

**Ministry of Home Affairs O.M. No.16/2/54-(SCT),
dated the 23rd November, 1954, to all Ministries/Departments, etc.**

Subject :—Application of the Communal Representation Order to Statutory Bodies.

The undersigned is directed to invite a reference to para 5 of Section IX of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1952 in which it was recommended that the Statutory Bodies attached to the various Ministries of the Government of India should be requested to observe the orders regarding reservation of vacancies for Scheduled Castes and Scheduled Tribes (contained in the Ministry of Home Affairs Resolution No. 42/21/49-NGS, dated 13th September, 1950) while recruiting staff in their offices.

2. In order to find out whether any Statutory Bodies were not observing the reservation orders, the Ministries were requested to furnish *inter alia* a list of Statutory Bodies under their administrative control which were following those orders *vide* this Ministry's Office Memorandum No. 28/9/54-SCT dated 20th July, 1954. Replies to that office memorandum are not yet complete, but the information furnished by the Ministries from whom replies have been received so far indicates that while some of the Statutory Bodies are following the reservation orders, other are not doing so. The recommendation referred to in the preceding paragraph needs to be examined in relation to those Statutory Bodies which are not following the reservation orders.

3. After careful consideration, the Ministry of Home Affairs have agreed in principle that the reservation orders should also apply to the Statutory Bodies which are not following them now. It is, however, for examination in each case, on the basis of the relevant statute, whether the Government of India can pass an order directing that reservation orders would apply to the Statutory Body concerned. If the statute does not permit of such direction by Government, the only course would be to bring the policy of Government in the matter to the notice of the Statutory authority and suggest that they should make suitable rules, or amendments to their existing rules in accordance with this policy.

4. The undersigned is accordingly to request the Ministry of Finance etc. to examine, in respect of each of the Statutory Bodies attached to them or under their administrative control which are not following the reservation orders, the question whether the reservation orders can be extended formally to those Bodies, or whether they should merely be recommended to them for adoption. The result of such examination and the action taken in the matter may be communicated to the Ministry of Home Affairs as early as possible.

5. The Ministry of Finance etc. are also requested to ask the Statutory Bodies attached to them to furnish the communal returns in the manner prescribed in this Ministry's Office Memorandum No. 42/21/49-NGC, dated 28th January, 1952. Such returns should be forwarded to this Ministry along with the returns relating to the Ministry of Finance etc. and their attached and subordinate offices. The information relating to Statutory Bodies should not, however, be included in the consolidated statements of the returns.
