservation policy in such organisations. Liaison Officers of the Ministries/ Departments have special responsibility to monitor implementation of reservation policies in these organisations. In order to ensure due compliance of the reservation orders of the Government, the Liaison Officers may periodically visit/ inspect the offices/organizations under them. They should ensure that reservation rosters for these categories have been maintained properly without any gap in the entries made in the rosters. Liaison Officers shall carry out their duties in relation to reservation by calling for records from them and convening meetings with the officers of such organizations as are responsible for ensuring reservation policies in their respective organizations. If Liaison Officers of Ministries/Departments notice that reservation instructions are not being followed by any officers or complaint against any officer for harassment or 'deliberate manipulation of orders/instructions to harm the interests of the above-mentioned categories, are received they should feel free to report such lapses to the Secretary/ Additional Secretary of the Ministry/Department concerned without fear & hesitation of hierarchical disobedience.

As the Liaison Officers so nominated keep on changing due to administrative reasons, such as transfer, promotions, retirement etc., it is desirable that necessary details of the Liaison Officers, such as their names, designations, telephone numbers, emails, fax and complete official addresses are posted and updated as and when required on the official website of the concerned Ministry/ Department.

Detailed duties and responsibilities of the Liaison Officer may be seen in the No.43011/153/2010-Estt.(Res.) dated 04/01/2013 and OM No. 43011/153/2010-Estt (Res.) dated 08/12/2022

National Commissions for SCs and STs

The National Commission for Scheduled Castes and the National Commission for Scheduled Tribes have been constituted under Article 338 and Article 338-A of the Constitution respectively 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 question whether the Commissions can call for the original records and files in specific cases where complaints have been made to them and whether Scheduled Caste and Scheduled Tribe Government servants can write to the concerned Commission direct bringing their grievances to the notice of the Commission, it is stated that:

- (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 National Commission for Scheduled Castes or the National Commission for Scheduled Tribes, as the case be;
- (b) In all other cases, comprehensive notes explaining the position may be furnished to the Commission;

(c) Should the Commission have any reservations or doubts in regard to the explanations given, the matter may be referred to the Secretary(Personnel), who will go through the original records and answer the queries by the Commission, where possible he will also send the record with the reply; and

(d) Scheduled Caste and Scheduled Tribe Government employees may write to the National Commission for Scheduled Castes or the National Commission for Scheduled Tribes, as the case may be, 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 their representations to the concerned Commission.

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 Training from time to time.

Ministries/Departments and particularly, the Liaison Officers should ensure the extension of necessary assistance to the National Commissions for investigation of complaints received by the latter in service matters. The Communications received from the Commissions calling for facts, comments, etc. in respect of representations on service matters made by individuals should be replied to expeditiously.

Ministries/Departments should extend necessary assistance required by the Commissions for conducting special studies of the registers/ rosters maintained and of implementation of other orders regarding reservation of Scheduled Castes and Scheduled Tribes by any appointing authority under their administrative control. The follow-up action on the reports/ recommendations made by the Commission after such studies, should be completed and action taken reported to the concerned Commission's office within six months. Where for any reasons, it is not possible for any Ministry to adhere to this time scheduled, the reasons therefore should be communicated to the Commission 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.

The Supreme Court in the matter of the **All Indian Overseas Bank Scheduled Castes and Scheduled Tribes Employees Welfare Association and Others Vs. Union of India and Others** (Civil Appeal No.13700 of 1996) has held that the National Commission for the Scheduled Castes and Scheduled Tribes has no power of granting injunction, whether temporary or permanent. The Court also held that the powers of the Commission in terms of Article 338(8) of the Constitution were all the procedural powers of a Civil Court for the purpose of investigating and inquiring into the matters and that too for that limited purpose only. In view of the judgment of the Supreme Court, the National Commission for the Scheduled Castes and the National Commission for the Scheduled Tribes have no powers to direct withholding of the operation of any orders issued by the Government. The Ministries/Departments etc. may keep in view the judgment of the Supreme Court while dealing with the directions given by the National Commission for the Scheduled Castes or the National Commission for the Scheduled Tribes. (

O.M. No.36036/2/97-Estt.(Res) dated the 1st January, 1998)

Representation of SC, ST, OBC, Minorities and the Women on Selection Board/Committees

Wherever a Selection Committee/Board exists or has to be constituted for making recruitment to 10 or more vacancies in any level of posts or services, it shall be mandatory to have one Member belonging to SC/ST, one Member belonging to OBC category and one Member

belonging to Minority Community in such Committees/Boards. Further, one of the members of the Selection Committee/Board, whether from the general category or from the minority community or from the SC/ST/OBC community should be a lady failing which a lady member should be co-opted on the Committee/Board. It may also be ensured that where the number of vacancies against which selection is to be made is less than ten, no effort should be spared in finding the SC/ST, OBC officer and the Minority Committee Officer and a lady officer, for inclusion in such Committees/Boards.

(OM No.42011/2/2014-Estt.(Res.) dated 13.2.2014)

Relevant Office Memoranda etc.

1 MHA O.M. No.16/17/67-Estt.(C) 10.4.1968	11 DP&AR O.M. No.36024/1/78-Estt.(SCT) 20.2.1979
2 No.27/22/68-Estt.(SCT) 19.4.1969	12 No.46028/1/79-Estt.(SCT) 11.10.1979
3 DOP&AT OM NO. 27/4/(1)/70-Estt(SCT) 3.9.1970	13 No. 36013/6/81-Estt.(SCT) 07/12/1981
4 Deptt. of Personnel O.M. No.8/8/71-Estt.(SCT) 22.4.1971	14 DP&AR O.M.No.36034/2/83-Estt.(SCT) 23.2.1983
5 Deptt. of Personnel O.M. No27/2/71-Estt.(SCT) 24.3.1972	15 DP&AR O.M. No.36022/2/84-Estt.(SCT) 18.1.1985
6 MHA O.Ms. No.8-2-69-SCT(I) 1.10.1974	16 DOP&T O.M. No.36012/25/92-Estt.(SCT) 1.9.1992
7 DP&AR O.M. No.36022/5/76-Estt.(SCT) 27.5.1976	17 DOPT OM No. 42011/18/96-Estt(Res) 6.3.1997
8 OM No. 36022/5/(1)/76-Estt(SCT) 28.5.1976	18 DOP&T O.M. No.36036/2/97-Estt.(Res) 1.1.1998
9 OM No. 36013/1/77/Estt(SCT) 7.6.1977	19 DOP&T O.M. No 36036/2/97-Estt.(Res) 30.11.1998
10 DP&AR O.M. No.36024/1/78-Estt.(SCT) 27.6.1978	20 No.43011/153/2010-Estt.(Res.) 4/1/2013

MISCELLANEOUS

Arrangements for Training

Training of Group A Officers belonging to Scheduled Castes and Scheduled Tribes

The following steps should be taken for training of Group A Officers belonging to Scheduled Castes and Scheduled Tribes:

- (i) More intensive training should be arranged for directly recruited Group A officers belonging to Scheduled Castes and Scheduled Tribes by the Heads of the Training Institutions, wherever necessary, along with other officers. [DoPT's OM No.1/9/69- Estt. (SCT) dated 15.11.1971].
- (ii) Ministries/Departments should nominate a considerably larger number of Scheduled Caste and Scheduled Tribe officers for the training programmes run by 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 & Training would render all assistance in suggesting or even devising suitable programmes, wherever necessary. [OM No.36013/18/77-Estt.(SCT) dated 4.9.1978 and DoPT's OM No.36022/4/2005-Estt.(Res.) dated 13.7.2005].
- (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 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 specialized knowledge. It is also likely to boost up the morale of the officers of these communities. [DP&AR's OM No.1/1/73-Estt.(Res.) dated 10.12.73 and DP&AR's OM No.36022/13/76-Estt.(SCT) dated 14.9.1976 and DP&AR's OM No.36013/18/77-Estt.(SCT) dated 4.9.78].
- (iv) 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 & Training. [M/o Home Affairs OM No.27/2/70- Estt.(SCT) dated 21.4.70].
- (v) Cases of Scheduled Caste and Scheduled Tribe Officers should be considered sympathetically and they should be given preference while nominating officers for training

or deputing them for attending seminars/conferences, symposia etc. While nominating officers for training programmes run by the various Departments and Training Institution or for training programmes abroad or for training, seminars and conferences, it should be indicated 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. [DP&AR's OM No.16/4/74- Estt.(SCT) dated 18.4.1974].

Intimation about Competitive Examinations to Pre-Examination Training Centers

Pre-examination Training Centers have been set up in various States to increase the employment potentialities of Scheduled Caste and Scheduled Tribe candidates in reserved vacancies filled through various competitive examinations. The authorities holding the various competitive examinations should inform these Pre-examination Training Centers 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 Centers to evolve the Scheme of Training which will be correlated to such examinations and which in turn would lead to improved intake of Scheduled Caste and Scheduled Tribe candidates against reserved vacancies. [M/o Home Affair' letter No.21/3/70-Estt.(B) dated 31.3.70].

Selection of Persons for Posting Abroad

While it will not be possible to provide for any specific norm of relaxation in favour of Scheduled Caste and Scheduled Tribe employees in the matter of posting in foreign countries, when a Ministry/Department etc. makes selection of persons for posting in its units 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. [DP&AR's OM No.16/32/74- Estt.(SCT) dated 3rd April, 1976].

Forwarding of Application for Employment

Application for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes 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 /Other Backward Classes 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. [M/o Home Affairs' OM No.1/6/69-SCT(I) dated 19.3.1964 and DoPT's OM No.27/4(iv)/70-Estt.(SCT) dated 2.9.70].

Prevention of Discrimination

It has been pointed out on many occasions that the Scheduled Caste and Scheduled Tribe Officers, after appointment, are subjected to harassment and discrimination on grounds of their social origin. It has been pointed out that SC/ST officers are sometimes transferred to far-off places and also placed at insignificant positions. It has also been stated that these officers are not accepted at their places of postings by the concerned superior officers in some cases. In this connection, it is emphasized that Government servants should desist from any act of discrimination against members of SC/ST communities on grounds of their social origin. Senior officers, including the Liaison Officers of the Ministry/Department, should keep a close watch to ensure that such incidents do not occur at all.

However, if any such incident comes to the notice of the authorities, action should be taken against the erring officials promptly. [OM No.36026/3/85-Estt.(SCT) dated 24th June, 1985].

Provisions In Recruitment Rules/Regulations For Examination

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:-

"Savings: Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Persons with Disabilities and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard."

[DoPT's OM No. 8/12/71-Estt. (SCT) dated 21st September, 1971].

The provisions in recruitment rules and regulations for examinations for relaxation in standards in favour of Scheduled Castes/Tribes may be worded as follows:

"Candidates belonging to any of the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes or the Persons with Disabilities may, to the extent the number of vacancies reserved for the Scheduled Castes, the Scheduled Tribes, the Other Backward Classes and the Persons with Disabilities 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."

[OM No.8/12/71-Estt.(Res.) dated 19th October, 1971 and M/o Home Affairs' OM No.1/1/70-Estt.(SCT) dated 25.7.1970].

Note: 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.

