

CHAPTER 9

PROMOTIONS—RESERVATIONS AND CONCESSIONS

MHA OM No. 1/ 12/67-Est. (C) dt. 11/7/68 and

Resolution No. 27/25/68 Est. (SCT) £ dated 25-3-70 and Deptt. of Personnel & A.R.O.M. No. 36021/7/75 Est. (SCT) dated 25-2-1976.

Promotion through limited departmental competitive examinations.

9.1 As indicated in para 2.1 (iii) (a), there is a reservation of 15 per cent and 7½ per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examination limited to departmental candidates, in Group 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 per cent, (Detailed instructions for filling such reserved vacancies are given in Appendix 13).

In promotions through departmental competitive examinations, Scheduled Castes/Scheduled Tribes candidates who have not acquired the general qualifying standard should also be considered for promotion provided they are not found unfit for such promotion. The qualifying standard in such examination should be relaxed in favour of Scheduled Castes and Scheduled Tribes candidates in keeping with the above criterion.

Deptt. of Personnel O.M. No.8/12/69 Est. (SCT) dated *23-12-70.

For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in such promotions, a separate roster on the lines of the roster prescribed in Annexure I to O.M. No. 1/11/69-Est. (SCT) dated 22-4-1970 (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes) should be followed.

MHA OM No. 1/9/69. Estt. (SCT) dated 26-3-70. and Deptt. of Personnel & A.R.O.M. No. 1/10/74 Estt. (SCT) dated 23-12-74 and Deptt. of Personnel & Trg O.M.No. 36012/12/88 Estt. (SCT) dt. 21-9-88.

Promotions by selection method

9.2 (a) Promotions by selection within Group A (Class I).

In promotions by selection to posts within Group A (Class I) which carry an ultimate salary of Rs. 5700/- 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 up, would be included in that list provided they are not considered unfit for promotion. Their position in the select list would, however, be the same as assigned to them by the Departmental Promotion Committee on the basis of their record of service. They would not be given, for this purpose, one grading higher than the grading otherwise assignable to them on the basis of their record of service.

In order to improve the chances of Scheduled Castes and Scheduled Tribes officers for selection to the higher categories of posts in Group A (Class I).

- (i) Scheduled Castes/Scheduled Tribes officers in Group A (Class I) Services/posts should be provided with more opportunities for institutional training and for attending seminars/symposia/conferences. Advantage could also be taken of the

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training facilities available at the Lal Bahadur Shastri National Academy of Administration, Mussoorie, National Police Academy, Hyderabad, Indian Institute of Public Administration, New Delhi, the Administrative Staff College, Hyderabad etc. and

- (ii) It would be the special responsibility of the immediate superior officers of the Scheduled Castes/Scheduled Tribes officers in Class I to give advice and guidance to the latter to improve the quality of their work.

Deptt. of Personnel & A.R. O.M. No. 10/41/73 Estt. (SCT) dated 20-7-74. O.M. No. 36011/6/75 Estt (SCT) dated 7-5-1975 and O.M. No. 36021/7/75 Estt. (SCT) dated 25-2-1976.

- (b) Promotions by selection to Group B, within Group B and from Group B to the lowest rung in Group A (to Class II, within Class II and from Class II to the lowest rung in Class I).

As indicated in para 2.1 (iii) (b), there is reservation at 15 per cent and 7½ per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions by selection from Group C to Group B, within Group B and from Group B to the lowest rung or category in Group A (from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I) in grades or services in which the element of direct recruitment, if any, does not exceed 75 per cent. The following instructions will apply to the filling up of vacancies reserved for Scheduled Castes and Scheduled Tribes in such promotions:—

PK AR O.M. No. 22011/3/76 Estt. (D) dt. 24-12-80 and Deptt. of Personnel & Trg. O.M. No. 22011/1/90 Est (SCT) dt. 12-10-90.

- (i) Selection against vacancies reserved for Scheduled Castes and Scheduled Tribes will be made only from among those Scheduled Castes/Scheduled Tribes officers who are within the normal zone of consideration, prescribed by DP&AR O.M. No. 22011/3/76-Estt(D) dated 24th December, 1980 and DP&T OM No. 22011/1/90-Est (SCT) dt. 12-10-90 where adequate number of SC/ST candidates are not available within the normal field of choice, it may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other) coming within the extended field of choice should also be considered against the vacancies reserved for them.

- (ii) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of merit with due regard to seniority, on the same basis as others, less number of vacancies than that reserved for them, the difference should be made up by selecting candidates of these communities who are in the zone of consideration irrespective of merit but who are considered fit for promotion.

DP & AR O.M. No. 36011/13/83 Estt. (SCT) dt. 2-5-83.

- (iii) A select list should then be prepared in which the names of all the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of merit and seniority according to the general principles for promotion to selection posts laid down in the Ministry of Home Affairs O.M. No. 1/4/55-RPS, dated 16th May, 1957, i.e. by placing the names in the three categories viz. 'Outstanding', 'Very-Good' and 'Good' in that order, without disturbing the seniority *inter se* within each category. Such of the meritorious SC/ST candidates who are in the extended field and get selected should retain their position in the panel in accordance with their gradation by the D.P.C. This Select List should, thereafter, be followed for making promotions in vacancies as and when they arise during the year.

- (iv) For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in a Select List, a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No. 1/11/69-Estt.(SCT) dated the 22nd April, 1970, (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 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, action should be taken in accordance with O.M. No. 36011/25/79-Estt. (SCT) dated 16-11-79.
- (v) There will, however, be no carry forward of reservations from year to year in the event of an adequate number of Scheduled Castes/Scheduled Tribes candidates not being available in any particular year.
- (vi) While vacancies reserved for Scheduled Castes and Scheduled Tribes will continue to be reserved for the respective community only, a Scheduled Castes Officer may also be considered for appointment against a vacancy reserved for Scheduled Tribes or *vice versa*, in the same year itself in which the reservation is made, where the appropriate reserved vacancy could not be filled by a Scheduled Tribe or a Scheduled Caste candidate, as the case may be.

Deptt. of Personnel & A & O.M. No. 10/37/74 Estt. (SCT) dated 3-2-1975 and No. 1-9-74 Estt. (SCT) dated *29-4-1975. and Deptt. of Personnel Trg. O.M. No. 36024/4/86 Est (SCT) dt. 6-6-90.

- (vii) Although in such promotions, there is no carry forward of reservations from year to year *vide* sub-para (v) above, as an exception, when a vacancy falling on a reserved point in the roster is treated as unreserved due to its being the only vacancy during the year of promotion, the reservation so due against the reserved point should be carried forward to subsequent three recruitment years and the provisions of para 11.2 regarding reservation of a single vacancy in the year of carry forward will apply in such cases. Accordingly, the reservation carried forward on account of there being only one vacancy during the initial year of promotion, should be adjusted by treating the vacancy arising in the subsequent year(s) as reserved, even though there might be only a single vacancy in that subsequent year(s). In such cases exchange between SC and ST would be allowed only in the third year of carry forward in the event of non-availability of candidate belonging to the community for which the reservation has been provided.

- (viii) 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 Ministry of Home Affairs Office Memorandum No. F. 1/1/55-RPS dated the 17th February, 1955. But the principle of reservation would not apply again at the time of confirmation of promotees.

Deptt. of Personnel O.M. No. 36011/12/80 Est (SCT) dated 10-11-80.

- (ix) Some time promotions are made directly from Group B to the senior scale of Group A. Questions has also been raised whether, in these situations, the senior scales of Group A will be covered by the expression "lowest rung or category of Group A" used in the order dated 20-7-74.

In the situations mentioned in orders dated 20-7-74 will be applicable and reservations for SC/ST at the rate of 15 per cent and 7½ per cent respectively will be provided when promotions are made from Group B to the senior scale of Group A directly by passing any intermediate grade in between.

MHA O.M. No. 1/12/67-Estt. (C) dt. 11-7-68 and Resolution No. 27/25/68 *Estt. (SCT) dated 25-3-70 and Deptt. of Personnel & A.R. O.M. No. 36021/7/75 Estt. (SCT) dated 25-2-1976.

(C) Promotions by selection in Group C and D (Class III and IV) appointments :

9.2 As indicated in para 2.1 (iii) (b), there is a reservation at 15 per cent and 7½ per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in Group C and D (Class III and IV) posts in grades or services in which the element of direct recruitment, if any, does not exceed 75 per cent.

For such posts, the Select List of Scheduled Castes/Scheduled Tribes officers should be drawn up separately to fill the reserved vacancies. Officers belonging to these classes should be adjudged separately and not alongwith 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 be subject to the candidates satisfying the prescribed minimum standards.

For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes, a separate roster on the lines of the roster prescribed in Annexure I to O.M. No. 1/11/69-Est. (SCT) dated 22-4-1970 (in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes) should be followed.

The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes in such promotions:—

(Please see note below).

- (1) (a) Scheduled Caste and Scheduled Tribe 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 lists 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 lists for Scheduled Castes and Scheduled Tribes respectively.

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● Note—In promotions by selection in Group 'C' and 'D', the earlier instructions contained in the O.M. No. 1/12/67-Estt(C), dated 11-7-1968 would continue to apply in the case of Scheduled Castes/Scheduled Tribes employees as these are not superseded by the instructions of 24-12-1980. However, the procedure for identifying yearwise vacancies, size of zone of consideration and preparation of yearwise panels as contained in the O.M. dated 24-12-1980 will be applied for preparation of separate panels for Scheduled Castes and Scheduled Tribes.

