

## CHAPTER 2

### PERCENTAGE OF RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

2.1 Subject to Exemptions and Exclusions referred in Chapter 3, the following reservations are in force in favour of the Scheduled Castes and Scheduled Tribes in filling vacancies in posts and services under the Government of India :

	<i>Scheduled Castes</i>	<i>Scheduled Tribes</i>
<p>M.H.A. Resolution No. 27/25/68-Est. (SCT) dated 25-3-70. DP &amp; AR O.M. No. 36011/33/81—Est. (SCT) dated 5-10-81. Deptt. of personnel &amp; Trg. O.M. No. 36013/4/85—Est. (SCT) dated 24-5-85.</p>	<p>(i) Direct recruitment on an all-India basis :—</p> <p>(a) By open competition (i.e. through the UPSC or by means of open competitive test held by any other authority) . . . . .</p> <p>(b) Otherwise than at (a) above . . . . .</p>	<p>15%</p> <p>16½%</p> <p>7½%</p> <p>7½%</p>
<p>M.H.A. O.M. No. 1/12/67—Est. (C) dated 11-7-68 and 27/25/68—Est. (SCT) dt. 25-3-70 and Deptt. of Personnel &amp; A.R. O. M. No. 10/41/73 Est. (SCT) dated 20-7-1974 and DP&amp;TOM No. 36012/17/88 Est. (SCT) dt. 25-4-89</p> <p>Deptt. of Personnel O.M. No 27/2/71 Est. (SCT) dated 27-11-72 and No. 36021/7/75—Est. (SCT) dated 25-2-1976 and DP&amp;T OM No. 36012/17/89 Est. (SCT) dt. 25-4-89.</p>	<p>(ii) Direct recruitment to Group C and Group D (Class III and Class IV) posts normally attracting candidates from a locality or a region.</p> <p>(iii) Post filled by promotion :—</p> <p>(a) <i>Through limited departmental competitive examination, in Groups B, C and D (Class II, III, IV), in grades or services in which the element of direct recruitment if any, does not exceed 75%</i> . . . . .</p> <p>(b) <i>By Selection from Group B (Class II) to the lowest rung or category in Group A (Class I) and in Groups B, C and D (Class II, III and IV) posts, in grades or services in which the element of direct recruitment if any, does not exceed 75%</i> . . . . .</p> <p>(c) <i>On the basis of seniority subject to fitness, in Groups A, B, C and D—(Class I, II, III and IV), posts, in grades or services in which the element of direct recruitment, if any, does not exceed 75 per-cent</i> . . . . .</p>	<p>As Shown in Appendix 3 (Generally in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective State/Territories).</p> <p>15%</p> <p>15%</p> <p>15%</p> <p>7½%</p> <p>7½%</p> <p>7½%</p>
<p>Rule VIII of Appendix 'A' to MHA O.M. No. 42/21/49-NGS. dated 28-1-52.</p>	<p>Note (1) The appointment of a person, who holds a post which is exempted from the above reservation, to a post which is not so exempt shall, for the purpose of the maintenance of the roster as described in Chapter 4 of this Brochure be treated as appointment by direct recruitment.</p>	

MHA O.M.No. 8/  
4/68 Est. (C) dated  
8-2-68.

- (2) If a post is to be filled by direct recruitment, the reservation orders will apply even if a person already serving under Government is appointed to that post for which he has applied and has been selected as a direct recruit.

D.P. & A. R. O.M.  
No. 36011/33/81-  
Est. (SCT) dated  
5-10-81.

2.2 The expression 'by open competition' occurring in the above paragraph would mean all recruitment by U.P.S.C. whether through written examination or by interview or by both and recruitment made by other authorities including Staff Selection Commission or any other appointing authority through written competitive examination or tests (but not by interview alone.) Any recruitment not made by the U.P.S.C. or not made through written competitive test held by any other authority would mean direct recruitment otherwise than by open competition.