Clarifications about SC/ST/OBC Status

(a) General (Applicable to all cases):

Where a person claims to belong to a Scheduled Caste, Scheduled Tribe or a Backward community 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 or included in the Central list of OBCs notified by the Ministry of Social Justice and Empowerment, Government of India 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/notified.
- (iv) If the person claims to be a Scheduled Caste, he should profess either the Hindu or the Sikh or the Buddhist religion.

(b) Cases of Migration

- (i) Where a person migrates from the portion of the state in respect of which his community is scheduled/notified to another part of the same State in respect of which his community is not scheduled/notified, he will continue to be deemed to

be a member of the Scheduled Caste or the Scheduled Tribe or the Other Backward Class, 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 Scheduled Tribe or Other Backward Class only in relation to the State to which he originally belonged and not in respect of the State in which he has migrated.
- (iii) Further, when a person belonging to OBC migrates from one State to another for the purpose of employment, education, etc. the prescribed authority of a State/U.T. Administration may issue the OBC Certificate to a person who has migrated from another State on the production of a genuine certificate issued to his father by the prescribed authority of the State of his father's origin except where the prescribed authority feels that a detailed enquiry is necessary through the State of origin before the issue of the Certificate. The Certificate will be issued irrespective of whether the OBC candidate in question is included in the list of OBC pertaining to the State/U.T. to which the person has migrated. The facility does not alter the OBC status of the person in relation to the one or the other State/U.T. The OBC person on migration from the State/U.T. of his origin to another State/U.T. where his caste is not in the OBC list is entitled to the concessions/benefits admissible to the OBCs from the State of his origin and Union Government but not from the State where he has migrated. The competent authorities are required to issue the OBC Certificate after satisfying themselves of the correctness of the Certificate.

(c) Claims through Marriage

No person who was not a member of Scheduled Caste or a Scheduled Tribe or Other Backward Class by birth will be deemed to be a member of Scheduled Caste or Scheduled Tribe or Other Backward Class merely because he or she had married a person belonging to a Scheduled Caste or Scheduled Tribe or Other Backward Class. On the other hand a person who is a member of a Scheduled Caste or a Scheduled Tribe or an OBC would continue to be a member of that Scheduled Caste, Scheduled Tribe or OBC, 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 or an Other Backward Class.

(d) Cases of Conversion and Reconversion

- (i) Where a Scheduled Caste person gets converted to a religion other than Hinduism or Sikhism or Buddhism and then reconverts himself back to Hinduism or Sikhism or Buddhism, 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 descendant of a Scheduled Caste convert, the mere fact of conversion to Hinduism or Sikhism or Buddhism 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.

(e) Cases of Adoption

Great care has to be exercised in dealing with cases where a person claims to be a member of Scheduled Caste or Other Backward Class on the ground that he has been adopted by a Scheduled Caste/OBC 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 Adoption 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 District Magistrate who shall after making due enquiries as to the validity of the adoption 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.

(M/o Home Affairs' Circular letter No. 35/1/72-RU(SCTV) dated 2.5.75) (Ministry of Welfare's letter No.12011/11/94-BCC(C), dated 8.4.1994)

Relevant Office Memoranda etc.

1 MHA O.M. No.1/6/64-Estt.(SCT)(I) 19.3.1964	9 DP&AR O.Ms. No.16/4/74-Estt.(SCT) 18.4.1974
2 MHA letter No. 21/3/70-Estt(B) 31.3.1970	10 DOP & AR OM No. 16/32/74-Estt(SCT) 3.4.1976
3 MHA O.M. No.27/2/70-Estt.(SCT) 21.4.1970	11 DP&AR O.M. No.36022/13/76-Estt.(SCT) 14.9.1976
4 MHA's OM 1/1/70-Estt(SCT) 25.7. 1970	12 No.36013/18/77-Estt.(SCT) 4.9.1978
5 DOP&T O.M. No.27/4(iv)/70-Estt.(SCT) 2.9.1970	13 DOPT OM No. 36026/3/85-Estt(SCT) 24.6.1985
6 DOPT OM No. 8/12/71-Estt(SCT) 19.10.1971	14 DOP&T O.M. No.36022/4/2005-Estt.(Res) 13.7.2005
7 Deptt. of Personnel O.Ms. No.1/9/69-Estt.(SCT) 15.11.1971	15. M/o Home Affairs' Circular letter No. 35/1/72-RV(SCTV) 2.5.1975.
8 DP&AR O.M. No.1/1/73-Estt.(SCT) 10.12.1973	

CHAPTER 11

Provisions relating to Economically Weaker Sections (EWS)

1. General Guidelines

The following instructions are issued in consultation 'with' Ministry of Social Justice and Empowerment and Department of Legal Affairs regarding reservation for EWSs not covered under the reservation scheme for SCs/STs/OBCs in respect of direct recruitment in civil posts and services in the Government of India.

2. QUANTUM OF RESERVATION

The persons belonging to EWSs who, are not covered under the scheme of reservation for SCs, STs and OBCs shall get 10% reservation in direct recruitment in civil posts and services in the Government of India.

3. EXEMPTION FROM RESERVATION

"Scientific and Technical" posts which 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 of the service concerned
- (ii) They should be classified as "scientific or technical" in terms of Cabinet Secretariat [OM No. 85/11/CF-61(1) dated 28.12.1961], according to which scientific and technical posts for which qualifications in the natural sciences or 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.
- (iii) The posts should be 'for conducting research' or 'for organizing, guiding and directing research'.

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

4. CRITERIA OF INCOME & ASSETS:

Persons who are not covered under the scheme of reservation for SCs, STs and OBCs and whose family has gross annual income below **Rs 8.00 lakh** (Rupees eight lakh only) are to be identified as EWSs for benefit of reservation. Income shall also include income from all sources i.e. salary, agriculture, business, profession, etc. for the financial year prior to the year of application. Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS, irrespective of the family income:-

- i. 5 acres of agricultural land and above;
- ii. Residential at of 1000 sq ft. and above;

iii. Residential plot of 100 sq. yards and above in notified municipalities.

iv. Residential, plot of 200 sq. yards and above in areas other than the notified municipalities. The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land, or property holding test to determine EWS status.

The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

5. INCOME AND ASSET CERTIFICATE ISSUING AUTHORITY AND VERIFICATION OF CERTIFICATE:

The benefit of reservation under EWS can be availed upon production of an Income and Asset Certificate issued by a Competent Authority. Vide letter No. 36039/1/2019-Estt (Res/ID) dated 15.3.2024, States/UTs have been delegated the powers to decide the authorities competent to issue Income and Asset Certificate for availing the benefit of EWS reservation in the posts and services under the Central Government

The Officer who issues the certificate would do the same after carefully verifying all relevant documents following due process as prescribed by the respective State/UT.

The crucial date for submitting income and asset certificate by the candidate may be treated as the closing date for receipt of application for the post, except in cases where crucial date is fixed otherwise.

The appointing authorities should, in the offer of appointment to the candidates claiming to be belonging to EWS, include the following clause :-

"The appointment is provisional and is subject to the Income and asset certificate being verified through the proper channels and if the verification reveals that the claim to belong to EWS is false/false the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false/false certificate."

The appointing authority should verify the veracity of the Income and asset certificate submitted by the candidate through the certificate issuing authority

Instructions referred to above should be strictly followed so that it may not be possible for an unscrupulous person to secure employment on the basis of a false claim and if any person gets an appointment on the basis of such false claim, her/his services shall be terminated invoking the conditions contained in the offer of appointment

6. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS:

Department of Personnel and Training had circulated Office Memorandum No.36012/2/96-Estt(Res) dated July 2, 1997 regarding implementation of post based reservation roster. The general principles for making and operating post based reservation roster would be as per the principles laid down in the said Office Memorandum.

Every Government establishment shall now recast group-wise post-based reservation roster register for direct recruitment in accordance with format given in **Annexure II, III, IV and V**, as the case may be, for effecting 10% reservation for EWSs interpolating them with the SCs, STs and OBCs. While fixing roster point, if the EWS roster point coincides with the roster points of SCs/STs/OBCs the next available UR roster point has been allotted to the EWSs and also the principle of "squeezing" has been kept in view. While drawing up the rosters, the cadre controlling authorities may similarly "squeeze" the last points of the roster so as to meet prescribed 10% reservation.

Where in any recruitment year any vacancy earmarked for EWS cannot be filled up due to non availability of a suitable candidate belonging to EWS, such vacancies for that particular recruitment year shall not be carried forward to the next recruitment year as backlog.

Persons belonging to EWS selected against the quota for persons with benchmark disabilities/ ex-servicemen shall be placed against the roster points earmarked for EWS.

7. ADJUSTMENT AGAINST UNRESERVED VACANCIES:

A person belonging to EWS cannot be denied the right to compete for appointment against an unreserved vacancy. Persons belonging to EWS who are selected on the basis of merit and not on account of reservation are not to be counted towards the quota meant for reservation.

8. FORTNIGHTLY/ANNUAL REPORTS REGARDING REPRESENTATION OF EWS:

The Ministries/Departments shall send single consolidated fortnightly report including their attached/ subordinate offices beginning from 15.2.2019 as per format at Annexure-VI. From 01.01.2020, the Ministries/Departments shall upload data on representation of EWS in respect of posts/ services under the Central Government on the URL i.e. www.rtps.nic.in as on 1st January of every year. All Ministries/Departments have already been provided respective user code and password with guidelines for operating the URL.

9. MAINTENANCE OF REGISTER OF COMPLAINTS BY THE GOVERNMENT ESTABLISHMENT:

Every Government establishment shall appoint a senior officer of the Department as the Grievance Redressal Officer.

Any person aggrieved with any matter relating to discrimination in employment against any EWS file a complaint with the Grievance Redressal Officer of the respective Government establishment. The name, designation and contact details of the Grievance Redressal Officer may be displayed prominently on the website and in the office of the concerned establishment.

10. LIAISON OFFICER:

Ministries/Departments/Attached and Subordinate Offices shall appoint Liaison Officer to monitor the implementation of reservation for EWSs.

11. The above scheme of reservation will be effective in respect of all direct recruitment vacancies to be notified on or after 01.02.2019.

(DOPt OM No. 36039/1/2019-Estt(res), Dated 31/01/2019)

Government of

Annexure-I

INCOME & ASSET CERTIFICATE TO BE PRODUCED BY ECONOMICALLY WEAKER SECTIONS

Certificate No. _____

Date: _____

VALID FOR THE YEAR _____

- This is to certify that Shri/Smt./Kumari _____ son/daughter/wife of _____ permanent resident of _____ Post Office _____ Pin Code _____ District _____ in the State/Union Territory _____ Economically Weaker Sections, since the gross annual income* of his/her 'family**' is below Rs. 8 lakh (Rupees Eight Lakh only) for the financial year _____ His/her family does not own or possess any of the following assets***:
- I. 5 acres of agricultural land and above;
 - II. Residential flat of 1000 sq. ft. and above;
 - III. Residential plot of 100 sq. yards and above in notified municipalities;
 - IV. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.
2. Shri/Smt./Kumari _____ belongs to the _____ caste which is not recognized as a Scheduled Caste, Scheduled Tribe and Other Backward Classes (Central List)

Signature with seal of Office _____

Name _____

Designation _____

Recent Passport size
attested photograph of
the applicant

*Note1: Income covered all sources i.e. salary, agriculture, business, profession, etc.