- (2) In the separate select lists drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, Officers belonging to Scheduled Castes or Scheduled Tribes, as the case may be, 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 list for Scheduled Castes and Scheduled Tribes, for being considered for inclusion in the aforesaid separate select lists, the zone of consideration for 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 for 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) If, owing to non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, action should be taken in accordance with O.M. No. 36011/25/79-Estt. (SCT) dated 16-11-79* subject to the reservations being carried forward to three subsequent recruitment years and subject to exchange of vacancies between Scheduled Castes and Scheduled Tribes in the last year to which reserved vacancies are carried forward.
- (4) Where promotions in the above manner are first made on a longterm officiating basis, confirmations should be made according to the general rules *viz.*, That an officer who has secured earlier officiating promotion on the basis of his place in the select lists 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 the Ministry of Home Affairs Office Memorandum No. F. 1/1/55-RPS, dated the 17 February, 1955. But the principle of reservations would not apply against at the time of confirmation of promotees.

Deptt. of Personnel O.M. No. 27/271 Estt. (SCT) dated 27-11-72, and O.M. No. 36021/7/75 Estt (SCT) dated 25-2-1976.

Promotions on the basis of seniority subject to fitness.

As indicated in para 2.1 (iii) (c), there is a reservation of 15 per cent and 7½ per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of seniority subject to fitness in appointments to all Group A, Group B, Group C and Group D (Class I, Class II, Class III and Class IV) posts in grades or, services in which the element of direct recruitment, if any, does not exceed 75 per cent.

The principle of zone of consideration is not applicable to promotions by seniority subject to fitness. While referring proposals to the Departmental Promotion Committee for promotion on the basis of seniority subject to fitness in respect of vacancies expected to arise during a year, the following procedure should be followed to give effect to the reservations mentioned above.

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- (i) A separate 40-point roster to determine the number of reserved vacancies in a year should be followed on the lines of the roster prescribed in Annexure I to the Ministry of Home Affairs O.M. No. 1/11/69.Estt. (SCT), dated the 22nd April, 1970, in which points 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes.
- (ii) Wherever, according to the points in the roster there are any vacancies reserved for Scheduled Castes and Scheduled Tribes separate lists should be drawn up of the eligible Scheduled Castes or the Scheduled Tribes officers as the case may be, arranged in order of their *inter-se* seniority in the main list.
- (iii) The Scheduled Castes and Scheduled Tribes Officers should be adjudged by the Departmental Promotion Committee separately in regard to their fitness.
- (iv) When the Select Lists of officers in the general category and those belonging to Scheduled Castes and Scheduled Tribes have been prepared by the Departmental Promotion Committee, these should be merged into a combined Select List in which the names of all the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of their *inter-se* seniority in the original seniority list of the category or grade from the promotion is being made. This combined select list should thereafter be followed for making promotions in vacancies as and when they arise during the year.
- (v) If the number of eligible candidates belonging to Scheduled Castes/Scheduled Tribes found fit for promotion falls short of the number of vacancies reserved for either of them during the year, action for dereservation should be taken in accordance with O.M. No. 36011/25/79-Estt. (SCT) dated 16th November, 1979, subject to the reservation being carried forward to three subsequent recruitment years and exchange of vacancies between Scheduled Castes and Scheduled Tribes in the final year of carry forward.

Deptt. of
Personnel &
A.R. O.M. No.
8/11/73 Estt.
(SCT) dated
12-9-74.

Appointments to Selection Grade.

9.4 Since appointment to Selection Grade also constitutes promotion, the appropriate orders relating to reservations/concessions for Scheduled Castes and Scheduled Tribes in promotions made by 'selection' or on the basis of 'seniority' subject to fitness' mentioned in this Chapter earlier would apply to appointments to the Selection Grade according as such appointments are made on the basis of 'selection' or 'seniority' subject to fitness'.

Deptt. of
Personnel &
A.R. O.M. No.
22011/2/78. Estt.
(D) dated
30-4-1976.

Vacancies which should be taken into account for drawing up a select list of promotion.

9.5 The instructions relating to reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion apply only to the regular vacancies. It is, therefore, essential that a select list for promotions should be drawn up after carefully assessing the number of vacancies as accurately as possible. Purely short term vacancies should not be taken into account for this purpose; nor should any addition be made to cover unforeseen vacancies. At the same time, it is also necessary to ensure that the number of vacancies is not unnecessarily reduced and select lists are drawn only for a smaller number of vacancies than required because this would seriously affect the chances of Scheduled Castes and Scheduled Tribes. All clear vacancies arising due to death, retirement, resignation and long term promotion of incumbents from one post/grade to a higher post/

grade should be taken into account while fixing the number of vacancies and the number reserved for Scheduled Castes and Scheduled Tribes. Detailed instructions as to how the number of vacancies are to be calculated are contained in D.O.P.A.R. OM No. 22011/2/76 Estt (D) dt. 30th April, 1976.

Deptt. of Personnel & A.R. O.M. No. 15034/2/76 Estt (D) dated 15-7-1976.

Ad-hoc promotions—consideration of claims in

9.6 The instructions relating to reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion apply only to the regular vacancies. Instances had come to the notice of the Department of Personnel & A.R. where Ministries/Departments had made large number of ad-hoc promotions in a particular grade on a long term basis against regular vacancies either because of pending Court cases or unresolved seniority disputes within the Department. It has, therefore, been brought to the notice of the Ministries/Departments that no *ad-hoc* appointments should be made except in short-term vacancies. Resorting to *ad-hoc* promotion/appointments on a long term basis deprives the rightful persons of their promotion for long periods and also tends to create a vested interest for the *ad-hoc* promotees to continue. If there are any difficulties in preparing a regular panel, they should be sorted out in inter-departmental meetings at appropriate levels in which if need be, the Union Public Service Commission should also be associated. Where cases are pending in Courts, the administrative Ministries may have to move the Courts to expedite the disposal. Sometimes, *ad-hoc* promotions are continued for long periods due to non-framing of recruitment rules. The delays in this regard should be eliminated. In other words, all possible steps should be taken to ensure that as far as possible, no *ad-hoc* appointments are made at all except in short term vacancies.

Deptt. of Personnel & A.R. O.M. No. 36021/8/76 Estt. (SCT) dated 20-4-1978 and 36021/7/78 Estt. (SCT) dated 16-4-79.

9.6 (i) Special steps should be taken to ensure that *ad-hoc* promotions are kept to the barest minimum and that they do not continue for long periods. However, in cases where such *ad-hoc* promotions become inescapable in public interest, the claims of officers belonging to Scheduled Castes and Scheduled Tribes who are eligible should also be duly considered alongwith others eligible in the field *in accordance with the guidelines contained in O.M. No 36011/14/83-Estt (SCT) dated 30-4-83 and 30-9-86, though there is to be no formal reservation for Scheduled Castes and Scheduled Tribes in *ad-hoc* promotions.

D.P. & A.R. OM No. 36013/6/82 Estt (SCT) dt. 28-1-82

Safeguards against supersession of Scheduled Castes/Scheduled Tribes in promotion

9.7 In posts filled by promotion (by selection or on the basis of seniority subject to fitness) wherever the orders regarding reservation apply *vide* paras 12.2(b), (c) and 12.3 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 as well as Unreserved vacancies.

- (i) *In promotions 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.

NOTES.—(The eligibility of Scheduled Castes/Scheduled Tribes candidates for consideration against reserved vacancies is to be determined in accordance with the provisions of the appropriate orders relating to reservations for Scheduled Castes and Scheduled Tribes in promotions by selection/seniority-cum-fitness etc., as the case may be, *vide* parts 9.2(b), (c) and 9.3).

- (ii) *In promotions 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.
- (iii) *In Promotions to and in Group C and Group D.*—such cases should be reported to the Head of the Department, if the appointing authority is lower than the level of Head of the Department and where the Head of the Department is himself the appointing authority, to the Secretary of the administrative Ministry/Department.

In regard to promotions by selection to posts within Group A (Class I) which carry an ultimate salary of Rs. 2250/- per month or less *vide* para 12.2(g), 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, 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.

Procedure to be followed in cases where the findings of the Departmental Promotion Committee are kept in sealed cover

9.8 According to the instruction contained in the Ministry of Home Affairs office memorandum No. 39/3/59-Estt.(A) dated the 31st August, 1960 in cases of persons where the findings of the Departmental Promotion Committee are kept in sealed cover because they are under suspension or vigilance enquiries are pending against them, a vacancy should be kept reserved for them and it should be filled only on officiating basis till the finalization of the departmental proceedings. If the officer is completely exonerated and the charges levelled against him are proved to be wholly unjustified then he should be promoted thereafter to the vacancy which had been filled on an officiating basis and which was reserved for him. In such cases, the junior-most officer officiating in the grade *i.e.* the officer occupying the lowest position in the panel is reverted. Where such reversion becomes necessary the reversions should be made in such a manner that the total number of reservation for SC/ST in the select list is not reduced.

Diversion of reserved vacancies under the promotion quota to direct recruitment

9.9 Where recruitment to the grade is made both by promotion and direct recruitment (*i.e.*) where separate quota for promotion and direct recruitment are prescribed in the Recruitment Rules, reserved vacancies falling in the promotion quota cannot be filled due to non-availability of eligible persons belonging to SC/ST in the feeder cadre may be temporarily diverted to the direct recruitment quota and filled by recruitment of candidates belonging to SC or ST as the case may be in accordance with the provisions relating to direct recruitment contained in the Recruitment Rules. In the subsequent year(s) when reserved vacancies in the direct recruitment quota become available they may be diverted to the promotion quota to make up for the vacancies diverted earlier and filled from SC/ST candidates in the feeder cadre who might by then become eligible for promotion. This involves relaxation of the Recruitment Rules. The Ministries/Departments may themselves exercise the power of relaxation subject to approval of UPSC, wherever necessary.