Deptt. of Person-  
nel O. M. No. 27/  
2/71-Est. (SCT)  
dated 28-10-1972.

2.3 If according to the relevant Service Rules or a newly constituted Service, appointments at the initial constitution of the Service are to be made only from out of the departmental candidates who might have been holding posts which are now incorporated in the new Service, reservation for Scheduled Castes and Scheduled Tribes would not apply to such appointments. However, where such initial constitution of a Service also makes a provision for recruitment from outside sources, i.e. other than the incumbents of the service which is reconstituted or of the posts which are encadred in one form or another in the new service, the recruitment from outside sources would be akin to direct recruitment and would, therefore, attract the orders providing or reservation for Scheduled Castes and Scheduled Tribes in respect of such recruitment. Accordingly, each case of initial constitution of a service should be considered separately on its merits with a view to determine whether the reservation for Scheduled Castes and Scheduled Tribes would apply where any of the posts included at the initial constitution stage are proposed to be filled up from outside sources. Whenever it is proposed to constitute a new All India or Central Service under the control of Ministry/Department, the question of applicability of the orders regarding reservation for Scheduled Castes and Scheduled Tribes at the initial constitution of that service should be considered in consultation with the Department of Personnel and Training.

Deptt. of Person-  
nel & A.R. O.M.  
No. 8/7/74-Est.  
(SCT) dated  
22-8-1975.

#### 2.4 Posts of Industrial workers in Industrial establishments of the Government.

The industrial establishments of the Government of India and the posts and grades in such establishments, whether they have been classified as Group A, B, C and D (Class I, II, III and IV) or not, are also covered by the scheme of reservations for Scheduled Castes and Scheduled Tribes.

Deptt. of  
Personnel &  
A.R. O.M.  
No. 36021/9/76-  
Est. (SCT) dated  
10-2-1977.

#### 2.5 Work-charged posts.

The principle of reservation for Scheduled Castes and Scheduled Tribes, should generally be suitably applied to the extent possible, to work-charged posts also except those required for emergencies like flood relief work, accident restoration and relief etc. The percentages of reservation in such appointments may correspond to what is applicable to Group C and Group D (Class III and Class IV) posts.

#### DOP & AR O.M. 2.6 Daily rated staff

No. 36011/18/81-  
Estt. (SCT) dated  
16-7-81.

It has now been decided that while it may not practicable to apply the reservation orders *in toto* in respect of daily rated staff, it should not be ensured that persons belonging to Scheduled Castes and Scheduled Tribes are recruited in such manner as their overall representation does not go below the prescribed percentages for Scheduled

Castes and Scheduled Tribes respectively. For this purpose no model roster need be maintained as there are no vacancies for daily wages as such but the number is determined depending upon the exigencies of work to be executed. For example if a particular organisation, engages about 100 daily wagers, it should be ensured that Scheduled Castes and Scheduled Tribes are employed in accordance with percentages fixed for them at the Centre or for local and regional recruitments.

### COPIES OF OFFICE MEMORANDA ETC. ON CHAPTER 2

Resolution No. 42/21/49-NGS. . . . .	13-9-50
Reso. No. 27/25/68-Estt. (SCT) . . . . .	25-3-70
O.M. No. 27/25/68-Estt. (SCT) . . . . .	25-3-70 after Chapter 11
O.M. No. 27/2/71-Estt. (SCT) . . . . .	28-10-72
O.M. No. 36021/9/76-Estt. (SCT) . . . . .	10-2-77
O.M. No. 36011/18/81-Estt. (SCT) . . . . .	16-7-81
O.M. No. 36011/33/81-Estt. (SCT) . . . . .	5-10-81
O.M. No. 36012/17/88(SCT) . . . . .	25-4-89.

