

**Ministry of Home Affairs O.M. No.1/12/67-Estt.(C),
dated the 11th July, 1968, to all Ministries/Departments, etc.**

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

In this Ministry's Office Memorandum No. 1/10/61-Estt.(D) dated 8th November, 1963, reservations at 12½% and 5 per cent of the vacancies were provided for Scheduled Castes and Scheduled Tribes in Class III and IV posts filled by promotion based on (i) selection or (ii) the results of competitive examinations limited to departmental candidates, in grades or services to which there was no direct recruitment whatsoever. The aforesaid Office Memorandum of 8-11-1963 also provided that there would be no reservations for Scheduled Castes and Scheduled Tribes in appointments made by promotion to a Class II or a higher service or post, whether on the basis of seniority-cum-fitness, selection or competitive examinations limited to departmental candidates.

2. The Government of India have reviewed their policy in regard to reservations and other concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion and have, in supersession of the orders in the aforesaid Office Memorandum dated 8-11-1963 decided as follows :—

A. Promotions through limited departmental competitive examinations :

There will be reservations at 12½% and 5% of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examinations limited to departmental candidates, within or to Class II, III and IV Posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50%.

B. Promotion by selection method :

(a) Class I and II appointments :

In promotion by selection from Class III to Class II and within Class II and from Class II to the lowest rung or category in Class I, the following procedure will be adopted :—

In promotions made by selection, employees in the zone of consideration numbering 5 or 6 times the estimated number of vacancies are normally considered for inclusion in the select list, *vide* Ministry of Home Affairs' Office Memorandum No. F. 1/4/55 RPS, dated 16-5-1957. After rejecting those who are unfit for promotions, the Departmental Promotion Committee proceeds to categorise the remaining eligible employees into three categories namely, 'Outstanding', 'Very Good' and 'Good'. Thereafter the Committee draws up a Select List placing all employees in the 'Outstanding' categories at the top, followed by those categorised as 'Very Good' and then by those categorised as 'Good', the inter se seniority within each category being maintained. As a measure of improving representation of Scheduled Castes/Scheduled Tribes in services it has now been further decided that :—

- (i) If within the zone of consideration, there are any Scheduled Castes and Scheduled Tribes employees, those amongst them who are considered unfit for promotion by the Departmental Promotion Committee will be excluded from consideration. Thereafter the remaining Scheduled Castes and Scheduled Tribes employees will be given by the Departmental promotion Committee one grading higher than the grading otherwise assignable to them on the basis of their record of service *i.e.* if any Scheduled Castes or Scheduled Tribes employees has been categorised by the Committee on the basis of his record of service as 'Good', he should be recategorised by the Committee as 'Very Good'. Likewise if any Scheduled Castes or Scheduled Tribes employees is graded as 'Very Good' on the basis of his record of service, he will be recategorised by the Committee as 'Outstanding'. Of course, if any Scheduled Castes or Scheduled Tribes employees has already been categorised by the Committee on the basis of his record of services as 'Outstanding' no recategorisation will be needed in his case.

The above concession would be confined to only 25% of the total vacancies in a particular grade or post filled in a year from the Select list. While making promotions from the Select List the appointing

authority should, therefore check up that the Scheduled Castes/Scheduled Tribes employees promoted in a year on the basis of this concession are limited to 25% of the posts filled in a year from the Select List prepared according to the procedure outlined above; and

- (ii) Those Scheduled Castes/Scheduled Tribes employees who are senior enough in the zone of consideration so as to be within the number of vacancies for which the Select List has to be drawn, should be included in the Select List, if they are not considered unfit for promotion and should also be given one grading higher than the grading otherwise assignable to them on the basis of their record of service and their place in the Select List determined on the basis of this higher categorisation. This would imply that even where in some cases, the Select List were to consist of say only 'Outstanding' non-Scheduled Castes/Scheduled Tribes candidates, adequate number of them being available from the zone of consideration, those Scheduled Castes/Scheduled Tribes candidates, who are high up in the zone of consideration and are within the number of estimated vacancies for which the Select List is being prepared will even if they are only 'Good' and after higher categorisation by one degree are categorised as 'Very Good' have to be included in Select List, but they will be placed below the 'Outstanding' candidates in the Select List.