The above said procedure will not apply in cases where the posts in a case are filled 100% by promotion or in which there is no element of direct recruitment prescribed in the Recruitment Rules.

(AB 14017/30/89-Estt.(RR) dt. 10-7-90)

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Ministry of Home Affairs O.M. No. 5/4/55-SCT(D)
dated the 4th January, 1957 to all Ministries etc.

Subject :—Reservation for members of the Scheduled Castes and Scheduled Tribes in posts filled on the basis of departmental examination of a competitive nature.

As the Ministry of Finance etc. are aware reservations in the public services are made in favour of members of the Scheduled Castes and Scheduled Tribes in posts which are filled by direct recruitment from the open market but not in those filled by departmental promotion. The procedure to be followed in making selections against the reserved vacancies filled by direct recruitment from the open market as well as against the vacancies filled by departmental promotion in the case of members of the Scheduled Castes and Scheduled Tribes has been laid down in this Ministry's Office Memorandum No. 2/11/55-RPS dated the 7th May, 1955. Where promotion is made on the principle of seniority subject to the rejection of the unfit or subject to the passing of departmental tests of a qualifying nature, the instructions are that officer belonging to the Scheduled Castes and Scheduled Tribes should be judged in a sympathetic manner and the standards applied to them need not be unduly high.

2. It has been represented to the Ministry of Home Affairs from time to time that the existing instructions do not ensure adequate representation of the Scheduled Castes and Scheduled Tribes in the higher grades of the public services. As a result, for recruitment to Grade III of the Central Secretariat Service through the limited competitive examination prescribed under the Scheme, an *ad hoc* reservation of vacancies, in relaxation of the normal rules, has been agreed to in favour of candidates of the Scheduled Castes and Scheduled Tribes. Similar reservations exist also in certain cadres in the Posts and Telegraphs Department which are filled on the basis of competitive examinations restricted to the departmental candidates serving in lower grades. In the interest of securing uniformity of practice and procedure, it has now been decided that the principle of reservation should be extended to all grades in all services which are filled by promotion through competitive examination limited to departmental candidates, and that the quantum of reservation in each case should be the same as has been prescribed for posts filled by direct recruitment through open competitive examination, viz. 12½ per cent for the Scheduled Castes and 5 per cent for the Scheduled Tribes. As in the case of direct recruitment by examination the appointing authority, the Union Public Service Commission, or other recruiting authority as the case may be, will have full discretion to appoint, or recommended for appointment, candidates of Scheduled Castes and Scheduled Tribes who may have obtained comparatively low places in the examinations except where such authority considers that the minimum standard necessary for the maintenance of the efficiency of the administration has not been reached. Where candidates are selected in this manner, the appointing authorities will make necessary arrangements to give them additional training and coaching so that they may come up to the standard of the others appointed along with them.

Ministry of Home Affairs O.M. No. 1/10/61-Estt.(D)
dated the 8th November, 1963 to all Ministries, etc.

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

In posts filled by promotion through competitive examinations limited to departmental candidates, reservations at 12½% and 5 per cent of vacancies were provided for Scheduled Castes and Scheduled Tribes respectively *vide* this Ministry's O.M. No. 5/4/55-SCT(I), dated 4th January, 1957 and para 3(iii) of the Brochure issued with O.M. No. 1/2/61-SCT(I), dated the 27th April, 1962. In regard to promotions on the basis of seniority, subject to fitness, and those by selection no reservations were provided, but certain concessions were allowed to persons belonging to Scheduled Castes and Scheduled Tribes *vide* Ministry of Home Affairs Office Memoranda No. 2/11/55-RPS, dated 7th May, 1955 (as amended from time to time), No. 1/1/58-RPS, dated 17th March, 1958 and No. 1/4/60-RPS, dated 5th March, 1960 and paras 20 and 21 of the aforesaid Brochure.

2. The Government of India have reviewed their policy in regard to reservations and other concessions granted to Scheduled Castes and Scheduled Tribes in posts filled by promotion and have, in supersession of all previous Orders in this regard, decided as follows:—

(1) **Class I and Class II appointments :**

- (a) There will be no reservation 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 examination limited to departmental candidates.
- (b) In the case of promotions made in or to Class I or II on the basis of seniority, subject to fitness, cases involving supersession of Scheduled Caste and Scheduled Tribe Officers will, however, continue to be submitted for prior approval to the Minister or Deputy Minister concerned.

(2) **Class III and IV appointments :**

- (a) In the case of Class III and IV appointments in grades or service to which there is no direct recruitment whatever, there will be reservation at 12½% and 5 per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by (i) selection or (ii) on the results of competitive examinations limited to departmental candidates.
- (b) Lists of Scheduled Caste and Scheduled Tribe Officers should be drawn up separately to fill the reserved vacancies; officers belonging to these classes will be adjudged separately and not along with other officers; and if they are suitable for promotion, they should be included in the list irrespective of their merit as compared to that of the other officers. Promotions against reserved vacancies will continue to be subject to the candidates satisfying the prescribed minimum standards.
- (c) There will be no reservation in appointments made by promotion on the basis of seniority subject to fitness, but cases involving supersession of Scheduled Castes and Scheduled Tribes officers, if any, will as at present be reported within a month to the Minister or Deputy Minister concerned for information.

3. The above decisions 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 published.

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

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

Ministry of Home Affairs O.M. No. 10/9/69-Estt. (SCT)
dated 8th July, 1969 to all Ministries etc.

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

In para 2 B(a) (i) of this Ministry's Office Memorandum No. 1/12/67-Estt. (C) dated 11th July, 1968, it has been provided that in promotion by selection from Class III to Class II within Class II, and from Class II to the lowest rung or category in Class I, the Scheduled Castes and Scheduled Tribes employees in the zone of consideration, excluding those who are considered unfit for promotion, should 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. Thus, if any Scheduled Castes or Scheduled Tribes employee has been categorised by the Committee on the basis of his record of service as 'Good' he would be recategorised by the Committee as 'Very Good' and likewise, if any Scheduled Castes or Scheduled Tribes employee is graded as 'Very Good' on the basis of his record of service he would be recategorised by the Committee as 'Outstanding'. The above concession is, however, to be confined to 25 per cent of the total vacancies in a particular grade or post filled in a year from the Select List, and while making promotions from the Select List, the appointing authority has to check up that the Scheduled Castes/Scheduled Tribes employees promoted in a year on the basis of this concession are limited to 25 per cent of the vacancies filled in a year from the Select List. The question as to how the exact number of vacancies on the basis of 25 per cent formula should be calculated for purpose of the aforesaid concession has been considered and the position in this regard is clarified below.

The concession of higher grading to Scheduled Castes and Scheduled Tribes envisaged in para 2 B(a) (i) of Office Memorandum No. 1/12/67-Estt. (C) dated 11th July, 1968 should be given to one employee of Scheduled Castes/Scheduled Tribes against every four vacancies. For this purpose a continuous account of vacancies should be kept showing all vacancies filled from 11th July, 1968. If the number of vacancies in a year is not divisible by four, the remainder should be carried forward to the following year for the purpose of this accounting. For example, if there were six vacancies in the year 1968 (from 11-7-1968 to 31-12-1968), the concession would be given to one employee of Scheduled Castes/Tribes against the first four vacancies and the balance of 2 vacancies would be notionally carried forward to the following year. If in the following year *i.e.* 1969, there are 3 vacancies, the 2 vacancies brought forward from 1968 would be added to these 3 vacancies or 1969 making a total of 5 and the concession would be given to one employee of Scheduled Castes/Tribes against four of these vacancies and the 5th vacancy would be carried forward to the following year.

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

Ministry of Home Affairs O.M. No. 16/8/69-Estt. (SCT) (1)
dated 31st October 1969 to all Ministries etc.

Subject :—Recruitment of Scheduled Castes and Scheduled Tribes—Class III and IV non-technical and quasi-technical posts.

The undersigned is directed to refer to this Ministry's Office Memorandum No. 24/7/67 (I)-Estt. (SCT) dated the 24th September, 1968 which provide that in cases where the requisite number of Scheduled Castes/Scheduled Tribes candidates fulfilling even the lower standards are not available to fill the vacancies reserved for them, the selecting authorities should, to the extent of the vacancies reserved for Scheduled Castes/Scheduled Tribes in non-technical and quasi-technical Class III and Class IV Services/posts requiring to be filled by direct recruitment otherwise than by written examination select for appointment the best among the Scheduled Castes/Scheduled Tribes candidates who fulfil the minimum educational qualifications laid down in the notice for recruitment/advertisement and that in order to bring them upto the minimum standard necessary for the posts and for the maintenance of efficiency of administration, they should be given in-service training. It is requested that Ministry of Finance etc. may instruct all authorities under them to prepare a list of non-technical and quasi-technical posts in Class III and IV under each authority to which the orders in the aforesaid Office Memorandum of 24th September, 1968 would apply. Copy of the consolidated list of such posts in respect of the Ministry/Department and its attached and subordinate offices may be sent to the Commissioner for Scheduled Castes and Scheduled Tribes, Ramakrishnapuran, New Delhi and to the Ministry of Home Affairs.

2. It is also requested that while notifying vacancies in posts referred to in para 1 above, or advertising them it should be indicated that the posts are non-technical or quasi-technical in Class III and IV.

Ministry of Home Affairs O.M. No. 1/9/69-Estt. (SCT), dated 26th March, 1970

Subject :—Concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion—Class I Services/posts.