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**Ministry of Home Affairs Resolution No. 42/21/49 NGS**  
**dated 13th September, 1950.**

No. 42/21/49-NGS.—The policy of the Government of India in regard to communal representation in the Services immediately before the coming into force of the new Constitution was that in appointments made by open competition 12½% of the vacancies filled by direct recruitment were reserved for candidates belonging to the Scheduled Castes while in regard to posts and services for which recruitment was made otherwise than by competition the principal communities in the country were given appointments in proportion to their population. Certain reservations were also made for Anglo-Indians in services with which they had special past association.

2. The Government of India have now reviewed their policy in this regard in the light of the provisions of the Constitution of India which lay down *inter alia* that with certain exceptions no discrimination shall be made in the matter of appointments to the Services under the State on grounds of race, religion, caste, etc. The exceptions are that special provision shall be made for Scheduled Castes and Scheduled Tribes in all Services and for Anglo-Indians in those services in which they had special reservations on the 14th August, 1947. Pending the determination of the figures of population at the Census of 1951 the Government of India have decided to make the following reservations in recruitment to posts and services under them :

- (a) *Scheduled Castes*—The existing reservation of 12½% of vacancies filled by direct recruitment in favour of the Scheduled Castes will continue in the case of recruitment of posts and services made, on an all-India basis, by open competition, *i.e.*, through the Union Public Service Commission or by means of open competitive tests held by any other authority. Where recruitment is made otherwise than by open competition the reservation for Scheduled Castes will be 16-2/3 percent as at present.
- (b) *Scheduled Tribes*—Both in recruitment by open competition and in recruitment made otherwise than by open competition there will be a reservation in favour of members of Scheduled Tribes of 5% of the vacancies filled by direct recruitment.
- (c) *Anglo-Indians*—The reservations which were in force in favour of Anglo-Indians, in the Railway Services, the Posts and Telegraph Department and the Customs Department on the 14th August, 1947, will be continued subject to the provisions of Article 336 of the Constitution.

3. The reservations prescribed in the previous paragraph will apply in the case of recruitment made on an all-India basis. Under the Constitution all citizens of India are eligible for consideration for appointment to posts and services under the Central Government irrespective of their domicile or place of birth and there can be no recruitment to any Central Service which is confined by rule to the inhabitants of any specified area. In practice however recruitment to Class I and Class II services and posts is likely to attract candidates from all over India and will be on a truly all-India basis, while for the majority of Class III services and posts which are filled otherwise than through the Union Service Commission only those residing in the area or locality in which the Office is located are likely to apply. In the latter class of cases the percentages of reservations for Scheduled Castes and Scheduled Tribes will be fixed by Government taking into account the population of the Scheduled Castes and Scheduled Tribes in that area.

4. (1) The orders regarding reservation of vacancies in favour of the various communities will not apply to recruitment by promotion which will continue to be made as heretofore irrespective of communal considerations and on the basis of seniority and/or merit as the case may be.

(2) In all cases a minimum standard of qualifications will be prescribed and the reservations will be subject to the overall condition that candidates of the requisite communities possessing the prescribed qualification and suitable in all respects for the appointment in question, are forthcoming in sufficient numbers for the vacancies reserved for them.

(3) The maximum age limit prescribed for appointment to a service or post will be increased by three years in case of candidates belonging to the Scheduled Castes and Scheduled Tribes and the fees prescribed for admission to any examination or selection will be reduced to one-fourth in their case.

(4) For the purpose of these orders, a person shall be held to be a member of the Scheduled Castes or the Scheduled Tribes, as the case may be, if he belongs to a caste or a tribe which under the Constitution (Scheduled Castes) Order, 1950, or under the Constitution (Scheduled Tribes) Order, 1950, has been declared to be a Scheduled Caste or a Scheduled Tribe for the area in which he and/or his family ordinarily reside(s). Separate instructions will issue declaring the Castes and Tribes which should be considered as Scheduled Castes and Scheduled Tribes for the purpose of these orders in Part C States and Part D Territories.

