

**Department of Personnel and Administrative Reforms O.M. No.36034/2/83-Estt.(SCT),
dated the 23rd February, 1983, to all Ministries/Departments,**

Subject :— Action taken by various Ministries/Departments of the Govt. of India on the complaints in service matters from SC/ST employees through Office of the Commissioner for SC/ST

The undersigned is directed to invite a reference to this Department's O. M. No. 36034/1/78-Estt.(SCT) dated 20-2-1979 (copy enclosed) in which the Ministries/Departments were requested to extend necessary assistance to the commissioner for SC/ST in connection with special studies of the rosters maintained and implementation of other orders regarding reservation for SC/ST undertaken by the Commissioner for SC/ST and also to report on follow up action of such studies to him and send replies to references made by him as expeditiously as possible. It was also provided in the same order that necessary follow up action should be completed and action taken to be reported to the Commissioner within six months and where for any reason it is not possible for the Ministry/Deptt. to adhere to this scheduled, the reasons should be communicated to the Commissioner before the expiry of six months, indicating the details of the action already taken and also the probable time that would be further needed by them to send their final replies and reports.

2. The Commissioner for SC/ST has brought to the notice of this Department that even the limit of six months is not adhered to by many Ministries and Departments and in some cases even a reply is not received from the Ministry/Department. It may be mentioned in this connection, that Office of the Commissioner for SC/ST has been set up under Article 338 of the Constitution to investigate all matters relating to the safeguards provided for SC/ST under this Constitution and report to the President upon the working of those safeguard. Therefore, it may be seen that the Commissioner for SC/ST has to discharge a constitutional obligation to investigate and report matters relating to safeguards provided for SC/ST under the Constitution to the President. It, thus, becomes the duty of the Ministry/Department also to furnish the necessary assistance to the Commissioner for SC/ST by way of replying to his references. Apart from this, the Office of the Commissioner for SC/ST is one of the most important institutional safeguards in the entire reservation Scheme of the Govt. of India to whom a SC/ST employee can go direct regarding his grievance in the service matter. It will, therefore, be unfortunate if the Ministries/Departments do not furnish comments or facts to the Commissioner's Office even within a time limit of six months which this Department considers to be an easily attainable time target in any case, that should set the order time limit, efforts being made to complete the reply within that time perhaps earlier than later. It is, therefore requested that as soon as a reference is received from the Commissioner's Office, it should be given due attention and steps should be immediately taken to apprise the Commissioner of the position of the case. It is also requested that if for some genuine reasons. It is not possible to send a report within six months than an interim reply should be sent to the Commissioner for SC/ST explaining to him the reasons as to why a full reply cannot be sent.

3. Ministry of Finance is requested to bring the contents of this O.M. to the notice of all their attached and subordinate offices.