The question of increasing the representation of Scheduled Castes and Scheduled Tribes employees in Class I Services/posts under the Government of India has been under the consideration for some time past. In this Ministry's O.M. No. 1/12/67-Estt. (C). dated 11th July, 1968, certain concessions have been provided to Scheduled Castes and Scheduled Tribes, *inter alia* in the matter of promotion by selection to the lowest rung or category in Class I. It has now been decided that the following concessions and facilities will be provided to Scheduled Castes and Scheduled Tribes officers for their promotions within Class I also.

2. In promotions by selection to posts within Class I, which carry an ultimate salary of Rs. 2,000 per month, or less 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 up, would be included in that list provided they are not considered unfit for promotion. Their position in the Select list would, however, be the same as assigned to them by the Departmental Promotion Committee on the basis of their record or service. They would not be given, for this purpose, one grading higher than the grading otherwise assignable to them on the basis of their record of service.

3. In order to improve the chances of Scheduled Castes/Scheduled Tribes officers for selection to the higher categories of posts in Class I, it has further been decided that :

- (i) Scheduled Castes/Scheduled Tribes officers in Class I Services/posts should be provided with more opportunities for institutional training and for attending seminars/Symposia/conferences. Advantage could in this connection be taken of the training facilities available at the National Academy of Administration Mussoorie, National Police Academy, Mount Abu, Indian Institute of Public Administration, New Delhi, the Administrative Staff College, Hyderabad, etc.; and
- (ii) It should be the special responsibility of the immediate superior officers of the Scheduled Castes/Scheduled Tribes officers in Class I to give advice and guidance to the latter to improve the quality of their work.

Ministries/Departments under whom Scheduled Castes/Scheduled Tribes Class I officers might be serving should ensure that these decisions are implemented with expedition, Ministries/Departments (or the Heads of Departments) under whom such officers might be serving may specially watch the progress of these officers so that all appropriate steps are taken, wherever necessary, to improve the efficiency of these officers for the purpose of their selection to higher posts.

4. The orders contained in paragraph 2 above take effect from the date of issue except in respect of selections already made prior to the issue of these orders.

5. Ministry of Finance etc., are requested to bring the above decisions to the notice of all concerned.

6. In so far as persons serving in offices under the Comptroller and Auditor General of India are concerned, separate orders will issue in due course.

**Department of Personnel O. M. No. 27/4 (v)/70-Estt. (SCT)
dated 3rd September. 1970 to all Ministries etc.**

Subject :—Cases of supersession of Scheduled Castes and Scheduled Tribes in posts filled by promotion—
Annual statement regarding.

According to this Ministry's O. M. No. 1/12/67-Est. (C) dated 11-7-1968, while there is no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class I and II appointments are required to 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 appointment are required to be reported within a month to the Minister or Deputy Minister concerned for information. In order to enable this Ministry to watch the implementation of these orders and since information in this regard is also required by the Commissioner for Scheduled Castes and Scheduled Tribes, the Ministries/Departments are requested to furnish to this Ministry and to the Commissioner for Scheduled Castes and Scheduled Tribes an annual statement in the attached proforma, by 31st March every year. The statement for the year 1969 may be furnished by 30th September, 1970. Ministries/Departments are requested to send only one consolidated statement in respect of the Ministry/Department proper and all its attached and subordinate offices.

Statement showing details of cases of supersession of Scheduled Castes/Scheduled Tribes employees promotion for the period

1st January _____ *to 31st December* _____

Ministry/Department _____

Name of the Office	Grade to which and from which promotion was considered		Class to which the post in Col. 2 belongs	Numbers of S. Cs./ STs. superseded		Reasons for supersession in each case	Whether cases of supersession were submitted for prior approval to the Minister/Deputy Minister or reported to Minister/Deputy Minister as required by orders in para 2 (c) or M. H. A. O. M. No. 1/12/67-Est (C) dated 11-7-1968	RE-MARKS
	Promotion to the grade of	Promotion from the grade of		Sch. Castes	Sch. Tribes			
1	2	3	4	5	6	7	8	9

Signature _____

Designation _____

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

**Subject :—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—
Promotions on the basis of seniority subject to fitness.**

The undersigned is directed to refer to para 2-C of the Ministry of Home Affairs O.M. No. 1/12/67-Ests. (C) dated the 11th July, 1968 according to which there is no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, although cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class I and Class II appointments are required to be submitted for prior approval to the Minister or Deputy Minister concerned and cases of supersession in Class III and Class IV appointments have to be reported within a month to the Minister or Deputy Minister concerned for information.

2. The policy in regard to reservations for Scheduled Castes and Scheduled Tribes officers in posts filled by promotion on the basis of seniority subject to fitness has now been reviewed and it has been decided in supersession of the orders contained in the aforesaid para 2-C of the O.M. dated 11th July, 1968, that there will be reservation at 15 per cent for Scheduled Casts and 7½ per cent for Scheduled Tribes in promotions made on the basis of seniority subject to fitness, in appointments to all Class I, Class II, Class III and Class IV posts in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

3. The procedure to be followed where promotions are made on the basis of seniority subject to fitness has been laid down in paragraph 1b of Ministry of Home Affairs O.M. No. 1/9/58-RPS, dated the 16th May, 1959 which provides that in such cases a decision has to be taken on the suitability of each individual officer for such promotion although there is no need for a comparative evaluation of their respective merits and that a decision on the fitness or the unfitness of an officer for promotion should be taken by the Departmental Promotion Committee instead of by an individual officer. While, therefore, referring proposals to the Departmental Promotion Committee for promotion on the basis of seniority subject to fitness in respect of vacancies expected to arise during a year, the following procedure may be followed to give effect to the decision mentioned in paragraph 2 above :—

- (i) A separate 40-point roster to determine the number of reserved vacancies in a year should be followed on the lines of the roster prescribed in Annexure I to the Ministry of Home Affairs O.M. No. 1/11/69-Est. (SCT), dated the 22nd April, 1970, in which point 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 are reserved for Scheduled Tribes.
- (ii) Wherever according to the points in the roster there are any vacancies reserved for Scheduled Castes and Scheduled Tribes, separate lists should be drawn up of the eligible Scheduled Castes or the Scheduled Tribes officers, as the case may be, arranged in order of their *inter-se* seniority in the main list.
- (iii) The Scheduled Castes and Scheduled Tribes officers should be adjudged by the Department Promotion Committee separately in regard to their fitness.
- (iv) When the Select List of officers in the general category and those belonging to Scheduled Castes and Scheduled Tribes have been prepared by the Departmental Promotion Committee, these should be merged into a combined Select List in which the names of all the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of their *inter-se* seniority in the original seniority list of the category or grade from which the promotion is being made. This combined select list should thereafter be followed for making promotions in vacancies as and when they arise during the year.
- (v) The select list thus prepared would normally be operative for period of one year, but this period may be extended by six months to enable such of the officers included therein, as could not be appointed to the higher posts during the normal period of one year, to be appointed during the extended period.

(vi) If the number of eligible candidates belonging to Scheduled Castes/Scheduled Tribes found fit for promotion falls short of the number of vacancies reserved for either of them during the year, the extent of such shortfall should be reported to this Department along with proposals, if any, for dereservation of vacancies in respect of which the shortfall has occurred. If on a scrutiny of the data furnished in this regard, any dereservation is agreed to by this Department, the vacancy so dereserved may be filled up by another candidate included in the combined select list subject to the instructions contained in the Ministry of Home Affairs O.M. No. 27/25/68-Estt. (SCT) dated the 25th March, 1970, in respect of carry-forward of such reserved vacancy for the subsequent three recruitment years and exchange of vacancies between Scheduled Castes and Scheduled Tribes in the last year to which the reserved vacancies are carried forward.

4. The above instructions take effect from the date of issue of these orders except where a Select List, if any, for promotion by seniority subject to fitness has already been prepared by a Departmental Promotion Committee and approved by the appropriate authority before the date of issue of these orders.

5. The Ministry of Finance, etc. are requested kindly to bring the above decisions to the notice of all Attached and Subordinate Officers under them and semi-Government and Autonomous Bodies with which they are administratively concerned.

6. In so far as officers serving under Indian Audit & Accounts Department are concerned, separate orders will issue in due course.