(b) *Class III and IV appointments :*

There will be reservation at 12½% and 5% of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in or to Class III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50%.

Select Lists of Scheduled Castes/Scheduled Tribes officers should be drawn up separately to fill the reserved vacancies as at present; officers belonging to these classes will be adjudged separately and not along with other officers; and if they are fit for promotion, they should be included in the list irrespective of their merit as compared to other officers. Promotions against reserved vacancies will continue to be subject to the candidates satisfying the prescribed minimum standards.

C. Promotions on the basis of seniority subject to fitness :

There will be no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, but cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and II appointments will, as at present, be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class III and IV appointments will, as at present, be reported within a month to the Minister or Deputy Minister concerned for information.

3. The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes under the orders contained in this Office Memorandum :—

- (1) (a) Scheduled Castes and Scheduled Tribes Officers who are within the normal zone of consideration should be considered for promotion along with others and adjudged on the same basis as others and those Scheduled Castes and Scheduled Tribes amongst them who are selected on that basis may be included in the general Select List in addition to their being considered for separate Select List for Scheduled Castes and Scheduled Tribes respectively.
- (b) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of their positions in the aforesaid general Select List less vacancies than are reserved for them, the difference should be made up by selected candidates of these communities who are in the separate Select List for Scheduled Castes and Scheduled Tribes respectively.
- (2) In the separate Select List drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, Officers belonging to Scheduled Castes or Scheduled Tribes as the case may, will be adjudged separately amongst themselves and not along with other Officers, and if selected, they should be included in the concerned separate Select List, irrespective of their merit as compared to other Officers. It is needless to mention that Officers not belonging to Scheduled Castes and Scheduled Tribes will not be considered whilst drawing up separate Select Lists for Scheduled Castes and Scheduled Tribes. For being considered for inclusion in the aforesaid separate Select Lists the zone of consideration for the Scheduled Castes and Scheduled Tribes as the case may be, would be of the same size as that for the general Select List, that is, if for the general Select List, the zone of consideration is 5 times the

- number of vacancies likely to be filled, the zone of consideration for the separate list for Scheduled Castes will also be 5 times the number of reserved vacancies for them and likewise for Scheduled Tribes. Subject of course to the condition that Officers coming within such zone are eligible by length of service etc. as prescribed for being considered for promotion.
- (3) For giving effect to the reservation in promotion prescribed in this Office Memorandum it has been decided that a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No 1-3-63-SCT(I), dated the 21st December, 1963 (in which points 1, 9, 17, 25 and 33 are reserved for Scheduled Castes and point 4 and 21 for Scheduled Tribes) should be followed. If owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, a reference for dereservation should be made to this Ministry indicating whether claims of Scheduled Castes/Scheduled Tribes candidates, eligible for promotion in reserved vacancies have been considered in the manner indicated in (1) and (2) above. When dereservation are agreed to by this Ministry, the reserved vacancies can be filled by other candidates, subject to the reservation being carried forward to two recruitment years in accordance with this Ministry's Office Memorandum No. 1/4/64-SCT(I), dated the 2nd September, 1964.
- (4) Where promotions in the above manner are first made on a long-term officiating basis, confirmations should be made according to the general rule viz., that an officer who has secured earlier officiating promotion on the basis of his place in the Select List should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an appropriate standard *vide* para 1 (iii) of this Ministry's Office Memorandum No. F. 1/1/55-RPS, dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.
4. The above instructions take effect from the date of issue of these orders except where selections by the Departmental Promotion Committee under the old orders have already been made, or rules for a competitive examination have already been published.
5. Ministry of Finance etc. are requested to bring the above decisions to the notice of all concerned.
6. In so far as officers working in offices under the C & A.G. are concerned separate orders will issue in due course.