(5) These orders are applicable to all services under the control of the Government of India including posts and services in States in Part C of the first Scheduled to the Constitution and will be deemed to have come into effect on the 26th January, 1950.

(6) The orders contained in the Ministry of Home Affairs Resolution No. 16/10/47-Estt. dated the 21st August, 1947, Office Memorandum No. 31/93/47-Estt., dated the 22nd August, 1947 and other orders issued on the basis of those orders are hereby cancelled.

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**Ministry of Home Affairs Resolution No. 27/25/68-Estt. (SCT),  
dated the 25th March, 1970.**

The policy of the Government of India in regard to reservations for Scheduled Castes and Scheduled Tribes in posts and services under the Government of India was laid down in the Ministry of Home Affairs Resolution No. 42/21/49-NGS dated 13th September, 1950. The question of revising the percentages of reservation for Scheduled Castes and Scheduled Tribes in posts and services under Government of India in the light of the population of these communities as shown in the 1961 Census has been under the consideration of the Government for some time. It has now been decided in modification of the decisions contained in paras 2 and 4(1) of the Resolution dated 13th September, 1950 that the following reservations will hereafter be made for Scheduled Castes and Scheduled Tribes in posts and services under the Government of India which are filled by direct recruitment :—

**Scheduled Castes :** Instead of the existing reservation of 12½% there will be a reservation of 15% of the vacancies in favour of Scheduled Castes, in posts filled by direct recruitment on an all India basis by open competition *i.e.* through the Union Public Service Commission or by means of open competitive tests held by any other authority. Where recruitment is made otherwise than by open competition, the existing reservation at 16-⅔% of the vacancies in favour of Scheduled Castes will continue.

**Scheduled Tribes :** Both in recruitment by open competition and in recruitment made otherwise than by open competition to posts filled by direct recruitment on an all India basis, the reservation in favour of Scheduled Tribes will be 7½% as against the existing reservation of 5%.

2. In posts and services recruitment to which is made on a local or regional basis, the percentages of reservation for Scheduled Castes and Scheduled Tribes shall be revised wherever necessary after taking into account the percentages of population of Scheduled Castes and Scheduled Tribes in the various States and Union Territories according to the 1961 Census.

3. The Government of India have also decided that in vacancies in posts filled by promotion in which reservations have been provided *vide* Ministry of Home Affairs Office Memorandum No. 1/12/67-Est(C) dated 11th July, 1968, the percentage of reservation for Scheduled Castes and Scheduled Tribes in such posts shall also be raised from 12½% to 15% in favour of Scheduled Castes and from 5 percent to 7½ per cent in favour of Scheduled Tribes.

4. These orders shall take effect from the date of issue of this Resolution, except where rules for a competitive examination have already been published or where selections for posts to be filled by direct recruitment or for posts to be filled by promotion have already been made prior to the issue of these orders.

**Department of Personnel O.M. No. 27/2/71-Estt (SCT)**  
**dated 28th October, 1972 to all Ministries etc.**

**Subject :—**Creation of new All India and Central Services—Question regarding reservation for Scheduled Castes and Scheduled Tribes in appointments at the initial constitution of.