**Department of Personnel & Administrative Reforms O. M. No. 10/41/73-Estt. (SCT)
dated 20th July, 1974 to all Ministries etc.**

**Subject :—Reservations for Scheduled Castes and Scheduled Tribes in post filled by promotion—
Promotions by selection to Class II, within Class II and upto the lowest rung of Class I.**

The question whether the scheme of reservations for candidates belonging to Scheduled Castes and Scheduled Tribes in promotions by selection should be extended to posts in Class II services and beyond, and if so to what extent, has been under the consideration of Government. It has now been decided, in supersession of the orders contained in paragraph 2B(a) of the Ministry of Home Affairs O.M. No. 1/12/67-Estt. (C) dated the 11th July, 1968 that there will be reservations at 15 and 7½% of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I, in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

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

- (i) Selection against vacancies reserved for Scheduled Castes and Scheduled Tribes will be made only from among those Scheduled Castes/Scheduled Tribes officers who are within the normal zone of consideration.
- (ii) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of merit with due regard to seniority, on the same basis as others, less number of vacancies than that reserved for them, the difference should be made up by selecting candidates of these communities who are in the zone of consideration irrespective of merit but who are considered fit for promotion.
- (iii) A Select List should then be prepared in which the names of the selected officers, general as well as those belonging to Scheduled Castes and Scheduled Tribes, are arranged in the order of merit and seniority according to the general principles for promotion to selection posts laid down in the Ministry of Home Affairs O.M. No. 1/4/55-RPS, dated 16th May, 1957, i.e. by placing the names in the three categories viz., 'Outstanding', 'Very-Good' and 'Good' in that order, without disturbing the seniority *inter-se* within each category. This Select List should, thereafter, be followed for making promotions in vacancies as and when they arise during the year.
- (iv) For determining the number of vacancies to be reserved for Scheduled Castes and Scheduled Tribes in a Select List, a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No. 1/11/69-Estt. (SCT) dated the 22nd April, 1970 (in which point 1, 8, 14, 22, 28 and 36 are reserved for Scheduled Castes and points 4, 17 and 31 for Scheduled Tribes) should be followed. If, owing to non-availability of suitable candidates belong 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 Department indicating whether claims of Scheduled Castes/Scheduled Tribes candidates eligible for promotion in reserve vacancies have been considered in the manner indicated in this O.M.
- (v) There will, however, be no carry forward of reservations from year to year in the event of an adequate number of Scheduled Caste/Scheduled Tribe candidates not being available in any particular year.
- (vi) While vacancies reserved for Scheduled Castes and Scheduled Tribes will continue to be reserved for the respective community only, a Scheduled Caste officer may also be considered for appointment against a vacancy reserved for Scheduled Tribes, or vice versa, in the same year itself in which the reservation is made, where the appropriate reserved vacancy could not be filled by a Scheduled Tribes or a Scheduled Caste candidate, as the case may be.

(vii) Where promotions in the above manner are first made on a long-term officiating basis, confirmation 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 enable to retain the advantage gained by him, provided that he maintains an appropriate standard vide para (iii) or Ministry of Home Affairs 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.

3. The above instructions take effect from the date of issue of these orders except where a Select List for promotion by selection has already been prepared by the Departmental Promotion Committee and approved by the appropriate authority before the date of issue of these orders.

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

5. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General.

**Department of Personnel and Administrative Reforms O.M. No. 8/11/73-Est. (SCT)
dated 12th September, 1974 to all Ministries etc.**

**Subject:—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion/
Appointment to Selection Grade posts.**

The undersigned is directed to say that in this Department's O.M. No. 27/2/71-Est. (SCT) dated the 27th November, 1972, reservation have been provided at 15% for Scheduled Castes and 7½% for Scheduled Tribes in posts filled by promotion on the basis of seniority subject to fitness in grades or services in which the element of direct recruitment, if any, does not exceed 50%. In Ministry of Home Affairs O.M. No. 1/12/67-Est. (C) dated the 11th July, 1963 read with O.M. No. 27/25/68-Est. (SCT) dated the 25-3-1970 and this Department O.M. No. 10/41/73-Est. (SCT) dated the 20th July, 1974, reservations at 15% for Scheduled Castes and 7½% for Scheduled Tribes have been provided in posts filled by promotions on the basis of selection to and/or in posts belonging to class IV, III and II, and from Class II to the lowest rung or category in Class I, in grades or services in which the element of direct recruitment, if any does not exceed 50%. In Ministry of Home Affairs O.M. No. 1/9/69-Estt. (SCT) dated the 26th March, 1970. Certain concessions have been provided to Scheduled Castes and Scheduled Tribes for promotion by selection to posts within Class I which carry an ultimate salary of Rs. 2000 p.m. or less. References have been received in this Deptt. seeking clarification whether the above orders regarding reservations/concessions for Scheduled Castes and Scheduled Tribes in promotion would apply to appointments made to the Selection Grades in various services/posts. The matter has been carefully examined and it is now clarified that since appointment to Selection Grade also constitutes promotion, the appropriate orders relating to reservations/concessions for Scheduled Castes and Scheduled Tribes in promotions made by 'selection' or on the basis or 'seniority subject to fitness' would apply to appointments to the Selection Grade, according as such appointments are made on the basis of "Selection" or "Seniority-cum-fitness".

2. Ministries/Departments etc. may kindly take note of the above clarification for appropriate action.

Department of Personnel and A. R. O.M. No. 1/10/74-Estt. (SCT)
dated 23-12-1974 to all Ministries etc.

Subject :—Concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion by selection—posts within Class I.

The undersigned is directed to invite a reference to the Ministry of Home Affairs Office Memorandum No. 1/9/69-Estt. (SCT) dated the 26th March, 1970 which provides that in promotion by selection to posts within Class I, which carry an ultimate salary of Rs. 2000 p.m. or less, 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 up, would be included in that list provided they are not considered unfit for promotion and to state that as the scales of pay of Class I posts have been revised on the basis of the recommendations of the Third Pay Commission, the orders in the aforesaid Office Memorandum dated the 26th March, 1970 would apply to promotions by selection to posts within Class I carrying an ultimate salary of Rs. 2250 or less in the revised scale of pay.

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

Department of Personnel & A.R. O.M. No. 10/37/74-Est. (SCT)
dated the 3rd February, 1975 to all Ministries etc.

Subject :—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion by selection to Class II, within Class II and from Class II to the lowest rung of Class I—Carry forward of reservations.

The undersigned is directed to refer to this Deptt's O.M. No. 10/41/73-Estt. (SCT), dated 20th July, 1974 providing for reservations at 15% for Scheduled Castes and 7½% for Scheduled Tribes in promotions made by selection from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I in grades or service in which the element of direct recruitment, if any, does not exceed 50%. According to para 2(v) of the said O.M., in such promotions, there is no carry forward of reservations from year to year in the event of an adequate number of Scheduled Castes/Scheduled Tribes candidates not being available in any particular year. The question as to whether any exception should be made in this regard in respect of cases where a vacancy falling on reserved point in the roster is treated as unreserved due to the fact that there is only one vacancy in the year of promotion, has been raised and has been examined. It has now been decided that in partial modification of para 2(v) of the O.M. dated 20th July 1974, in the case of promotions to which the orders in the said O.M., dated 20th July 1974 apply, when a vacancy falling on a reserved point in the roster is treated as unreserved due to its being the only vacancy during the year of promotion, the reservation so due against the reserved point should be carried forward to subsequent three recruitment years.

2. The instructions in para 2(vi) of the aforesaid O.M. dated 20th July, 1974 relating to exchange of vacancy reserved for Scheduled Tribes in favour of Scheduled Castes and *vice versa* in the same year itself. In which reservation is made, would remain unaffected. In other words, when in the circumstances mentioned in para 1 above, a reservation is carried forward and vacancy in a subsequent year is actually treated as reserved against a "Carry forward" reservation, the provision relating to exchange of reservation for Scheduled Tribes in favour of Scheduled Castes and *vice versa* would apply to such reservation.

Department of Personnel & A.R. O.M. No. 36011/6/75-Estt. (SCT)
dated the 7th May, 1975 to all Ministries etc.

Subject :—Reservations for Scheduled Castes and Scheduled Tribes in promotions made by selection in or to Class II, and upto the lowest rung of Class I—zone of consideration.

The undersigned is directed to say that in para 2(i) of this Department O.M. No. 10/41/73-Estt. (SCT), dated 20th July, 1974, it has been stated that in the case of promotions by selection from Class III to Class II, within Class II and from Class II to the lowest rung of Class I, selection against vacancies reserved for Scheduled Castes and Scheduled Tribes will be made only from among those Scheduled Castes/Scheduled Tribes officers who are within the "normal zone of consideration". Enquiries have been received in this Department seeking clarification whether the words "normal zone of consideration" mean that there would be only a single zone for consideration for all the vacancies including those vacancies reserved for Scheduled Castes and Scheduled Tribes or there would be a separate zone of consideration of the reserved vacancies. It is clarified that in the case of promotions by selection from Class III to Class II, within Class II and from Class II to the lowest rung of Class I, there is no separate zone of consideration, for reserved vacancies. The zone in such cases would therefore be the one fixed with reference to the total number of vacancies (inclusive of the reserved vacancies) for which a select list is being drawn. Only those Scheduled Castes/Scheduled Tribes candidates who are within such normal zone of consideration would be considered for promotion against the reserved vacancies. As an illustration, if a selection is being made for 30 vacancies (in promotion to Class II or beyond) and there are 5 reserved vacancies, out of the total of 30, there will be only one zone of consideration for all the 30 vacancies together, i.e. 30×5 or 6 times. There will be no separate zone for the 5 reserved vacancies (of 5×5 or 6 Scheduled Caste or Scheduled Tribe candidates) alone.

2. Ministries/Departments etc. may kindly take note of the above clarification for appropriate action.

Department of Personnel & A.R. O.M. No. 8/7/74-Estt. (SCT)
dated the 22nd August, 1975 to all Ministries etc.

Subject :—Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion—post of industrial workers in the industrial establishments of the Government.

As Ministries/Departments etc. are aware the Government of India's policy has been to make reservations for candidates belonging to Scheduled Castes/Scheduled Tribes for posts/services under the Central Government in accordance with the provisions of Articles 16(4) and 335 of the Constitution. Various instructions have been issued from time to time, in implementation of this policy indicating the reservations for candidates of Scheduled Castes/Scheduled Tribes in all vacancies in posts/grades under the Central Government filled by direct recruitment, and, subject to certain conditions, in vacancies filled also by promotion both on the basis of seniority-cum-fitness and selection. These orders have generally referred to the posts/grades under the Central Government as those belonging to Class I, II, III and IV. In addition there may be posts/grades under the Central Government particularly in the industrial establishments under the Government of India which have not been specifically classified as Class I, II, III and IV, mainly due to historical reasons. Many of the Departments/Ministries and their offices have been applying, *mutatis-mutandis*, the instructions regarding reservations of Scheduled Castes/Scheduled Tribes to the cases of appointments to such grades and posts also. Still enquiries are sometimes being received as to whether the scheme of reservations for Scheduled Castes/Scheduled Tribes covers posts and grades in industrial establishments of Government, which may not have been strictly classified as belonging of Class I, II, III and IV.