**Note 2: The term "Family" for this purpose include the person, who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years

***Note 3: The property held by a "Family" in different locations or different places/cities have been clubbed while applying the land or property holding test to determine EWS status.

G. Reddappa

FOR DIRECT RECRUITMENT

Model Roster of Reservation with reference to posts for Direct recruitment on All India Basis by Open Competition

Sl. No. of Post	Share of Entitlement				Category for which the posts should be earmarked
	SC @15%	ST @7.5%	OBC @27%	EWS @10%	
1	0.15	0.08	0.27	0.10	UR
2	0.30	0.15	0.54	0.20	UR
3	0.45	0.23	0.81	0.30	UR
4	0.60	0.30	1.08	0.40	OBC-1
5	0.75	0.38	1.35	0.50	UR
6	0.90	0.45	1.62	0.60	UR
7	1.05	0.53	1.89	0.70	SC-1
8	1.20	0.60	2.16	0.80	OBC-2
9	1.35	0.68	2.43	0.90	UR
10	1.50	0.75	2.70	1.00	EWS-1
11	1.65	0.83	2.97	1.10	UR
12	1.80	0.90	3.24	1.20	OBC-3
13	1.95	0.98	3.51	1.30	UR
14	2.10	1.05	3.78	1.40	ST-1
15	2.25	1.13	4.05	1.50	SC-2
16	2.40	1.20	4.32	1.60	OBC-4
17	2.55	1.28	4.59	1.70	UR
18	2.70	1.35	4.86	1.80	UR
19	2.85	1.43	5.13	1.90	OBC-5
20	3.00	1.50	5.40	2.00	SC-3
21	3.15	1.58	5.67	2.10	EWS-2
22	3.30	1.65	5.94	2.20	UR
23	3.45	1.73	6.21	2.30	OBC-6
24	3.60	1.80	6.48	2.40	UR
25	3.75	1.88	6.75	2.50	UR
26	3.90	1.95	7.02	2.60	OBC-7
27	4.05	2.03	7.29	2.70	SC-4
28	4.20	2.10	7.56	2.80	ST-2
29	4.35	2.18	7.83	2.90	UR
30	4.50	2.25	8.10	3.00	OBC-8
31	4.65	2.33	8.37	3.10	EWS-3
32	4.80	2.40	8.64	3.20	UR
33	4.95	2.48	8.91	3.30	UR
34	5.10	2.55	9.18	3.40	OBC-9

F. Narayanan



[illegible]

G. Hickman

123	18.45	9.23	33.21	12.30	OBC-33
124	18.60	9.30	33.48	12.40	UR
125	18.75	9.38	33.75	12.50	UR
126	18.90	9.45	34.02	12.60	OBC-34
127	19.05	9.53	34.29	12.70	SC-19
128	19.20	9.60	34.56	12.80	UR
129	19.35	9.68	34.83	12.90	UR
130	19.50	9.75	35.10	13.00	OBC-35
131	19.65	9.83	35.37	13.10	EWS-13
132	19.80	9.90	35.64	13.20	UR
133	19.95	9.98	35.91	13.30	UR
134	20.10	10.05	36.18	13.40	OBC-36
135	20.25	10.13	36.45	13.50	SC-20
136	20.40	10.20	36.72	13.60	ST-10
137	20.55	10.28	36.99	13.70	UR
138	20.70	10.35	37.26	13.80	OBC-37
139	20.85	10.43	37.53	13.90	UR
140	21.00	10.50	37.80	14.00	SC-21
141	21.15	10.58	38.07	14.10	OBC-38
142	21.30	10.65	38.34	14.20	EWS-14
143	21.45	10.73	38.61	14.30	UR
144	21.60	10.80	38.88	14.40	UR
145	21.75	10.88	39.15	14.50	OBC-39
146	21.90	10.95	39.42	14.60	UR
147	22.05	11.03	39.69	14.70	SC-22
148	22.20	11.10	39.96	14.80	ST-11
149	22.35	11.18	40.23	14.90	OBC-40
150	22.50	11.25	40.50	15.00	EWS-15
151	22.65	11.33	40.77	15.10	UR
152	22.80	11.40	41.04	15.20	OBC-41
153	22.95	11.48	41.31	15.30	UR
154	23.10	11.55	41.58	15.40	SC-23
155	23.25	11.63	41.85	15.50	UR
156	23.40	11.70	42.12	15.60	OBC-42
157	23.55	11.78	42.39	15.70	UR
158	23.70	11.85	42.66	15.80	UR
159	23.85	11.93	42.93	15.90	UR
160	24.00	12.00	43.20	16.00	ST-12
161	24.15	12.08	43.47	16.10	OBC-43
162	24.30	12.15	43.74	16.20	SC-24
163	24.45	12.23	44.01	16.30	OBC-44
164	24.60	12.30	44.28	16.40	EWS-16
165	24.75	12.38	44.55	16.50	UR
166	24.90	12.45	44.82	16.60	UR

Cy. Discard

167	25.05	12.53	45.09	16.70	OBC-45
168	25.20	12.60	45.36	16.80	SC-25
169	25.35	12.68	45.63	16.90	UR
170	25.50	12.75	45.90	17.00	EWS-17
171	25.65	12.83	46.17	17.10	OBC-46
172	25.80	12.90	46.44	17.20	UR
173	25.95	12.98	46.71	17.30	UR
174	26.10	13.05	46.98	17.40	SC-26
175	26.25	13.13	47.25	17.50	ST-13
176	26.40	13.20	47.52	17.60	OBC-47
177	26.55	13.28	47.79	17.70	UR
178	26.70	13.35	48.06	17.80	OBC-48
179	26.85	13.43	48.33	17.90	UR
180	27.00	13.50	48.60	18.00	SC-27
181	27.15	13.58	48.87	18.10	EWS-18
182	27.30	13.65	49.14	18.20	OBC-49
183	27.45	13.73	49.41	18.30	UR
184	27.60	13.80	49.68	18.40	UR
185	27.75	13.88	49.95	18.50	UR
186	27.90	13.95	50.22	18.60	OBC-50
187	28.05	14.03	50.49	18.70	SC-28
188	28.20	14.10	50.76	18.80	ST-14
189	28.35	14.18	51.03	18.90	OBC-51
190	28.50	14.25	51.30	19.00	EWS-19
191	28.65	14.33	51.57	19.10	UR
192	28.80	14.40	51.84	19.20	UR
193	28.95	14.48	52.11	19.30	OBC-52
194	29.10	14.55	52.38	19.40	SC-29
195	29.25	14.63	52.65	19.50	UR
196	29.40	14.70	52.92	19.60	EWS-20*
197	29.55	14.78	53.19	19.70	OBC-53
198	29.70	14.85	53.46	19.80	ST-15*
199	29.85	14.93	53.73	19.90	SC-30*
200	30.00	15.00	54.00	20.00	OBC-54*

*/** Squeezing resorted with a view to maintain the prescribed percentage of reservation

G. Friedman

Annexure-III

FOR DIRECT RECRUITMENT ON ALL INDIA BASIS BY OPEN COMPETITION**Model Roster for cadre strength upto 13 posts**

Cadre Strength	Initial Recruitment	Replacement No.												
		1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th
1	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST
2	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST	
3	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST		
4	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST			
5	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST				
6	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST					
7	SC	OBC	UR	EWS	UR	OBC	UR	ST						
8	OBC	UR	EWS	UR	OBC	UR	ST							
9	UR	EWS	UR	OBC	UR	ST								
10	EWS	UR	OBC	UR	ST									
11	UR	OBC	UR	ST										
12	OBC	UR	ST											
13	UR	ST												

Note:

- For cadres of 2 to 13 posts the roster is to be read from entry 1 under column Cadre Strength till the last post and then horizontally till the last entry in the horizontal row i.e. like "L"
- All the posts of a cadre are to be earmarked for the categories shown under column initial recruitment. While initial filling up will be by the earmarked category, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.

G. Krishnan

FOR DIRECT RECRUITMENT

Model Roster of Reservation with reference to posts for Direct recruitment on All India Basis Otherwise than by Open Competition

Sl. No. of Post	Share of Entitlement				Category for which the posts should be earmarked
	SC @16.66%	ST @7.5%	OBC @25.84%	EWS @10%	
1	0.166	0.075	0.258	0.100	UR
2	0.332	0.150	0.516	0.200	UR
3	0.498	0.225	0.774	0.300	UR
4	0.664	0.300	1.032	0.400	OBC-1
5	0.830	0.375	1.290	0.500	UR
6	0.996	0.450	1.548	0.600	UR
7	1.162	0.525	1.806	0.700	SC-1
8	1.328	0.600	2.064	0.800	OBC-2
9	1.494	0.675	2.322	0.900	UR
10	1.660	0.750	2.580	1.000	EWS-1
11	1.826	0.825	2.838	1.100	UR
12	1.992	0.900	3.096	1.200	OBC-3
13	2.158	0.975	3.354	1.300	SC-2
14	2.324	1.050	3.612	1.400	ST-1
15	2.490	1.125	3.870	1.500	UR
16	2.656	1.200	4.128	1.600	OBC-4
17	2.822	1.275	4.386	1.700	UR
18	2.988	1.350	4.644	1.800	UR
19	3.154	1.425	4.902	1.900	SC-3
20	3.320	1.500	5.160	2.000	OBC-5
21	3.486	1.575	5.418	2.100	EWS-2
22	3.652	1.650	5.676	2.200	UR
23	3.818	1.725	5.934	2.300	UR
24	3.984	1.800	6.192	2.400	OBC-6
25	4.150	1.875	6.450	2.500	SC-4
26	4.316	1.950	6.708	2.600	UR
27	4.482	2.025	6.966	2.700	ST-2
28	4.648	2.100	7.224	2.800	OBC-7
29	4.814	2.175	7.482	2.900	UR
30	4.980	2.250	7.740	3.000	EWS-3

S. Dicitavan

31	5.146	2.325	7.998	3.100	SC-5
32	5.312	2.400	8.256	3.200	OBC-8
33	5.478	2.475	8.514	3.300	UR
34	5.644	2.550	8.772	3.400	UR
35	5.810	2.625	9.030	3.500	OBC-9
36	5.976	2.700	9.288	3.600	UR
37	6.142	2.775	9.546	3.700	SC-6
38	6.308	2.850	9.804	3.800	UR
39	6.474	2.925	10.062	3.900	OBC-10
40	6.640	3.000	10.320	4.000	ST-3
41	6.806	3.075	10.578	4.100	EWS-4
42	6.972	3.150	10.836	4.200	SC-7
43	7.138	3.225	11.094	4.300	SC-7
44	7.304	3.300	11.352	4.400	OBC-11
45	7.470	3.375	11.610	4.500	UR
46	7.636	3.450	11.868	4.600	UR
47	7.802	3.525	12.126	4.700	OBC-12
48	7.968	3.600	12.384	4.800	UR
49	8.134	3.675	12.642	4.900	SC-8
50	8.300	3.750	12.900	5.000	EWS-5
51	8.466	3.825	13.158	5.100	OBC-13
52	8.632	3.900	13.416	5.200	UR
53	8.798	3.975	13.674	5.300	UR
54	8.964	4.050	13.932	5.400	ST-4
55	9.130	4.125	14.190	5.500	OBC-14
56	9.296	4.200	14.448	5.600	SC-9
57	9.462	4.275	14.706	5.700	UR
58	9.628	4.350	14.964	5.800	UR
59	9.794	4.425	15.222	5.900	OBC-15
60	9.960	4.500	15.480	6.000	EWS-6
61	10.126	4.575	15.738	6.100	SC-10
62	10.292	4.650	15.996	6.200	UR
63	10.458	4.725	16.254	6.300	OBC-16
64	10.624	4.800	16.512	6.400	UR
65	10.790	4.875	16.770	6.500	UR
66	10.956	4.950	17.028	6.600	OBC-17
67	11.122	5.025	17.286	6.700	SC-11
68	11.288	5.100	17.544	6.800	ST-5
69	11.454	5.175	17.802	6.900	UR
70	11.620	5.250	18.060	7.000	OBC-18
71	11.786	5.325	18.318	7.100	EWS-7

