Department of Personnel and Administrative Reforms O.M. No.36012/3/75-Estt.(SCT), dated the 6th October, 1976, to all Ministries/Departments, etc.

Subject:—Supersession of Scheduled Castes and Scheduled Tribes candidates in promotions—submission/reporting of cases to Minister and other authorities.—Recommendation of the Parliamentary Committees on Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that in its 41st Report the parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has recommended (Recommendation No. 26) that all cases of promotion of Scheduled Castes and Scheduled Tribes Officers in so far as the promotional posts are concerned should be referred to a Quasi-judicial Tribunal to be constituted to examine proposal for desreservation of vacancies. The recommendations has been examined by Government. Government have come to the conclusion that while there is no need to constitute a Quasi-judicial Tribunal for examining the proposals for desreservation or for considering cases of supersession of Scheduled Castes/Scheduled Tribes candidates in promotion, keeping in view the spirit of the recommendation, it would be necessary to ensure that the claims of eligible Scheduled Castes and Scheduled Tribes candidates have been duly considered in the matter of selection. It has been decided accordingly that in posts filled by promotion (by selection or on the basis of seniority subject to fitness) wherever the orders regarding reservation apply, the following procedure should be observed by the appointing authorities, in regard to cases where eligible Scheduled Castes/Scheduled Tribes candidates, though available, are not appointed/selected for the reserved vacancies:—

1. In promotion 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.

2. 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 finalisation of the select list.

3. In promotion to 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.

Note:—The eligibility of Scheduled Castes/Scheduled Tribes candidates for consideration against reserved vacancies is to be determined in accordance with the appropriate orders relating to reservation of Scheduled Castes/Scheduled Tribes in promotion by selection/seniority-cum-fitness etc. as the case may be.

2. In regard to promotions by selection to posts within Group A which carry an ultimate salary of Rs. 2250 p.m. or less, where there is no reservation but the Scheduled Castes/Scheduled Tribes 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, are to be included in that list provided they are not considered unfit for promotion vide O. M. No. 1/9/69-Fart. (SCT) dated 26-3-1970 read with O. M. No. 1/10/74-Estt. (SCT) dated 23-12-1974, cases where eligible Scheduled Castes/Scheduled Tribes candidates though available in the seniority list 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.

3. Ministry of Finance etc. are requested to bring the above procedure to the notice of all concerned.