2. Government of India's intention has always been that the scheme for reservation for Scheduled Castes/Scheduled Tribes will embrace all the posts and grades under Central Government irrespective of whether they have been classified as Class I, II, III and IV or not, and never to exclude posts in the industrial establishments whether classified or not from the purview of the scheme of reservations. The incumbents of the posts in the industrial establishments whether classified or not, are also governed usually by the normal service rules and regulations of Central Government on the same lines as other employees holding posts in Classes I, II, III and IV. Also the incumbents of such unclassified posts in the industrial establishments are also governed by the provisions of Article 311 of the Constitution, on par with the other employees holding posts in Class I, II, III and IV. As such, there is no doubt that industrial establishments are also covered by the Scheme of reservations. The various instructions of this Department in regard to reservations for SC/STs therefore apply *mutatis-mutandis* to such posts/grades also.

**Department of Personnel & A.R. O.M. No. 36021/7/75-Estt.
dated the 25th February, 1976 to all Ministries etc.**

Subject :—Reservations 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 $\frac{2}{3}$ per cent.

The question of enlarging the scope of the existing scheme of reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion by extending them to grades or services in which the element of direct recruitment is not more than 66 $\frac{2}{3}$ per cent (as against the existing limit of 50 per cent) has been under the consideration of Government. Under the existing orders reservations have been provided at 15 per cent and 7 $\frac{1}{2}$ per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively (i) in promotions through limited departmental competitive examinations in Groups B, C and D (formerly Classes II, III and IV) (ii) in promotions by selection in Groups B, C and D (formerly Classes II, III and IV) and from 'B' (Class II) to the lowest rung of Group 'A' (Class I) and (iii) in promotion on the basis of seniority subject to fitness in all Groups i.e. Groups A, B, C and D (formerly Classes I, II, III and IV) (in all these cases), in grades or services in which the element of direct recruitment if, any, does not exceed 50 per cent, *vide* orders in para 2A and 2B(b) of the Ministry of Home Affairs (Now Department of Personnel and Administrative Reforms) Office Memorandum No. 1/12/67-Estt. (C) dated 11-7-1968, read with Office Memorandum No. 27/25/68-Estt. (SCT), dated 25-3-1970. Office Memorandum No. 27/2/71-Estt. (SCT), dated 27-11-1972 and Office Memorandum No. 10/41/73-Estt. (SCT), dated 20-7-1974. It has now been decided in partial modification of these orders, that the reservations in posts filled by promotion under the existing scheme as indicated above should be made applicable even to grades or services, in which the element of direct recruitment, if any, does not exceed 66 $\frac{2}{3}$ per cent.

2. 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 approved by the appropriate authority, before the date of issue of these orders.

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

4. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue on consultation with the Comptroller and Auditor General of India.

Department of Personnel & Administrative Reforms O.M. No. 22011/2/76 Estt. (D)
dated 30th April, 1976 to all Ministries etc.

Subject :—Reservation for Scheduled Castes and Scheduled Tribes in posts filled by promotion—vacancies which should be taken into account for drawing up a Select List for promotion.

The undersigned is directed to say that the Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his Report for the year 1971—73 :—

Recommendation No. 73

“There is a tendency in some of the Central Government Offices to pool together long term and short term vacancies while applying reservation orders. This results in the Scheduled Castes and Scheduled Tribes officers being placed at the bottom of the combined select list and thus getting only *ad hoc* and temporary appointments on the basis of promotion, depriving them of getting appointments against regular temporary vacancies. One such case that came to notice is under correspondence between the Commissioner for Scheduled Castes and Scheduled Tribes and Ministry of Information and Broadcasting since February, 1970, without any satisfactory result yet. It is necessary that immediate action is taken to issue suitable clarification in the matter pointing out the right procedure to be followed in such cases to the authorities concerned in all Central Government Offices.”

2. The above recommendation has been considered. The instructions relating to reservation of vacancies for Scheduled Castes and Scheduled Tribes in promotion apply only to the regular vacancies. It is, therefore, essential that a select list for promotion should be drawn up after carefully assessing the number of vacancies as accurately as possible. Purely short-term vacancies should not be taken into account for this purpose; nor should any addition be made to cover unforeseen vacancies. At the same time, it is also necessary to ensure that the number of vacancies is not unnecessarily reduced and select lists are drawn only for a smaller number of vacancies than required, because this would seriously affect the chances of Scheduled Castes and Scheduled Tribes. All clear vacancies arising due to death, retirement, resignation and long term promotion of incumbents from one post/grade to a higher post/grade should be taken into account while fixing the number of vacancies and the number reserved for Scheduled Castes and Scheduled Tribes

3. As regards vacancies arising out of deputation, it is clarified that the provisions contained in the Ministry of Home Affairs Office Memorandum No. 2/4/67-Estt. 'D', dated the 8th June 1967, according to which *inter alia* only vacancies arising out of deputation for periods exceeding 3 years are to be brought on to the recruitment roster, will not be quite relevant in the context of fixing the number of vacancies for promotion and the number of the vacancies reserved for Scheduled Castes and Scheduled Tribes, because the purpose of the Office Memorandum in question is mainly to see that direct recruitment is not resorted to in short-term deputation vacancies. For the purpose of drawing up a select list for promotion, therefore, and for reserving therein vacancies in accordance with the scheme of reservations for Scheduled Castes and Scheduled Tribes, in addition to all regular vacancies arising out of circumstances mentioned in the previous paragraph, vacancies arising out of deputation for periods more than one year should also be taken into account; due note, however, being kept also of the number of deputationist likely to return to the cadre and who have to be provided for.

4. Ministry of Finance etc. are requested to bring the above instructions to the notice of all the appointing authorities under them.

Department of Personnel & Administrative Reforms O. M. No. 15034/2/76-Estt. (D)
dated 15th July, 1976 to all Ministries etc.

Subject :—Ad hoc promotions—need to ensure that they are made only in exceptional circumstances and are not continued for inordinately long periods.

Instances have come to the notice of this Department where Ministries/Departments have made large number of *ad hoc* promotions in a particular grade on along term basis against regular vacancies either because of pending court cases or unresolved seniority disputes within the Department. As the Ministries/Departments have made large number of *ad hoc* promotions in a particular grade vacancies. Resorting to *ad hoc* promotions/appointments on along term basis, deprive the rightful persons for their promotions for long periods and also tends to create a vested interest for the *ad hoc* promotions to continue. It is therefore, suggested that if there are any difficulties in preparing a regular panel, they should be sorted out in inter-departmental meetings at appropriate levels is which, if need be, the Union Public Service Commission should also be associated, Where cases are pending in courts, the administrative Ministries may have to move the courts to expedite the disposal. In other words, all possible steps be taken to ensure that as far as possible no appointments are made at all except in short-term vacancies.

2. The Ministry of Finances etc. are requested to bring this to the notice of all cadre controlling authorities for necessary actions.

Department of Personnel & A.R.O. M. No. 36012/3/75-Estt. (SCT)
dated 6th October, 1976 to all Ministries 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 supersession 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 dereservation 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 dereservation 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 :—

- (i) *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.
- (ii) *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.
- (iii) *In promotion and 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-Estt. (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.

**Departt. of Personnel & A. R. O.M. No. 22011/4/77-Estt. (D)
dated 30-7-77 to all Ministries/Departments, etc.**

Subject :—Procedure to be followed in cases where the findings of the Departmental Promotion Committee are kept in sealed cover.

Attention of the Ministries/Departments is drawn to the instruction contained in the Ministry of Home Affairs office memorandum No. 39/3/59-Estt. (A) dated 31st August, 1960 which provides that in cases of Persons where the findings of the Departmental Promotion Committee are kept in sealed cover because they are under suspension or vigilance enquiries are pending against them a vacancy should be kept reserved for them and it should be filled only on an officiating basis till the finalization of the departmental proceedings. If the officer is completely exonerated and the charges levelled against him are proved to be wholly unjustified then he should be promoted thereafter to the vacancy which had been filled on and officiating basis and which was reserved for him.

2. It has been the experience of this Department that in many cases the candidates belonging to the Scheduled Castes and Scheduled Tribes occupy the lowest position in the panels prepared by the DPC. Where the findings of the DPC about an officer are kept in sealed cover due to disciplinary proceedings. If the officer is completely exonerated he is straightaway promoted after reverting the junior-most officer officiating in the grade. In such cases it is the SC/ST officers who are generally reverted since they occupy the lowest positions in the panel. This affects the representation of the SC/ST officers in the panel. Had the officer been not under a cloud he would have been included in the panel and the SC/ST officer would have also found a place in the panel because of the availability of reservation in promotion. Thus the present instruction have the effect of adversely affecting the interests of SC/ST offices and upset the reservation of SC/ST community in the panel.

3. This matter has been carefully examined and it has been decided that where such reversion becomes necessary the reversions should be made in such a manner that the total number of reservation for SC/ST in the select list is not reduced.

4. Ministry of Finance etc. are requested to take note of the above decision and also bring it to the notice of the officers working under them for guidance and necessary action.

**Departt. of Personnel & A. R. O.M. No. 36021/8/76-Estt. (STC)
dated 20-4-78 to all Ministries etc.**

Subject:—Ad-hoc promotion—need to ensure that ad hoc promotions are kept to the barest minimum and are not continued for long periods.

