

**Ministry of Home Affairs O.M. No.16/1(3)/65;Estt.(C),  
Dated the 20<sup>th</sup> September, 1965, to all Ministries/Departments, etc.**

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

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

**Recommendation No. 217**

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

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

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