G. Krishnan

72	11.952	5.400	18.576	7.200	UR
73	12.118	5.475	18.834	7.300	SC-12
74	12.284	5.550	19.092	7.400	OBC-19
75	12.450	5.625	19.350	7.500	UR
76	12.616	5.700	19.608	7.600	UR
77	12.782	5.775	19.866	7.700	UR
78	12.948	5.850	20.124	7.800	OBC-20
79	13.114	5.925	20.382	7.900	SC-13
80	13.280	6.000	20.640	8.000	ST-6
81	13.446	6.075	20.898	8.100	EWS-8
82	13.612	6.150	21.156	8.200	OBC-21
83	13.778	6.225	21.414	8.300	UR
84	13.944	6.300	21.672	8.400	UR
85	14.110	6.375	21.930	8.500	SC-14
86	14.276	6.450	22.188	8.600	OBC-22
87	14.442	6.525	22.446	8.700	UR
88	14.608	6.600	22.704	8.800	UR
89	14.774	6.675	22.962	8.900	UR
90	14.940	6.750	23.220	9.000	OBC-23
91	15.106	6.825	23.478	9.100	SC-15
92	15.272	6.900	23.736	9.200	EWS-9
93	15.438	6.975	23.994	9.300	UR
94	15.604	7.050	24.252	9.400	OBC-24
95	15.770	7.125	24.510	9.500	ST-7
96	15.936	7.200	24.768	9.600	UR
97	16.102	7.275	25.026	9.700	SC-16
98	16.268	7.350	25.284	9.800	OBC-25
99	16.434	7.425	25.542	9.900	UR
100	16.600	7.500	25.800	10.000	EWS-10
101	16.766	7.575	26.058	10.100	OBC-26
102	16.932	7.650	26.316	10.200	UR
103	17.098	7.725	26.574	10.300	SC-17
104	17.264	7.800	26.832	10.400	UR
105	17.430	7.875	27.090	10.500	OBC-27
106	17.596	7.950	27.348	10.600	UR
107	17.762	8.025	27.606	10.700	ST-8
108	17.928	8.100	27.864	10.800	UR
109	18.094	8.175	28.122	10.900	OBC-28
110	18.260	8.250	28.380	11.000	SC-18
111	18.426	8.325	28.638	11.100	EWS-11
112	18.592	8.400	28.896	11.200	UR

G. disavan

113	18,758	8,475	29,154	11,300	OBC-29
114	18,924	8,550	29,412	11,400	UR
115	19,090	8,625	29,670	11,500	SC-19
116	19,256	8,700	29,928	11,600	EW8-12**
117	19,422	8,775	30,186	11,700	OBC-30
118	19,588	8,850	30,444	11,800	ST-9
119	19,754	8,925	30,702	11,900	SC-20*
120	19,920	9,000	30,960	12,000	OBC-31*

*/** Squeezing resorted with a view to maintain the prescribed percentage of reservation

G. Priscilla

Annexure-V**FOR DIRECT RECRUITMENT**

Roster for Direct Recruitment otherwise than through Open Competition for cadre strength upto 13 posts

Cadre Strength	Initial Recruitment	Replacement No.												
		1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th
1	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST
2	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST	
3	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST		
4	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST			
5	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST				
6	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST					
7	SC	OBC	UR	EWS	UR	OBC	SC	ST						
8	OBC	UR	EWS	UR	OBC	SC	ST							
9	UR	EWS	UR	OBC	SC	ST								
10	EWS	UR	OBC	SC	ST									
11	UR	OBC	SC	ST										
12	OBC	SC	ST											
13	SC	ST												

Note:

1. For cadres of 2 to 13 posts the roster is to be read from entry 1 under column Cadre Strength till the last post and then horizontally till the last entry in the horizontal row i.e. like "L"
2. All the posts of a cadre are to be earmarked for the categories shown under column initial recruitment. While initial filling up will be by the earmarked category, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.

G. Sivasan

Name of the Ministry/Department:

Annexure-VI

Report for the fortnight ending	Unfilled vacancies as on 01.02.2019					Vacancies filled up during the fortnight ending					Total vacancies filled up since 01.02.2019				
	SC	ST	OBC	EWS	UR	SC	ST	OBC	EWS	UR	SC	ST	OBC	EWS	UR

Note 1: Single consolidated fortnightly report may be sent in respect of the Ministry/Department and its attached and sub-ordinate offices

Note 2: The first report should begin from 15.02.2019

Note 3: Filled up fortnightly report may be emailed at jsest@nic.in and g.sreenivasan@nic.in

G. Sreenivasan

Provisions relating to Persons With Disabilities

1. Reservation for PwDs in Direct Recruitment

Previous OMs on the subject

OM.No. 36035/16 /91-Estt.(SCT), dated 18.02.1997

OM.No. 36035/3/ 2004- Estt.(Res), dated 29.12.2005

With enactment of THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 from 19th April, 2017 and notification of THE RIGHTS OF PERSONS WITH DISABILITIES RULES, 2017 on 15th June, 2017, the following instructions have been issued in line with the provisions made therein regarding reservation for Persons with Benchmark Disabilities, as defined under Section 2(r) of the Act against the posts and services of the Central Government.

2. QUANTUM OF RESERVATION

- 2.1 In case of **direct recruitment**, four percent of the total number of vacancies to be filled up by direct recruitment, in the cadre strength in each group of posts i.e. Groups A, B and C shall be reserved for persons with benchmark disabilities.
- 2.2 Against the posts identified for each disabilities, of which, one per cent each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent, under clauses (d) and (e), unless otherwise excluded under the provisions of Para 3 herein under:-
 - a) Blindness and low vision;
 - b) Deaf and hard of hearing;
 - c) Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;
 - d) autism, intellectual disability, specific learning disability and mental illness;
 - e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness

3. EXEMPTION FROM RESERVATION:

If any Ministry/Department in the Central Government considers it necessary to exempt any establishment or any cadre or cadres fully or partly from the provisions of reservation in promotion for PwBDs, it shall make a reference to the DEPwD, giving full justification for the proposal. The DEPwD, having regard to the type of work carried out in any Government establishment, by notification, and subject to such condition, if any, as may be specified in the notification, in consultation with the Chief Commissioner for Persons with Disabilities (CCPD), may exempt any Establishment or any cadre(s), fully or partly, from the provisions of reservation for PwBDs. While doing so, Notes 1 to 9 under the Notification No.38-16/2020-DD.II, dated the 4th January, 2021, issued and as modified from time to time by the DEPwD, may kindly be kept in view.

4. ADJUSTMENT AGAINST UNRESERVED VACANCIES::

- 4.1 In the category of posts which are identified suitable for persons with benchmark disabilities, a person with benchmark disability cannot be denied the right to compete for appointment

by direct recruitment against an unreserved vacancy. Thus a person with benchmark disability can be appointed by direct recruitment against vacancy not specifically reserved for the persons with benchmark disability, provided the post is identified suitable for persons with benchmark disability of the relevant category.

4.2 Persons with benchmark disabilities selected without relaxed standards along with other candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities which will thus comprise of candidates with benchmark disabilities who are lower in merit than the last candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standards.

5. CERTIFICATE OF DISABILITY:

A person who wants to avail the benefit of reservation will have to submit a certificate of disability issued by a Competent Authority. Such certificate in the event of selection of such person for any post, will be subject to such verification/re-verification as may be decided by the competent authority.

6. COMPUTATION OF NUMBER OF POSTS TO BE RESERVED:

6.1 The number of posts to be reserved for persons with benchmark disabilities in case of Group C posts shall be computed on the basis of total number of vacancies in the cadre strength of Group C posts, in the establishment, although the recruitment of the persons with benchmark disabilities would only be against the category of posts identified suitable for them. The number of vacancies to be reserved for the persons with benchmark disabilities in case of direct recruitment to Group 'C' posts in an establishment shall be computed by taking into account the total number of vacancies arising in Group 'C' posts for being filled by direct recruitment in a recruitment year both in the identified and non-identified category of posts under the establishment. Since reservation, wherever applicable, for Persons with Benchmark Disabilities is provided computing total number of vacancies in the cadre strength in identified category of posts as well as unidentified category of posts, it may be possible that number of persons appointed by reservation in an identified category of post may exceed four per cent.

6.2 Reservation for persons with benchmark disabilities in Group 'A' or Group 'B' posts shall be computed on the basis of total number of vacancies occurring in direct recruitment quota in the cadre in all the Group 'A' posts or Group 'B' posts respectively, and the computation of total vacancies shall include vacancies arising in the identified and non-identified category of posts.

7. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS:

7.1 Every Government establishment shall maintain group-wise a separate vacancy based 100 point vacancy based reservation roster register in the format given in Annexure for determining/effecting reservation for the Persons with Benchmark Disabilities - one each for Group 'A' posts filled by direct recruitment, Group 'B' posts filled by direct recruitment and Group 'C' posts filled by direct recruitment.

7.2 Each register shall have cycles of 100 points and each cycle of 100 points shall be divided into four blocks, comprising the following points:

- 1st Block - point No. 01 to point No. 25
- 2nd Block - point No. 26 to point No. 50
- 3rd Block - point No. 51 to point No. 75
- 4th Block — point No. 76 to point No.100

7.3 Points 1, 26, 51 and 76 of the roster shall be earmarked for persons with benchmark disabilities - one point each for four respective categories of disabilities. The Head of the establishment shall ensure that vacancies identified at SI. No.1, 26, 51 and 76 are earmarked for the respective categories of the persons with benchmark disabilities. However, the Head of the establishment shall decide the placement of the selected candidate in the roster register.

7.4 All the vacancies arising irrespective of vacancies reserved for Persons with Benchmark Disabilities shall be entered in the relevant roster. If the vacancy falling at point no. 1 is not identified for the Person with Benchmark Disability or the Head of the establishment considers it desirable not to fill it up by Persons with Benchmark Disabilities or it is not possible to fill up that post by the Persons with Benchmark Disabilities for any other reason, one of the vacancies falling at any of the points from 2 to 25 shall be treated as reserved for the person with benchmark disability and filled as such.