The undersigned is directed to invite a reference to the instructions contained in this Department's O.M. No. 15034/2/76-Estt. (D), dated 15th July, 1976 in which it was stated that since resorting to *ad-hoc* promotion / appointments on a long-term basis deprived the rightful persons of their promotion for long period and also tended to create a vested interest for at *ad-hoc* promotees to continue, there was need to see that if there were any difficulties in preparing a regular panel, they were sorted out in inter-departmental meetings at appropriate levels in which the Union Public Service Commission could also be associated if necessary. It was also stated that where cases were pending in Courts, the administrative Ministries might have to move the Courts to expedite the disposal. It was further emphasised that all possible steps should be taken to ensure that, as far as possible, no *ad-hoc* appointments were made at all, except in short-term vacancies. The above mentioned instructions are again brought to the notice of the Ministres/Departments with the request that it should be seen that against long-term vacancies only regular promotion are made in accordance with the recruitment rules, particularly in posts filled by promotion within the purview of orders regarding reservation for Scheduled Castes and Scheduled Tribes special steps should be taken to ensure that *ad-hoc* promotion where they are inescapable, are kept to the barest minimum number and that they do not also continue for long periods.

**Departt. of Personnel & A. R. O.M. No. 36021/7/78-Estt. (STC)
dated 16th April, 1979 to all Ministries etc.**

Subject:—Ad-hoc promotion of cases of Scheduled Castes/Scheduled Tribes employees.

The undersigned is directed to refer to the instructions issued in this Department's O.M. No. 15034/2/76-Estt. (D), dated 15th July, 1976 No. 36021/8/76-Estt. (STC), date 20-4-1978 in which the Ministries/Departments were requested to see that against long term vacancies only regular promotion were made in accordance with the Recruitment Rules, particularly in posts filled by promotion within the purview of orders regarding reservation for Scheduled Castes and Scheduled Tribes. It was also emphasised that special steps should be taken to ensure that *ad-hoc* promotion where they were inescapable, were kept to the barest minimum and that they did not continue for long periods.

2. The question of reservation in *ad-hoc* promotion was further considered at the meeting of the High Power Committee held on 20-10-1978 under the Chairmanship of the Prime Minister to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in service. While noting that *ad-hoc* promotion sometimes continued for over one year and, in some cases, it was due to the non-framing of the Recruitment Rules, the Committee, desired that the delay in framing the Recruitment Rules should be eliminated. The Committee further observed that ordinarily no *ad-hoc* promotion should be made and if *ad-hoc* promotion were to be made, the claims of Scheduled Castes/Scheduled Tribes employees should also be considered therein even though no formal reservation were to be made for them. Attention is invited in this connection to Department of Personnel and A.R.'s O.M. No. 14017/17/78-Estt. (RR) dated 22-1-1978 under which various steps to prevent *ad-hoc* appointments have been suggested. While it is expected that, following these instructions, the incidence of *ad-hoc* promotion will be largely minimised, it may still, in certain very exceptional cases, be necessary to resort to such promotions. In the circumstances, where such *ad-hoc* promotions become inescapable in public interest, the claims of the officers belonging to Scheduled Castes and Scheduled Tribes who are eligible should also be duly considered along with others eligible in the field, though there is to be no formal reservation for Scheduled Castes and Scheduled Tribes in *ad-hoc* promotions.

DOP&AR O.M. No. 36011/12/81-Estt. (SCT) dated 10-11-80

Subject :—Reservation for SC/ST in posts filled by promotion—promotions by selection to Class II, within class II and up to the lowest rung of Class I—Clarification regarding scope and extent of the term “lowest rung”.

Attention is invited to Department of Personnel and Administrative Reforms's O.M. No. 10/4/73-Estt (SCT) dated 20-7-74 wherein it has been provided that there will be reservation at 15% and 7½% of the vacancies for Scheduled Castes/Scheduled Tribes respectively in promotions made by selection from Class III to Class II, within Class II and from Class II to the lowest rung category in Class I. It has been brought to the notice of this Department that some times promotions are made directly from Group B (Rs. 650—1200) to the senior scale of Group A (Rs. 1100—1500) or (Rs. 1200—1600). Question has also been posed whether, in these situations, the senior scale of Group A will be covered by the expression “lowest rung or category of Group “A” used in the order dated 20-7-74..

2. The matter has been carefully examined. It is clarified that in the situations mentioned in para 1 of this O.M. orders dated 20-7-74 will be applicable and reservation for SC/ST at the rate 15% and 7½% respectively will be provided when promotions are made from Group B to the senior scale of Group A directly by passing any intermediate grade (Rs. 700—1300) in between.

3. Ministry of Finance etc. are requested to bring the above clarification to the notice of all concerned. The provisions of this order will be applicable from the date of its issue.

Departt. of Personnel & A. R. O.M. No. 22011/3/76-Estt. (D)
dated 24-12-80 to all Ministries/Departments.

Subject:—Principles for Promotion to 'Selection' posts.

Large number of clarifications are being sought by the various Ministries/Departments on various aspects while preparing a panel for posts to be filled on the basis of Selection. The various points raised are as below:—

- (1) The absence of clearly defined limits in the matter of fixation of the zone of consideration has led to lack of uniformity of practice between the various DPCs;
- (2) In a number of cases the meeting of the DPCs are not held annually as required even though there were vacancies resulting in the bunching of vacancies which in turn enlarged the field of choice and upset the relative seniority positions in the higher grade on account of supersessions.
- (3) In a number of cases some of the senior officers even though included in the panel for promotion do not get promotion due to their being away from the parent department and at the same time are also not eligible for proforma promotion under the NBR due to the application of the one to one correspondence or due to the fact that they are being the junior most in the panel there is no junior in the panel below them and this has resulted in their reconsideration by the next DPC thereby resulting in loss of seniority to them;
- (4) In certain cases Recruitment Rules are amended when a panel already prepared is still in operation and therefore whether the panel can still be operated after the amendment.

2. All the above aspects have been carefully considered and the following instructions are issued for the guidance of all Ministries.

Zone of consideration for promotion to posts filled by selection

3. Reference is invited to the Ministry of Home Affairs (now Department of Personnel & A.R.) O.M. No. 1/4/55-RPS dated 16-5-57 laying down certain principles for promotion. In the operation of these principles it has been observed that the absence of clearly defined limits on the extent of the field of choice has led to lack of uniformity in the practices being followed by the DPCs. Similarly it is felt that a large field of choice might result in excessive supersessions. Again, despite repeated instructions of the Government to hold DPCs annually there have been quite a few cases of delays resulting in vacancies being bunched: This would enlarge the field of choice and upset the relative seniority positions in the higher post with reference to the positions which would not have resulted had the DPCs met at the appropriate time. In view of these considerations it has been decided in consultation with the UPSC as under in supersession of the Department's O.M. No. 1/4/55-RPS dated 16-5-57 and all other memoranda having any bearing on the matter herein dealt with.

- (a) The Departmental Promotion Committee (DPC) shall for the purpose of determining the number of officers who should be considered from out of those eligible officers in the feeder grade(s) restrict the field of choice as under, with reference to the number of clear regular vacancies proposed to be filled in the year.

No. of vacancies	No. of officers to be considered
(1)	(2)
1	5
2	8
3	10
4 or more	three times the number of vacancies.

- (b) Where, however, the number of eligible officer in the feeder grade(s) is less than the number in Col. (2) above, all the officers so eligible should be considered.
- (c) Where adequate number of SC/ST candidates are not available within the normal field of choice as above, the field of choice may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other) coming within the extended field of choice, should also be considered against the vacancies reserved for them.

Officers belonging to SC/ST selected for promotion against vacancies reserved for them from out of the extended field of choice under sub para (c) above, would, however be placed *en bloc* below all the other officers selected from within the normal field of choice.

Preparation of year-wise panel by DPC's where they have not met for a number of year.

4. (a) Instructions already exist that DPC's should meet at regular annual intervals for the preparations of select lists and where no such meeting is held in any year, the appointing authority should record a certificate that there were no vacancies to be filled during the year. Administrative Ministries should obtain periodical information/certificates on the regular holding of DPC's.

(b) Where, however, for reasons beyond control, DPC could not be held in any year(s) even though the vacancies arise during that year (or years), the first DPC that meets thereafter should follow the following procedure :

- (i) Determine the actual number of regular vacancies that arose in each of the previous year/years immediately preceding and the actual number of regular vacancies proposed to be filled in the current year separately.
- (ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.
- (iii) Prepare a 'select list' for each of the year starting with the earlier year onwards.
- (iv) Prepare a consolidated 'select list' by placing the select list of the earlier year above the one for the next and so on.

Illustration : DPC meets in 1980. number of vacancies in the year 1978 and 1979 were 8 and 7 respectively. It is proposed to fill also 9 more vacancies during 1980. There are 100 eligible officers.

Panel for 1978

No. of Vacancies	8
Field of choice	24
Take officers	1 to 24
DPC classified	Sl. No. 20 as 'outstanding' and Sl. Nos 7, and 15 'not fit' and rest 'Very Good'.
Panel list will be	Sl. Nos. 20, 1, 2, 3, 4, 5, 6, 8,

Panel for 1979

No. of vacancies 7, field of choice 21. This Comprises officers Nos. 7, 9 to 19, 21 to 29 (total, 21). The DPC classified No. 7 as 'not yet fit' and rest 'Very Good.' Panel will comprise of S. Nos. 9 to 15.

Panel for 1980

No. of vacancies 9—Field of choice 27. This will comprise Nos. 7, 16 to 19, 21 to 42.

No. 40 is graded 'Very Good' and the rest as 'Good.'