As the Ministry of Finance etc. are aware, reservation has been provided for Scheduled Castes and Scheduled Tribes in vacancies in posts filled by direct recruitment and in vacancies in posts filled by promotion to the extent prescribed in the Ministry of Home Affairs O.M. No. 1/12/67-Est(C) dated 11-7-1968 read with O.M. No. 27/25/68-Est(SCT) dated 25-3-1970. There is, however, no reservation for members of these communities in vacancies in posts filled by deputation or transfer method *vide* Ministry of Home Affairs O.M. No. 16/2/67-Est(C) dated 27-9-1967. When new services are constituted, vacancies at the initial constitution are generally filled by departmental candidates and not by making direct recruitment. The question whether the orders regarding reservation for Scheduled Castes and Scheduled Tribes would apply to the appointments at the initial constitution of the Service has been considered. Appointments at the initial constitution of a Service are made in accordance with the rules of the Service concerned. If according to the relevant Service Rules of a newly constituted Service, appointments at the initial constitution of the Service are to be made only from out of the departmental candidates who might have been holding posts which are now incorporated in the new Service, reservation for Scheduled Castes and Scheduled Tribes would not apply to such appointments. However, where such initial constitution of a Service also makes a provision for recruitment from outside sources, i.e. other than the incumbents of the service which is reconstituted or of the posts which are encadred in one form or another in the new service, the recruitment from outside sources would be akin to direct recruitment and would, therefore, attract the orders providing for reservation for Scheduled Castes and Scheduled Tribes in respect of such recruitment. It has accordingly been decided that each case of initial constitution of a service should be considered separately on its merits with a view to determining whether the reservation for Scheduled Castes and Scheduled Tribes would apply where any of the posts included at the initial constitution stage are proposed to be filled up from outside sources. Ministry of Finance etc. are therefore requested that whenever they propose to constitute a new All India or Central Service under their control, the question of applicability of the orders regarding reservations for Scheduled Castes and Scheduled Tribes at the initial constitution of that service should be considered in consultation with this Department.

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**Department of Personnel and Administrative Reforms O.M. No. 36021/9/76-Est(SCT)  
dated 10th February, 1977 to all Ministries etc.**

**Subject :—**Reservation for Scheduled Castes and Scheduled Tribes in workcharged establishments/daily-rated staff.

The undersigned is directed to refer to the instructions contained in para 4(b) of the Ministry of Home Affairs Office Memorandum No. 42/21/49-NGS, dated the 28th January, 1952, according to which purely temporary establishments such as work charged staff including the daily rated and the monthly rated staff, were excluded from the scope of the orders regarding representation of Scheduled Castes and Scheduled Tribes in services

The question of reservations for Scheduled Castes and Scheduled Tribes in work-charged establishments came up for consideration before the High Power Committee set up under the Chairmanship of the Prime Minister to review the representation of Scheduled Castes and Scheduled Tribes in services, at its meeting held on 12th November, 1976.

The Committee noted that the major Departments employing work-charged staff viz. C.P.W.D., Railways, Min. of Defence and Posts and Telegraphs Department were already observing a procedure for ensuring representation of Scheduled Castes and Scheduled Tribes while recruiting persons on their work-charged establishments, and considered that a similar procedure may be adopted by other Departments also which employ work-charged staff.

It has now been decided that the principle of reservation for Scheduled Castes and Scheduled Tribes should generally be suitably applied to the extent possible to work-charged posts also except those required for emergencies like flood relief work, accident restoration and relief etc.

Ministry of Finance etc. are therefore, requested to keep the above decision in view while making recruitment against the work-charged posts in the establishments under their control so that suitable reservations for Scheduled Castes and Scheduled Tribes are made while making such appointments. The percentage of reservation in such appointments may correspond to what is applicable to Group C and Group D posts.



**Department of Personnel and A.R. O.M. No. 36011/18/81-Estt (SCT)**  
**dated 16th July, 1981**

**Subject:—**Applicability of reservation orders in respect of daily rated staff.

Attention is invited to Department of Personnel's O.M. No. 36021/9/76-Estt(SCT) dated 10-2-1977 according to which the principle of reservations for Scheduled Castes and Scheduled Tribes should generally be suitably applied to the extent possible, to work charged posts also except, those required for emergencies like flood relief work, accident restoration and relief etc.

(2) It has been now decided that while it may not be practicable to apply that reservation orders *in toto* in respect of daily rated staff, it should be ensured that persons belonging to Scheduled Castes and Scheduled Tribes are recruited in such a manner as their overall representation does not go below the prescribed percentage for Scheduled Castes and Scheduled Tribes respectively. For this purpose no model roster need be maintained as there are no vacancies for daily wages as such but the number is determined depending upon the exigencies of work to be executed. For example if a particular organisation, engages about 100 daily wages, it should be ensured that Scheduled Castes and Scheduled Tribes are employed in accordance with percentages fixed for them at the Centre or for local regional recruitments.