7.5 Likewise, a vacancy falling at any of the points from 26 to 50 or from 51 to 75 or from 76 to 100 shall have to be filled by the Persons with Benchmark Disabilities. The purpose of keeping points 1, 26, 51 and 76 as reserved is to fill up the first available suitable vacancy.

7.6 There is a possibility that none of the vacancies from 1 to 25 is suitable for any category of the person with benchmark disability. In that case two vacancies from 26 to 50 shall be filled as reserved for persons with benchmark disabilities. If the vacancies from 26 to 50 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 51 to 75. This means that if no vacancy can be reserved in a particular block, it shall be carried over into the next block.

7.7 After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.

7.8 If the number of vacancies in a year is such as to cover only one block (say 25 vacancies) or two (say 50 vacancies), the category of the persons with benchmark disabilities should be accommodated as per the roster points. However, in case, the said vacancy is not identified for the respective category, the Head of the establishment shall decide the category on the basis of the nature of the post, the level of representation of the specific disabled category in the concerned grade/post etc.

8. INTER SE EXCHANGE AND CARRY FORWARD OF RESERVATION IN CASE OF DIRECT RECRUITMENT:

8.1 Where in any recruitment year any vacancy cannot be filled up due to non availability of a suitable person with benchmark disability or for any other sufficient reason, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the following four categories of disabilities, at one percent each to each category:

(A)

(a) blindness and low vision;

(B)

(b) deaf and hard of hearing;

(C)

(c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;

(D)

(d) autism, intellectual disability, specific learning disability and mental illness;

(e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness.

8.2 Only when there is no person with benchmark disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with benchmark disability.

8.3 If the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged with the prior approval of Department of Empowerment of Persons with Disabilities, among the above mentioned four categories.

8.4 If any vacancy reserved for any category of benchmark disability cannot be filled due to non-availability of a suitable person with that benchmark disability or, for any other sufficient reason, such vacancy shall be carried forward as a 'backlog reserved vacancy' to the subsequent recruitment year.

8.5 In the subsequent recruitment year the 'backlog reserved vacancy' shall be treated as reserved for the category of disability for which it was kept reserved in the initial year of recruitment. However, if a suitable person with that benchmark disability is not available, it may be filled by interchange among the categories of benchmark disabilities identified for reservation. In case no suitable person with benchmark disability is available for filling up the vacancy in the succeeding year also, the employer may fill up the vacancy by a person other than a person with benchmark disability. If the vacancy is filled by a person with benchmark disability of the category for which it was reserved or by a person of other category of benchmark disability by inter se exchange in the subsequent recruitment year, it will be treated to have been filled by reservation. But if the vacancy is filled by a person other than a person with benchmark disability in the subsequent recruitment year, reservation shall be carried forward for a further period upto two recruitment years whereafter the reservation shall lapse. In these two subsequent years, if situation so arises, the procedure for filling up the reserved vacancy shall be the same as followed in the first subsequent recruitment year.

8.6 The Government establishment shall interchange vacancies only if due process of recruitment viz. proper advertisement of vacancy to fill up the vacancies reserved for persons with benchmark disabilities has been complied with.

8.7 In order to ensure that cases of lapse of reservation are kept to the minimum, any recruitment of the persons with benchmark disabilities candidates shall first be counted against the additional quota brought forward from previous years, if any, in their chronological order. If candidates are not available for all the vacancies, the older carried forward reservation would be filled first and the current vacancies would be carried forward if not filled up provided that in every recruitment, the number of vacancies reserved for Persons with Benchmark Disabilities including carried forward vacancies will be announced beforehand, for the information of all aspirants

9. HORIZONTALITY OF RESERVATION FOR PERSONS WITH BENCHMARK DISABILITIES:

9.1 Reservation for backward classes of citizens (SCs, STs and OBCs) is called vertical reservation and the reservation for categories such as persons with benchmark disabilities and ex-servicemen is called horizontal reservation. Horizontal reservation cuts across vertical reservation (in what is called interlocking reservation) and persons selected against the quota for persons with benchmark disabilities have to be placed in the appropriate category viz. SC/ST/OBC/Unreserved depending upon the category to which they belong in the roster meant for reservation of SCs/STs/OBCs. To illustrate, if in a given year there are two vacancies reserved for the persons with benchmark disabilities and out of two persons with benchmark disabilities appointed, one belongs to Scheduled Caste and the other belongs to Unreserved category, then the SC candidate with benchmark disability shall be adjusted against the SC point in the reservation roster and the Unreserved candidate with benchmark disability against unreserved point in the relevant reservation roster. In case none of the vacancies falls on point reserved for the SCs, the candidate under

benchmark disability belonging to SC shall be adjusted in future against the next available vacancy reserved for SCs.

9.2 Since the persons with benchmark disabilities have to be placed in the appropriate category viz. SC/ST/OBC/Unreserved in the roster meant for reservation of SCs/STs/OBCs, the application form for the post should require the candidates applying under the quota reserved for persons with benchmark disabilities to indicate whether they belong to SC/ST/OBC or Unreserved. Thus, reservation for persons with benchmark disabilities is horizontal.

10. CERTIFICATE BY REQUISITIONING AUTHORITY

10.1 In order to ensure proper implementation of the provisions of reservation for persons with benchmark disabilities, the requisitioning authority while sending the requisition to the recruiting agency or authority as the case may be for filling up of posts shall furnish the following certificate to the recruiting agency:-

"It is certified that the requirements of the THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016' which has become effective from 19 thday of April, 2017 and the policy relating to reservation for persons with benchmark disabilities has been taken care of while sending this requisition. The vacancies reported in this requisition fall at points noof cycle no... of 100 point reservation roster out of which number of vacancies are reserved for persons with benchmark disabilities."

10.2 At the time of initial appointment against a vacancy reserved for persons with benchmark disabilities, the appointing authority shall ensure that the candidate is eligible to get the benefit of reservation.

11. RELAXATION OF STANDARD OF SUITABILITY:

11.1 If sufficient number of candidates with benchmark disabilities candidates are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies reserved for them provided they are not found unfit for such post or posts. However, this provision shall not be used to allow any relaxation in the eligibility criteria laid down for the issuance of certificate of disability.

11.2 Same relaxed standard should be applied for all the candidates with Benchmark Disabilities whether they belong to Unreserved/SC/ST/OBC. No further relaxation of standards will be considered or admissible in favour of any candidate from any category whatsoever.

12. MEDICAL EXAMINATION:

As per Rule 10 of the Fundamental Rules, every new entrant to Government Service on initial appointment is required to produce a medical certificate of fitness issued by a competent authority. In case of medical examination of a person with benchmark disabilities for appointment to a post identified as suitable to be held by a person suffering from a particular kind of disability, the concerned Medical Officer or Board shall be informed beforehand that the post is identified suitable to be held by persons with benchmark disabilities of the relevant category and the candidate shall then be examined medically keeping this fact in view.

13. ANNUAL REPORTS REGARDING REPRESENTATION OF PERSONS WITH BENCHMARK DISABILITIES:

The Ministries/Departments shall continue to upload data on representation of Persons with Benchmark Disabilities along with data on SCs, STs, OBCs in respect of posts/services under the Central Government on the URL i.e. www.rrcps.nic.in as on 1 st January of every year. All Ministries/Departments have been provided respective usercode and password with guidelines for operating the URL.

II. Reservation for PwBDs in Promotion

The matter regarding reservation in promotion for Persons with Benchmark Disabilities (PwBDs) had been under litigation before various courts of law for quite some time, and the Hon'ble Supreme Court, in its order, dated 28.9.2021, delivered in the 'Application for Clarification' in the matter of '**Siddaraju vs. State of Karnataka**', Civil Appeal No. 1567/2017, directed the Government to issue instructions on '**Reservation in Promotion**', as provided in Section 34 of the Rights of Persons with Disabilities Act, 2016.

1.2 Accordingly, the following instructions have been issued for grant of reservation in promotion to PwBDs, in the posts and services of the Central Government, as defined under Section 2(r) of the said Act, notified by the Department of Empowerment of Persons with Disabilities (DEPwD).

2. QUANTUM OF RESERVATION

2.1 In case of promotion, four per cent of the total number of vacancies in the cadre strength within Group 'C', from Group 'C' to Group 'B', within Group 'B' and from Group 'B' to the lowest rung of Group 'A' shall be reserved for PwBDs. Reservation in promotion shall be applicable in the cadres in which the element of direct recruitment, if any, does not exceed 75%.

2.2 Against the posts identified for each disability, one per cent each shall be reserved for PwBDs under clauses (a), (b) and (c), respectively, and one per cent combined, under clauses (d) and (e) below, unless otherwise excluded under the provisions of Para 3 hereinafter; -

- a) blindness and low vision;
- b) deaf and hard of hearing;
- c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;
- d) autism, intellectual disability, specific learning disability and mental illness;
- e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness.

2.3 The authenticity of any certificate, issued by the competent medical authority, may be got verified/re-verified by the appointing authority at the time of appointment.

3. EXEMPTION FROM RESERVATION IN PROMOTION

3.1 Proviso to Section 20(1) of the Right of Persons with Disabilities Act, 2016, states that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment from the provisions of this Section.

3.2 Accordingly, if any Ministry/Department in the Central Government considers it necessary to exempt any establishment or any cadre or cadres fully or partly from the provisions of reservation in promotion for PwBDs, it shall make a reference to the DEPwD, giving full justification for the proposal. The DEPwD, having regard to the type of work carried out in any Government establishment, by notification, and subject to such condition, if any, as may be specified in the notification, in consultation with the Chief Commissioner for Persons with Disabilities (CCPD), may exempt any Establishment or any cadre(s), fully or partly, from the provisions of reservation for PwBDs. While doing so, Notes 1 to 9 under the Notification No.38-16/2020-DD.II, dated the 4th January, 2021, issued and as modified from time to time by the DEPwD, may kindly be kept in view

after acquiring a post suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits. This section further provides that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier. However, in case the PwBDs for whom the supernumerary post was created is eligible for next promotion to higher pay level, and it is not possible to adjust the employee against any post, a fresh creation of supernumerary post in next higher level will be required by surrendering the previously created supernumerary post at the lower level, and the proposal for the same may be submitted to the Department of Expenditure.

4.2 An employee who acquires disability, after entering into service, will be entitled to get the benefit of reservation in promotion as a PwBD. However, his seniority among PwBDs will be counted from the date of certification of his/her disability, i.e., disability of 40% or more in the categories covered under Section 34(1) of the Rights of Persons with Disabilities Act, 2016.

4.3 No benefit of reservation shall be given on the basis of temporary certificate of disability.

5. IDENTIFICATION OF POSTS

5.1 The DEPwD has already identified posts suitable for being held by PwBDs and the physical requirement for all such posts, have been notified, vide their Notification No. 38-16/2020-DD-III, dated the 4th January, 2021. The posts mentioned in Annexure C of the said notification (to be read in conjunction with Notes 1 to 9 mentioned under the main Notification, dated 4th January, 2021) shall be used by the Cadre Controlling Authorities to give effect to reservation in promotion to the PwBDs.

