

Department of Personnel and Administrative Reforms O.M. No.36011/46/81-Estt.(SCT), dated the 4th February, 1982, to all Ministries/Departments, etc.

Subject :—Adjustment of reserved points in the rosters filled by general candidates on compassionate grounds or from Surplus Cell—Clarification regarding.

Attention of this Department has been drawn to the following two situations :

- (i) where SC/ST candidates are appointed on compassionate grounds or due to recommendations of the Surplus Cell against (a) unreserved (b) reserved points of the roster; and
- (ii) where general category candidates are appointed on compassionate grounds or due to recommendations of the Surplus Cell against reserved points of the roster.

for a decision as to how the reserved points should be adjusted in such cases. The points involved have been examined and clarifications as below are brought to the notice of all Ministries/Departments for necessary guidance and observance.

Situation (i) (a) : SC/ST Candidates appointed on compassionate grounds or in pursuance of recommendation of Surplus Cell against Unreserved vacancy.

2.1 When SC/ST candidates are appointed on compassionate grounds or on recommendations of the Surplus Cell against *unreserved* points of rosters, such appointments are *not* to be adjusted against reserved points occurring in future recruitment years. For example, a vacancy falling at the unreserved point No. 6 of the 40 point roster is filled by a SC candidate on compassionate ground. This SC candidate's appointment against unreserved point may not be adjusted against reserved point 8 of the roster which may occur in future.

Situation (i) (b) : SC/ST Candidates appointed on compassionate grounds or in pursuance of recommendations of Surplus Cell against reserved vacancy.

2.2 If, however, a reserved point is filled up by a compassionate (or a surplus cell) appointee who happens to be a member of SC/ST, the reservation will be deemed to have been consumed and no carry-forward will be admissible. Even if such a vacancy on the reserved point happens to be the single vacancy of a year, it will not be treated as unreserved but, in view of beneficiary being in fact a SC/ST member, will be treated as reserved.

Situation (ii) : General category candidates appointed on compassionate grounds or on recommendations of Surplus Cell against reserved vacancies.

2.3 When general category candidate(s) are appointed on compassionate grounds or on recommendations of the Surplus Cell against reserved point(s) of the roster, the reserved point(s) may merely be shifted to the next point(s) in the roster, and not dereserved, carried forward, so as to ensure the appointment of a reserved candidate in the next recruitment occasion. without the procedural formalities of dereservation, carry-forward etc. The process of dereservation and carry-forward will start from such future recruitment year(s) in the event of non-availability of reserved category candidates at that stage. This would prevent the loss of one recruitment year for the candidates of the reserved communities by counting the dereservation time with effect from the subsequent recruitment occasion.

It is further clarified that when the initial reserved point against which a compassionate or surplus cell appointment has been made is shifted to the next point, the latter point would be treated as reserved, even if it happens to be a single vacancy in that recruitment year and the provisions of Deptt. of Personnel's O.M. No. 1/9/74-Estt. (SCT), dated 29-4-1975 will not be applicable. For example, a general category candidate has been appointed against point 8 of the 40 point roster on compassionate ground. Point 8 should not be dereserved but by merely shifting it to the next point, point of which may come up for filling as in the next recruitment occasion year, should be treated as reserved for SC, and even if it happens to be a single vacancy, it should be treated as reserved, and not unreserved, as provided in the O.M. of 29-4-1975. In case of non-availability of SC/ST candidates, the process of dereservation and carry-forward will start from the time point No. 9 is being filled.

General category candidates appointed on compassionate grounds or due to recommendations of surplus cell against a single vacancy falling on a reserved point.

24 However, where a single vacancy falling on a reserved point is to be filled up by a general category candidate on compassionate appointment or by a candidate from Surplus Cell, the vacancy, being a single one, will be treated as unreserved and carried forward in terms of the orders of 29-4-1975 and there will be no occasion for shifting the point as per para 2.3 above.

Ministry of Finance etc. are also requested to bring the contents of this O.M. to all their attached and subordinate offices for compliance.