(3) Ministry of Finance, etc. are requested to bring the contents of this Office Memorandum to the notice of all its attached and subordinate offices.

**Deptt. of Personnel and A.R. O.M. No. 36011/33/81-Estt (SCT) dated 5-10-81**

**Subject :—**Application of two 40-point rosters for recruitment on all India basis by open competition and otherwise than open competition clarification regarding—

The undersigned is directed to say that the Commissioner for SCs & STs has expressed a doubt about the maintenance and application by the Ministries and Departments of the 40-point rosters contained in Appendices I & II in the Brochure on Reservation for SCs. & STs. in services (1978 ed.). The existing position in the Brochure is given below :

<i>Method of recruitment</i>	<i>Roster to be followed</i>
Direct recruitment made on all-India basis by open competition, i.e., through UPSC or by means of open competitive tests held by any other authority.	40-point roster as given in Appendix 1 for reservation @ 15% for SCs and @ 7½ % for STs.
Direct recruitment made on all-India basis otherwise than by open competition.	40-point roster as given in Appendix 2 for reservation @ 16½% for SCs and 7½% for STs.
Direct recruitment to Group C & D posts normally attracting candidates from a locality or a region.	100-point roster as given in Appendix 3 for percentages of reservation based on the population of SCs/STs in these areas/regions.

2. The expression 'by open competition' occurring in the above paragraph would mean all recruitment by U.P.S.C. whether through written examination or by interview or both and recruitment made by other authorities including Staff Selection Commission or any other appointment authority through written competitive examination or tests (but not by interview alone). Any recruitment not made by the U.P.S.C. or not made through written competitive tests held by any other authority would mean direct recruitment otherwise than by open competition.

3. Ministry of Finance, etc. may kindly see for their future guidance and subordinate the contents of this Office Memorandum to the notice of all the attached and subordinate offices under their control.

**No. 36012/17/88-Estt.(SCT) Department of Personnel & Training New Delhi,  
the 25th April, 89**

**OFFICE MEMORANDUM**

**Subject:—**Reservation for Scheduled Castes and Scheduled Tribes in posts filled by promotion applicability to grades or services in which the element of direct recruitment does not exceed 66- $\frac{2}{3}$ %.

The question of enlarging the scope of the existing scheme of reservation for Scheduled Castes and Scheduled Tribes in posts filled by promotion by extending it to grades or services in which the element of direct recruitment is more than 66- $\frac{2}{3}$ % has been under the consideration of Government.

2. Under the existing orders contained in the Department of Personnel & A.R. O.M. No.36021/7/75-Estt. dated the 25th Feb., 1976, reservations have been provided at 15% and 7- $\frac{1}{2}$ % of the vacancies for Scheduled Castes and Scheduled Tribes respectively (i) in promotions through limited departmental competitive examinations in Group B, C & D (ii) in promotions by selection in Groups B, C & D and from Group B to the lowest rung of Group A and (iii) in promotion on the basis of seniority subject to fitness in all Groups i.e. Groups A, B, C & D (in all these cases), in grades or services in which the element of direct recruitment, if any, does not exceed 66- $\frac{2}{3}$ %. It has now been decided in partial modification of above mentioned O.M. that the reservations in posts by promotion under the existing scheme as indicated above should be made applicable to all grades or services, in which the element of direct recruitment, if any, does not exceed 75%.

3. The above instructions take effect from the date of issue of these orders except where a Select List for promotion under the relevant orders has already been prepared by the Departmental Promotion Committee and in the case of selections made through limited departmental competitive examination, the relevant exam has already been held.

4. Ministry of Finance etc. are requested to bring the above decision to the notice of all concerned.