6. RESERVATION IN POSTS IDENTIFIED FOR ONE OR TWO CATEGORIES

6.1 If in a Ministry/Department/Organization, a post is identified suitable only for one category of disability, reservation in promotion in that post shall be given to persons with that category of benchmark disability only. However, reservation of 4% for PwBDs shall not be reduced in such cases and total reservation in the cadre will be given to PwBDs for which it has been identified. Likewise, in case the post is identified suitable for two categories of disabilities, reservation shall be distributed between persons with those categories of disabilities equally, as far as possible. It shall, however, be ensured that reservation in different posts in the establishment is distributed in such a way that the PwBDs, as far as possible, get equal/fair representation. The points used in the 100-point Roster after a gap of 25 points shall be used to give reservation. In other words, it will be given only at the points reserved for PwBDs, and not in a bunched manner.

7. ADJUSTMENT OF PwBD CANDIDATES WHO ARE IN THE ZONE OF CONSIDERATION AGAINST GENERAL VACANCY

7.1 In case of promotions by seniority-cum-fitness, if a PwBD is otherwise eligible and is in the list of candidates finally approved for promotion, he/she may be promoted against the vacancy not specifically reserved for PwBD. In other words, a PwBD cannot be denied promotion on the ground that the vacancy is not earmarked for his category

7.2 In the case of promotion by selection, the reserved share of vacancies, along with other candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities who are lower in merit than the last candidate in merit list but, otherwise found suitable for appointment, if necessary, by relaxed standards.

8. RELAXATION OF STANDARD OF SUITABILITY

8.1 If sufficient number of PwBD candidates with benchmark disabilities are not available on the basis of prescribed standard to fill all the vacancies (in case of promotion through Limited Departmental Competitive Examination/Departmental Examination, etc.) reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies reserved for them, provided they are not found unfit for such post or posts. However, this provision shall not be used to allow any relaxation in the eligibility criteria laid down for the issuance of certificate of benchmark disability.

8.2 The same relaxed standard should be applied for all the PwBD candidates with benchmark disabilities, irrespective of whether they belong to the Unreserved/SC/ ST/ OBC category. No further relaxation of standards will be considered or admissible in favour of any candidate from any category whatsoever.

9. COMPUTATION OF NUMBER OF VACANCIES TO BE RESERVED

9.1 Number of vacancies in a recruitment year to be reserved for PwBDs in Group 'C', Group 'B' and Group 'A', wherever reservation in promotion for PwBD is applicable, shall be computed as 4% of the total number of vacancies in the cadre strength, although the PwBDs would be posted against the category of posts identified as suitable for them.

10. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS

10.1 Every Government establishment shall maintain, cadre wise and group-wise, a separate 100 point vacancy based reservation roster/ register, as in the case of direct recruitment, for determining/effecting reservation for the PwBDs in promotion. There will be separate roster / register, in each cadre in Group 'C', Group 'B' and Group 'A', wherever reservation in promotion for PwBD is applicable. There shall be separate roster/ register for promotion and direct recruitment.

10.2 Each register shall have cycles of 100 points and each cycle of 100 points shall be divided into four blocks, comprising the following points:

- 1st Block - Point No. 01 to point No. 25
- 2nd Block - Point No. 26 to point No. 50
- 3rd Block - Point No. 51 to point No. 75
- 4th Block — Point No. 76 to point No. 100

10.3 Points 1, 26, 51 and 76 of the roster shall be earmarked for PwBDs - one point each for category under (a), (b), (c) of Para 2.2 above, respectively, and one point for category (d) and (e) conjointly. The Head of the establishment shall ensure that vacancies identified at SI. No.1, 26, 51 and 76 are earmarked for the respective categories of the PwBD. However, the Head of the Department shall decide the placement of the selected candidate in the roster/ register. In other words, the category to be appointed first will be decided by the Head of the Department based on the functional requirement.

10.4 All the vacancies in each recruitment year in a grade, arising irrespective of vacancies reserved for PwBDs, shall be entered in the relevant roster. If the vacancy falling at point no. 1 is not identified for the PwBD, or if the Head of the Department feels that it is not possible to fill up that post by the PwBDs for any other reason to be recorded in writing, one of the vacancies falling at any of the points from 2 to 25 shall be treated as reserved for the PwBD and filled, as such.

10.5 Likewise, one vacancy out of the total vacancies falling at points from 26 to 50 or from 51 to 75 or from 76 to 100 shall have to be filled by the PwBDs. The purpose of keeping points 1, 26, 51 and 76 as reserved is to fill up the first available suitable vacancy by the PwBD candidate of the category for which the post is earmarked.

10.6 There is a possibility that none of the vacancies from 1 to 25 is found suitable for any category of the PwBD. In that case, two vacancies from 26 to 50 shall be filled from amongst the PwBDs. If the vacancies from 26 to 50 are also not suitable for any category, three vacancies in the third block 51 to 75 shall be filled as reserved. This means that if no vacancy can be reserved in a particular block, it shall be carried over to the next block.

10.7 After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.

10.8 If the number of vacancies in a year is such as to cover only one block (say 25 vacancies, including PwBD quota, if any) or two (say 50 vacancies, including the quota, if any), the category of the PwBDs should be accommodated as per the roster points. However, in case, the said vacancy is not identified for the respective category of disability, the Head of the Department shall decide the category on the basis of the nature of the post, the level of representation of the specific category in the grade/post concerned, etc.

11. CERTIFICATE BY REQUISITIONING/ CADRE CONTROLLING AUTHORITY WHILE SENDING APPLICATION FOR SELECTION BY PROMOTIONS/ DEPARTMENTAL EXAMINATION INCLUDING LIMITED COMPETITIVE DEPARTMENTAL EXAMINATION

11.1 In order to ensure proper implementation of the provisions of reservation for PwBDs, the requisitioning/ cadre controlling authority, while sending the requisition/ proposal to the recruiting agency/ DPC, as the case may be, for filling up of vacancies through promotion by selection/ Departmental Examination/ Limited Competitive Departmental Examination, shall furnish the following certificate to the recruiting agency/DPC:

"It is certified that the requirements of the THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 which has become effective from 19th day of April, 2017 and Rules made thereupon, vide Rights of Persons with Disabilities Rules, 2017, and the policy relating to reservation for persons with benchmark disabilities has been taken care of while sending this requisition/ proposal. The vacancies reported in this requisition/proposal fall at points no..... of cycle of 100 point reservation roster out of which..... number of vacancies are reserved for persons with benchmark disabilities."

12. NOTICE OF VACANCIES FOR PROMOTION BY SELECTION

12.1 In order to ensure that PwBDs get a fair opportunity in consideration for appointment against an identified post, the following points shall be kept in view while sending the requisition notice/ proposal to the recruiting agencies (SSC, UPSC etc.) and DPCs-

- (i) Number of vacancies reserved for SCs, STs and each category of PwBDs should be indicated clearly.
- (ii) In respect of vacancies in posts identified suitable for being held by PwBD, it shall be indicated that the post is identified for that respective category of PwBDs from amongst the categories, as mentioned in (a) to (e) of Para 2.2 above, as the case may be. Functional classification for performing the duties attached to such post(s), shall also be indicated clearly.
- (iii) The PwBDs belonging to the category/categories for which the post is identified shall be allowed to apply for the post advertised for being filled up by Limited Departmental

Competitive Examination, even if no vacancy is reserved for them. However, they will not be allowed any relaxed standard. Such PwBD candidates will be considered for selection for appointment to the post by general standards of merit.

- (iv) It shall also be indicated that persons with valid certificate of benchmark disability shall alone be eligible for the benefit of reservation. However, no benefit of reservation shall be given on the basis of temporary certificate of disability.

13. ZONE OF CONSIDERATION. INTERSE EXCHANGE AND CARRY FORWARD OF RESERVATION IN CASE OF PROMOTION

13.1 While filling up the reserved vacancies by promotion by selection, those PwBD candidates who are within the normal zone of consideration shall be considered for promotion. However, if adequate number of PwBD candidates of the respective category are not available within the normal zone, the zone of consideration may be extended to five times the number of vacancies and the PwBD candidate falling within the extended zone may be considered for promotion. In the event of non-availability of candidates even in the extended zone, the vacancy shall not be filled and be carried forward to the subsequent year. In the subsequent year, if a PwBD of the required category is not available, the reservation can be exchanged with the other categories, so that post can be filled by a person with other category of disability, if possible. If a PwBD candidate of other category is within the zone of consideration and within the number of vacancies available, he cannot be denied promotion on the grounds of disability. If it is not possible to fill up the post by reservation even in the 2nd year, the post may be filled by a person other than a PwBD, and the reservation shall be carried forward for two subsequent recruitment years, whereafter it shall lapse.

13.2 While filling up vacancies by promotion by non-selection, the eligible candidates with benchmark disabilities within the normal zone of consideration shall be considered for promotion against the reserved vacancies. In case no eligible candidate of the respective category of disability is available in the normal zone of consideration, additional PwBD candidates of respective category to the extent required shall be considered by going down the seniority list, provided they are eligible, and that the post is identified for them. In the event of non-availability of PwBD candidates for promotion even in the extended zone, the vacancy shall not be filled and shall be carried forward. In the subsequent year, if PwBD of respective category is not available, the same can be exchanged with other categories of disabilities identified for it. If it is not possible to fill up the vacancy by reservation even by exchange, the reservation shall be carried forward for two subsequent recruitment years, where-after it shall lapse.

13.3 In order to ensure that cases of lapse of reservation are kept to the minimum, any recruitment of the PwBD candidates shall first be counted against the vacant posts brought forward from previous years, if any, in the chronological order. If candidates are not available for all the vacancies, the older carried-forward posts shall be filled first, and the current vacancies shall be carried forward, if not filled up, provided that in every recruitment, the number of vacancies reserved for PwBD, including the carried forward vacancies, shall be announced beforehand, for the information of all aspirants.

14. HORIZONTALITY OF RESERVATION FOR PERSONS WITH BENCHMARK DISABILITIES

14.1 Reservation for backward classes of citizens (SCs, STs and OBCs) is called 'vertical' reservation and the reservation for categories such as PwBDs and ex-servicemen is called 'horizontal' reservation. Horizontal reservation cuts across vertical reservation (in what is called interlocking reservation) and persons selected/promoted against the quota for PwBDs have to be placed in the appropriate category viz. SC/ST/OBC/Unreserved, depending upon the category to which they

belong in the roster meant for reservation of SCs/STs/OBCs. To illustrate, if in a given year, there are two vacancies reserved for the PwBDs, and out of two PwBDs promoted, one belongs to Scheduled Caste and the other belongs to Unreserved, the SC candidate with benchmark disability shall be adjusted against the SC point in the reservation roster and the Unreserved candidate with benchmark disability against the unreserved point in the relevant roster. In case none of the vacancies falls on point reserved for the SCs, the candidate under benchmark disability belonging to SC shall be adjusted in future against the next available vacancy reserved for SC.

14.2 Since the PwBDs have to be placed in the appropriate category, viz. SC/ST/OBC/Unreserved in the roster meant for reservation of SCs/STs/OBCs, the application form (in respect of Departmental examination for promotion) for the post should require the candidates applying under the quota reserved for PwBDs to indicate whether they belong to SC/ST/OBC or unreserved.

15. ANNUAL REPORTS REGARDING REPRESENTATION OF PERSONS WITH BENCHMARK DISABILITIES

15.1 The Ministries/Departments shall continue to upload data on promotion of PwBDs, along with data on representation/ direct recruitment of PwBDs in respect of posts/ services under the Central Government on the URL i.e. www.rrcps.nic.in as on 1st January of every year. All Ministries/Departments have been provided respective user code and password with guidelines for operating the URL.

16. LIAISON OFFICER FOR PERSONS WITH BENCHMARK DISABILITIES:

16.1 Liaison Officers appointed to look after reservation matters for SCs/STs shall also work as Liaison Officers for reservation matters relating to PwBDs and shall ensure compliance of instructions, as contained in DoPT OM No.43011/153/2010-Estt (Res), dated 4.1.2013. (reiterated vide OM of even number dated 8.12.2022).

17. MAINTENANCE OF REGISTER OF COMPLAINTS BY THE GOVERNMENT ESTABLISHMENT

17.1 Every Government establishment shall appoint a senior officer of the Department as the Grievance Redressal Officer.

17.2 The Grievance Redressal Officer shall maintain a register of complaints of Persons with Benchmark Disabilities with the following particulars, namely: -

- a. date of complaint.
- b. name of complainant.
- c. the name of the establishment or person against whom the complaint is made.
- d. gist of the complaint.
- e. date of disposal by the Grievance Redressal Officer; and any other information.

17.3 Any person aggrieved with any matter relating to discrimination in promotion, may file a complaint with the Grievance Redressal Officer of the respective Government establishment.

17.4 Every complaint filed, shall be inquired into within two months of its registration, and outcome thereof or action taken thereon, shall be communicated to the complainant / PwBD.

(O.M. No. 36012/1/2020-Estt.(Res.-II), dated 17.05.2022)

RESERVATION IN PROMOTION TO PwDs FROM 30.6.2016 ON NOTIONAL BASIS

In a Contempt Petition (Civil) No.873/2023 filed by Shri S. S. Sundaram against Department of Revenue, the Hon'ble Supreme Court vide its order dated 18.7.2023 has directed "Though it is

...the Supreme Court has been considered to ... it has been decided to grant ...

(3) PwD employees who are promoted to a post in the ... will be considered for grant of ... on notional basis ... as laid down in the Draft ... However, the extent of ... for the PwD employees ... after holding Review ... the PwD employees ... 30.6.2016, then the benefit of ... they become eligible for promotion ... as well as Departmental ... In case of Departmental ... which has already been held during the period ... the eligibility of the PwD candidates may be assessed on the basis of ... The concerned Administrative Authorities are given ... the suitability or eligibility of PwD ...

(4) ... during the period from 30.6.2016 till the PwD employee actually assumes ... the actual financial benefit of promotion will ... from the date they actually assume charge of the promoted post ... will be admissible to them for the period from the date on which they ... and the date on which they actually assume or have already ...

(5) ... the benefit of reservation in promotion to the PwD employees on notional basis ... the inter-se-seniority ... Due to this, there may be cases in which some officials may have to ... subsequent to the year of their existing/present seniority ... as it may result in revision in seniority lists in subsequent ... administrative inconvenience. In order to avoid such situation, ... to adjust the lien of such PwD employees with effect from the ... when they become eligible to get the benefit of reservation in promotion, ... the promotion is to be made or till they vacate the post on their ... whichever is earlier.

(6) The creation of supernumerary post, as stated above, will be personal to the PwD employee who ... on notional basis and such supernumerary post will ... when such PwD employee is adjusted against available vacancy in the ... or when that PwD employee vacates the post on his/her ... whichever is earlier.

(7) ... to ascertain the requirements ... the purpose of creation of posts in the ... the proposed amendments should be accepted. A ... the requirements ...

along with the proposal. Further, each proposal shall have the concurrence of the Liaison Officer for PwDs of the Department/Ministry concerned and shall be forwarded with the approval of the Secretary of the Administrative Department/Ministry.

(vi) It is clarified that the benefit of notional promotion, as proposed above, shall not adversely affect those PwD candidates who have already been granted the benefit of reservation in promotion in-personam in pursuance of the Orders/judgements of various Courts of Law.

OM No. 36012/1/2020-Estt (Res-II) dated 28.12.2023

Exemption from Payment of Examination Fee and Application Fee in respect of PwBD

Persons with Benchmark Disabilities shall continue to be exempted from payment of application fee and examination fee, prescribed in respect of competitive examinations held by the Staff Selection Commission, the Union Public Service Commission, etc, for recruitment to various posts. This exemption shall be available only to such persons who would otherwise be eligible for appointment to the post on the basis of standards of medical fitness prescribed for that post (including any concession specifically extended to the Persons with Benchmark Disabilities) and who enclose with the application form, necessary certificate from a competent authority in support of their claim of disability.

For detailed instructions OM No. 36035/2/2017-Estt.(Res), dated 23.8.2019, may be referred.

CLARIFICATIONS:

Reservation for Persons with Benchmark Disabilities- Clarification with regard to the concept of “OWN MERIT”

Para 4.2 of the OM of even number, dated 15.1.2018 and Para 7.2 of OM No. 36012/1/2020-Estt(Res.-II), dated 17.5.2022, inter alia, state that the Persons with Benchmark Disability (PwBD) selected without relaxed standard, along with other unreserved candidates, will not be adjusted against the vacancies reserved for them and that the vacancies reserved for PwBDs will be filled up separately from amongst the eligible PwBD candidates who are lower in merit than the last unreserved candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standard.

2. Queries have been received in this Department, from time to time, on the following three aspects:

- (i) whether PwBD candidates who have qualified on their own merit without any relaxed standard should be appointed against the vacancies not reserved for PwBDs, i.e., against the unreserved vacancies which will be in addition to the vacancies earmarked for PwBD category candidates;
- (ii) whether the facility of a scribe availed by a PwBD candidate, along with the compensatory time, shall be treated as relaxed standard; and
- (iii) whether the disability a PwBD candidate is suffering from, shall be treated as relaxation in medical standard, which will disable him from being treated as own merit category.

3. In this connection, it is also pertinent to mention that this Department had constituted a Committee which deliberated upon the above three aspects, particularly in respect of Civil Services Examination (CSE), and recommended, inter-alia, the following: -

- (i) The 'own merit' concept for PwBD category candidates should be implemented in CSE, in accordance with Establishment (Reservation) Division's OM No.36035/2/2017-Estt(Res), dated 15.01.2018.

- (ii) The facility of scribe, extra-time and relaxation in medical standards available to PwBD category candidates should not be treated as 'relaxed standard'.

4. Accordingly, the following **clarifications** are issued: -

- (i) In line with the spirit of the O.M. No.36035/2/2017- Estt(Res.), dated 15.1.2018, and O.M. No.36012/1/2020- Estt(Res-II), dated 17.5.2022 on the subject, the concept of own merit for PwBD shall be implemented in all direct recruitment examinations, including the CSE and promotions, wherever applicable. In other words, PwBD category candidates selected without relaxed standard, along with other unreserved candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities, who are lower in merit than the last unreserved candidate in general merit list, but otherwise found suitable for appointment, if necessary, by relaxed standards.
- (i) In accordance with Para 3 of the OM No.29-6/2019-DDIII, dated 10.8.2022, issued by the Department of Empowerment of Persons with Disabilities, the facility of scribe, along with compensatory time shall not be treated as relaxed standard. DoPT, in agreement with this provision, reiterates that the facility of scribe taken by a PwBD candidate, along with compensatory time, shall not be treated as relaxed standard.
- (ii) In terms of Corrigendum No. 34-02/2015/DD-III(Pt.), dated 08.02.2019, the phrase 'extra time or additional time' is required to be replaced by the phrase 'compensatory time'.
- (iii) The spirit of the term 'own merit' will get defeated if the disability, a person is suffering from, is treated as relaxed medical standard, as no PwBD will get the benefit of the term 'own merit' as stipulated in the OMs, dated 15.1.2018 and 17.5.2022 in such a scenario. Accordingly, it is clarified that disability of a person, which he is suffering from, shall not be treated as relaxed standard in medical fitness test for the purpose of 'own merit'.

(OM No. 36035/02/20 17-Estt(Res) dated 27.9.2022)

PROVISIONS RELATING TO EX-SERVICEMEN

1. Definition of Ex-servicemen

The Ex-servicemen (Re-employment in Central Services and Posts) Rules, 1979, as amended from time to time, defines an ex-servicemen as a person –

- (i) who has served in any rank whether as combatant or non-combatant in a Regular Army, Navy and Air Force of the Indian Union, and
 - a. who either has been retired or relieved or discharged from such service whether at his own request or being relieved by the employer after earning his or her pension; or
 - b. who has been relieved from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or
 - c. who has been released from such service as a result of reduction in establishment;
- (ii) who has been released from such service after completing the specific period of engagement, otherwise than at his own request, or by way of dismissal, or discharge on account of misconduct or inefficiency and has been given a gratuity; and includes personnel of the Territorial Army, namely, pension holders for continuous embodied service or broken spells of qualifying service;

Or

- (iii) personnel of Army Postal Service who are part of Regular Army and retired from the Army Postal Service without reversion to their parent service with pension, or are released from the Army Postal service on medical grounds attributable to or aggravated by military service or circumstances beyond their control and awarded medical or other disability pension;

Or

- (iv) Personnel, who were on deputation in Army Postal Service for more than six months prior to 14th April, 1987;

Or

- (v) Gallantry award winners of the Armed Forces including personnel of Territorial Army;

Or

- (vi) Ex-recruits boarded out or relieved on medical ground and granted medical disability pension.

2. Application of Ex-servicemen Rules

These rules shall apply to all the Central Civil Services and posts of Group C and Group D and the posts upto the level of Assistant Commandant in all para-military forces.

Para military forces mean the Border Security Force, Central Reserve Police Force, Indo-Tibetan Border Police, Central Industrial Security Force, Secretariat Security Force, Assam Rifles and Railway Protection Force.

3. Reservation of vacancies

- (i) Ten per cent of the vacancies in the posts upto of the level of the Assistant Commandant in all para-military forces;
- (ii) Ten per cent of the vacancies in Group C posts; and
- (iii) Twenty per cent of the vacancies in Group D posts,

including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent or are likely to continue for three months and more, to be filled by direct recruitment in any year shall be reserved for being filled by ex-servicemen.

The Scheduled Castes, the Scheduled Tribes and the Other Backward Class candidates selected against the vacancies reserved for ex-servicemen shall be adjusted against vacancies reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes, respectively:

provided that if a Scheduled Caste or the Scheduled Tribe or the Other Backward Class ex-serviceman is selected against the vacancy reserved for ex-servicemen and vacancy reserved for the Scheduled Caste or the Scheduled Tribe or the Other Backward Class, as the case may be, is not available to adjust such ex-servicemen, he shall be adjusted in future against the next available vacancy reserved for the Scheduled Caste or the Scheduled Tribe or the Other Backward Class, as the case may be.

If there is an increase in the reservation for ex-servicemen the additional vacancies that become available are to be utilised first for the appointment of disabled ex-servicemen and if all such vacancies are not utilised, they shall then be made available to the other ex-servicemen.

No vacancy reserved for ex-servicemen in a post to be filled otherwise than on the results of an open competitive examination shall be filled by the appointing authority by any general candidate until and unless the said authority:

- (i) Has obtained a "Non availability Certificate" from the employment exchange (where a requisition is placed on an employment exchange);
- (ii) has verified the non-availability of a suitable candidate by reference to the Director General Resettlement and recorded a certificate to that effect; and
- (iii) has obtained approval of the Central Government.

In case of recruitment to the vacancy reserved for Ex-servicemen in the Central Para Military Forces, the reserved vacancy remained unfilled due to non-availability of eligible or qualified candidates, the same shall be filled by candidates from non ex-servicemen category.

In case a number of posts reserved for ex-servicemen are not filled by candidates who are ex-servicemen, the number of posts not so filled can be added to the number of posts falling to the share of ex-servicemen in the next year. This of course is without disturbing the general policy of reservation for other categories for whom reservation is available and subject to the condition that upper ceiling of 50% for total reservation is adhered to.

4. Relaxation regarding age limit

For appointment to vacancies in Group B (Non-Gazetted), Group C or Group D posts in Central Government, an ex-servicemen shall be allowed to deduct the period of actual military service from his actual age and if the resultant age does not exceed the maximum age limit prescribed for the post for which he is seeking appointment by more than three years, he shall be deemed to satisfy the condition regarding age limit.

For appointment to any vacancy in Group A and Group B services or posts filled by direct recruitment otherwise than on the results of an Open All India Competitive Examination, the upper age limit shall be relaxed by the length of military service increased by three years in the case of ex-servicemen and commissioned officers including Emergency Commissioned Officers of Short Service Commissioned Officers.

For appointment on the results of an All India Competitive Examination, the ex-serviceman and Commissioned Officers including Emergency Commissioned Officers or Short Service Commissioned Officers who have rendered at least five years military services and have been released

- (i) On completion of assignment (including those whose assignment is due to be completed within one year) otherwise than by way of dismissal or discharge on account of misconduct or inefficiency; or
- (ii) On account of physical disability attributable to military service or on invalidment shall be allowed maximum relaxation of five years in the upper age limit.

Those ex-servicemen who have already secured regular employment under the Central Government in civil post would be permitted the benefit of age relaxation as admissible for ex-servicemen for securing another employment in any higher post or service under the Central Government irrespective of any Group/ post. However, such candidates will not be eligible for the benefit of reservation, if any, for ex-servicemen in Central Government.

A candidate working in Armed Forces would become eligible for applying civil posts only when he completes the prescribed period of Army Service within a year from the last date for receiving application in connection with Special Recruitment/ Examination, etc. prescribed by the competent authority. The pro-forma of the certificate to be submitted along with the application form is given O.M. No.36034/2/91-Estt (Res) dated 3rd April, 1991. Since the appointment of such a candidate is subject to his submitting documentary evidence that he has been duly released/retired/discharged from the Armed Forces and qualified as an ExServicemen, such a candidate shall be required to submit along with his application an undertaking duly signed by him in the format as mentioned in O.M. 36034/2/91- Estt(Res) dated 3rd April, 1991.

5. Relaxation regarding educational qualification

- (i) For appointment to any reserved vacancy in erstwhile Group 'D' posts, every ex-serviceman who has put in not less than three years' service in the Armed Forces of the Union shall be exempt from the minimum educational qualification, if any, prescribed in respect of such posts;
- (ii) For appointment to any reserved vacancy in Group C posts, the appointing authority may at its discretion relax the minimum educational qualification where such qualification prescribed is a pass in the middle school examination or any lower examination in favour of ex-servicemen who have put in at least three years service in the Armed Forces of the Union and who are otherwise considered fit and suitable for appointment to such posts in view of their experience and other qualifications;
- (iii) For appointment to any reserved vacancy in Group C posts to be filled partly by direct recruitment and partly by promotion or transfer, where the minimum educational or technical qualification prescribed for appointment by direct recruitment is higher than that prescribed for promotees or transferees, an exserviceman shall be deemed to satisfy the prescribed educational or technical qualification, if he:
 - a. satisfies educational or technical qualification prescribed for direct recruitment to the post from which promotion or transfer to the post in question is allowed; and
 - b. his identical experience of work in a similar discipline and for the same number of years in the Armed Forces of the Union as prescribed for promotes or transferees.
- (iv) For appointment to any reserved vacancy in Group C posts, a matriculate Exserviceman (which includes an ex-serviceman who has obtained the Indian Army Special Certificate of Education or the corresponding certificates in the Navy or the Air Force), who has put in

For appointment to any vacancy in. Group A and Group B services or posts filled by direct recruitment on the results of an All India Competitive Examination, the ex-serviceman and Commissioned Officers including Emergency Commissioned Officers or Short Service Commissioned Officers who have rendered at least five years military services and have been released

- (i) On completion of assignment (including those whose assignment is due to be completed within one year) otherwise than by way of dismissal or discharge on account of misconduct or inefficiency; or
- (ii) On account of physical disability attributable to military service or on invalidment shall be allowed maximum relaxation of five years in the upper age limit.

Those ex-servicemen who have already secured regular employment under the Central Government in civil post would be permitted the benefit of age relaxation as admissible for ex-servicemen for securing another employment in any higher post or service under the Central Government irrespective of any Group/ post. However, such candidates will not be eligible for the benefit of reservation, if any, for ex-servicemen in Central Government.

A candidate working in Armed Forces would become eligible for applying civil posts only when he completes the prescribed period of Army Service within a year from the last date for receiving application in connection with Special Recruitment/ Examination, etc. prescribed by the competent authority. The pro-forma of the certificate to be submitted along with the application form is given O.M. No.36034/2/91-Estt (Res) dated 3rd April, 1991. Since the appointment of such a candidate is subject to his submitting documentary evidence that he has been duly released/retired/discharged from the Armed Forces and qualified as an Ex-Servicemen, such a candidate shall be required to submit along with his application an undertaking duly signed by him in the format as mentioned in O.M. 36034/2/91- Estt(Res) dated 3rd April, 1991.

5. Relaxation regarding educational qualification

- (i) For appointment to any reserved vacancy in erstwhile Group 'D' posts, every ex-serviceman who has put in not less than three years' service in the Armed Forces of the Union shall be exempt from the minimum educational qualification, if any, prescribed in respect of such posts;
- (ii) For appointment to any reserved vacancy in Group C posts, the appointing authority may at its discretion relax the minimum educational qualification where such qualification prescribed is a pass in the middle school examination or any lower examination in favour of ex-servicemen who have put in at least three years service in the Armed Forces of the Union and who are otherwise considered fit and suitable for appointment to such posts in view of their experience and other qualifications;
- (iii) For appointment to any reserved vacancy in Group C posts to be filled partly by direct recruitment and partly by promotion or transfer, where the minimum educational or technical qualification prescribed for appointment by direct recruitment is higher than that prescribed for promotees or transferees, an ex-serviceman shall be deemed to satisfy the prescribed educational or technical qualification, if he:
 - a. satisfies educational or technical qualification prescribed for direct recruitment to the post from which promotion or transfer to the post in question is allowed; and
 - b. his identical experience of work in a similar discipline and for the same number of years in the Armed Forces of the Union as prescribed for promotees or transferees.
- (iv) For appointment to any reserved vacancy in Group C posts, a matriculate Ex-serviceman (which includes an ex-serviceman who has obtained the Indian Army Special Certificate of Education or the corresponding certificates in the Navy or the Air Force), who has put in

not less than 15 years of service in the Armed Forces of the Union may be considered eligible for appointment to the posts for which the essential educational qualification prescribed is graduation and where —

- a. Work experience of technical or professional nature is not essential; or
 - b. Though non-technical professional work experience is prescribed as essential yet the appointing authority is satisfied that the ex-servicemen is expected to perform the duties of the post by undergoing on the job training for a short duration
- (v) For appointment to any reserved vacancy in Group C and Group D posts, where the prescribed minimum educational qualification is matriculation, the appointing authority may at his discretion relax the minimum educational qualifications in favour of an ex-serviceman who has passed the Indian Army Class-I Examination or equivalent examination in the Navy or the Air Force and who has put in at least 15 years service in the Armed Forces of the Union and is otherwise considered fit to hold the post, in view of his experience and other qualifications.

Definition: 'Armed Forces of the Union' means the naval, military and air forces of the Union.

6. Priority in Appointment

It would be appreciated that early rehabilitation of disabled personnel/dependants of those killed in action in civil employment is a national responsibility. The employing Departments are, therefore, to comply strictly with the regulations laid in O.M. No.14/1/74-Estt (D) dated 14.7.75 and 14024/1/88-Estt (D) dated 5.1.89.

The list of categories to whom priorities have been allowed was circulated vide O.M. No.14034/3/84-Estt(D) dated 31.7.1984. Under Priority I, recruits/officer cadets who are boarded out on medical ground attributable to their military training have been included at SI.No.6 vide O.M. No.14024/3/95-Estt(D) dated 4th June, 1997.

Priority for the purpose of appointment to Group C and Group D posts under the Central Government filled by direct recruitment has been provided for ex-servicemen disabled either during the war or in peace time but their disability being attributable to military service. Such persons will be accorded priority along with retrenched employees of the Government.

Demobilised personnel of Armed Forces, Defence Personnel who are transferred to the Reserve List and members of Defence Forces who on retrenchment or retirement join the territorial army and members (upto 2) of each of the family of service personnel killed in action are given priority in filling up direct recruitment vacancies through Employment Exchange /DGE&T (Special Cell) along with certain other categories of persons.

All C and D posts when reported to Surplus Cell are to be simultaneously notified to Ex-servicemen Cell of the DGE&T to enable the cell to nominate disabled ex-servicemen/dependents if those killed against priority vacancies which cannot be filled by nominations of the Surplus Cell. In case of the Ministry of Defence and its subordinate offices, simultaneous notification of vacancies is to be made to the DGR and not the ex-servicemen cell of DGE&T.

Similarly, while sending requisitions to the Employment Exchange, the employing Departments are to clearly state whether the vacancies are priority or non-priority.

7. Relaxation of standard

In the case of direct recruitment, if sufficient number of candidates belonging to the exservicemen are not available on the basis of general standard to fill all the vacancies reserved for them, candidates belonging to the category of ex-servicemen may be selected under a relaxed standard of selection to make up the deficiency in the reserved quota subject to the condition that such relaxation will not affect the level of performance by such candidates.

8. Liaison Officers for reservation matters relating to ex-servicemen

The Liaison Officers appointed to look after the reservation matters of SC/ST would also be the Liaison Officers for reservation matters relating to ex-servicemen also.

Information about the utilisation of reserved vacancies for ex-servicemen is to be sent by the Liaison Officers of all Ministries/Departments to the D.G. (Resettlement). These returns are half yearly.

9. Fee Concession

The ex-servicemen are exempted from payment of any examination or application fees.

10. Periodic Returns

Information about the utilisation of reserved vacancies for ex-servicemen is to be sent by the Liaison Officers of all Ministries/Departments to the D.G. (Resettlement). These returns are half yearly.

(Compendium of Instructions issued vide DOPT OM NO. 36034/3/2013-ESTT.(RES.) Dated 25/02/2014)