Consolidated select list—

Sl. Nos. 20, 1 to 6, 8, 9 to 15, 40, 7, 16 to 19, 21 to 26.

(c) For the purpose of evaluating the merit of the officers the record of service of the officers for the purpose of considering for inclusion in the panel relevant to any of the earlier years as contemplated in clause (b) above should be limited to the record that would have been available had the DPC met at the appropriate time; for instance, for preparing the panel relating to the vacancies of 1978, records of service of the officers only upto 1978 should be taken into account and not the subsequent ones. However, if on the date of actual DPC (1980 in the illustration) Departmental proceedings are in progress and under the existing instructions sealed cover procedure is to be followed, such procedure should be observed even if no such proceedings were in existence in the year to which the vacancy related (e.g. if in the illustration, in respect of officer No. 6 empanelled against a 1978 vacancy even though the disciplinary proceedings were started only in 1980 (prior to DPC meeting), his name has to be kept in the sealed cover till the proceedings are finalised).

(d) While promotions will be made in the order of the consolidated select list, such promotion will have only prospective effect, even in the cases where the vacancy relates to an earlier year.

Consideration of the cases of officers who are away on deputation by DPC where they have been empanelled by the earlier DPC but not eligible for benefits under the N.B.R.

5. Under this Department's O.M. No. 1/4/55-RPS dated 16 May 1957, the select list prepared for the purpose of promotion should be periodically reviewed and the names of those officers who have already been promoted (otherwise than a local of purely temporary basis) and continue to officiate should be removed from the list as having been promoted and rest of the names alongwith others who may now be included in the field of choice should be considered for the select list for the subsequent period. Again, in this Department's O.M. No. 1/25/65-Estt. (D), dated 11-10-1966, it has been laid down that a select list drawn by the DPC should normally be operative only for one year and in any case it would cease to be in force after 18 months or when the fresh list is prepared whichever is earlier.

The effect of these circulars would be that every officer included in the panel who at the time of expiry of the validity of the earlier panel or at time of the fresh DPC does not hold a regular promotion post needs to be reconsidered and every officer who holds such a regular post on these crucial dates need not be so considered by the DPC.

in this Department's O.M. No. 22011/6/75-Estt. (D) dated 30-12-1976 [Para V (5)], it has been laid down that DPC should consider the claims of all officers who are on deputation or on foreign service in public interest or on their own volition. Thus their names would be considered for inclusion in the panel based on their records of service alongwith others holding posts within the Department concerned. However, in Para X(4) of the circular dated 30-12-76 referred to above, it has been envisaged that such officers who had gone on deputation foreign service in the public interest should be protected to enable them to regain their temporarily lost seniority in their higher grades on return to his cadre. In the case of others who have taken up ex-cadre posts on their own volition, such protection is not available and they could be considered for promotion only after they return to their parent cadre.

The application of Department O.M. dated 11th October 1966 and 16th May 1957, referred to above has caused certain anomalies in the case of persons proceeding on deputation or foreign service etc. in public interest, in the matter of protecting their seniority in the higher grade. In respect of such officers who, while on deputation/foreign service are given proforma promotion under the NBR with reference to the date of promotion of their juniors no problem of maintaining their panel seniority would arise. In other cases where, the number of officers out-side the line exceeds the number of juniors who are promoted within the cadre, proforma promotion under NBR could not be given all such seniors in view of the condition of one-to-one correspondence under the guiding principles of NBR.

The effect of this would be that those of the officers higher in the panel and on deputation who could not be given NBR will continue to be shown as working in the lower posts while junior officers within the department would continue to be shown against higher posts. In a case where this position continues after the validity period of panel or at the time of a fresh DPC the junior would not be required to be considered by the fresh DPC while the senior who is shown against the lower post and not actually officiating against a higher post even under NBR may have to be considered by the DPC.

In order to avoid such an anomalous situation, it has been decided that Para X(4) of this department O.M. No. 22011/6/75-Estt. (D) dated 30th December 1976 may be amended as under.

“4 If the panel contains the name of a person who has gone on deputation or on foreign service in the public interest including the person who has gone on study leave, provision should be made for his regaining the temporary lost seniority in the higher grade on his return to the cadre. Therefore, notwithstanding the provision of sub Para 3 above as well as the provision of Para XII below, such officers need not be reconsidered by a fresh DPC, if any, subsequently held, while they continue to be on deputation/foreign service/study leave so long as any officer junior to him in the panel is not required to be so considered by a fresh DPC irrespective of the fact whether he might or might not have got the benefit of proforma promotion under the NBR. The same treatment will be given to an officer included in the panel who could have been promoted within the currency of the panel but for his being away on deputations.”

In the case the officer has gone on ex-cadre post on his own volition by applying in response to advertisements, he should be required to revert to his parent cadre immediately when due for promotion, failing which his name shall be removed from the panel, On his reverting to the parent cadre after the period of two years or the extended period, if any, he will have no claim for promotion to the higher grade on the basis of that panel. He should be considered in the normal course along with other eligible officers when the next panel is prepared and he should be promoted to the higher grade according to his position in the fresh panel. His seniority, in that event shall be determined on the basis of the position assigned to him in the fresh panel with reference to which he is promoted to the higher grade. (If the contains the name of an officer on study leave, he should be promoted to higher post on return from the study leave, the should also be given seniority according to his position in the panel and not on the basis of the date of promotion.)

DP&AR O.M. No. 36013/6/80-Estt.(SCT) dated 28-1-82

Subject :—Supersession of SC/ST candidates in promotion-submission/reporting of cases to Minister and other authorities—recommendation of the Commissioner for SC/ST in the 25th Annual Report for the year 1977-78.

The undersigned is directed to refer to the above mentioned subject and to say that the Commissioner for SC/ST has made the following recommendation in his 25th Annual Report for the year 1977-78 :—

“In promotion on the basis of selection, the Scheduled Caste/Scheduled Tribe candidates in some cases against the unreserved vacancies may not be included in the select list on the basis of low categorisation assigned to them by the DPC. It is strongly felt that in posts filled by promotion on the basis of selection even against the unreserved vacancies all cases of supersession of SC & ST employees should be submitted to the Minister/Minister of State/Deputy Minister concerned for their prior approval.”

2. In this connection, attention is invited to Department of Personnel and A.R. O.M. No. 36012/3/75-Estt.(SCT) dated 6-10-1976 (copy enclosed) in which Ministries and Departments were asked to submit the cases of supersession of SC/ST officers in promotion against reserved vacancies to the Minister/Minister of State/Deputy Minister concerned as the case may be. The Govt. have decided to accept the above recommendation of the Commissioner. It has been decided accordingly that in posts filled by promotion, supersession SC/ST candidates even against unreserved vacancies should be reported to the Minister/Minister of State/Deputy Minister as the case may be, in accordance with O.M. No. 36012/3/75-Estt.(SCT) dated 6-10-1976.

Ministry of Finance etc. are requested to bring the contents of this O.M. to the notice of all attached and subordinate offices.

Department of Personnel and A. R. O.M. No. 36011/14/83-Estt.(ST)
dated 30th April, 1983

Subject:—Adhoc promotions—consideration of cases of Scheduled Castes/Scheduled Tribes employees.

The undersigned is directed to refer to the Department of Personnel & A.R. O.M. No. 36021/7/78-Estt.(SCT) dated 16-4-1979 on the above subject where Ministries and Departments were requested to report to adhoc promotions, only when it became inescapable in the public interest and that where such adhoc promotions had to be resorted to unavoidably, in the public interest, the claims of eligible officers belonging to Scheduled Castes/Scheduled Tribes should also be duly considered alongwith other eligible in the filled, though there was to be no formal reservation for Scheduled Castes/Scheduled Tribes in such promotions. A number of Ministries/Departments have asked for clarification regarding the procedure to be followed and the guidelines, if any, prescribed for considering the claims of the Scheduled Castes/Scheduled Tribes candidates while making such adhoc promotions.

2. It is once again reiterated that the basic approach of this Department is that adhoc promotions should be minimised, if not eliminated altogether. However, if such *ad hoc* promotions are to be made in exceptional circumstances, such as during pendency of court cases protracted seniority disputes, non-framing of recruitment rules, unforeseen delay in direct recruitment or convening of DPCs for reasons beyond the control of the appointing authorities, etc. the following guidelines may be followed so as to ensure that the claims of eligible officers belonging to Scheduled Castes/Scheduled Tribes are also duly considered;

Guidelines :

- (1) Adhoc promotions should be considered only against vacancies in excess of 45 days;
- (2) Since in cases where reservation orders for SC & ST are applicable all vacancies for periods in excess of 45 days are necessarily to be placed on the appropriate roster, the number of vacancies falling to the share of SC & ST, if the vacancies were to be filled on regular basis should first be identified;

3. Since adhoc promotions are made on the basis of seniority-cum-fitness, all the Scheduled Castes/Scheduled Tribes candidates covered in the relevant seniority list within the total number of such vacancies against which *ad hoc* promotions are to be made, should be considered in the order of their general seniority as per the gradation list, on the principle of seniority-cum-fitness and if they are not adjudged unfit, they should all be promoted on adhoc basis;

4. If, however, the number of SC/ST candidates found fit within the range of actual vacancies is less than the number of vacancies identified as falling to their share if the vacancies were filled on a regular basis vide (2) above then additional SC/ST candidates to the extent required should be located by going down the seniority list, provided they are eligible and found fit for such adhoc appointment. This procedure should be adopted on every occasion on which adhoc appointment is resorted to;

5. All adhoc appointees have to be replaced by regular incumbents at the earliest opportunity. Accordingly, when regular promotions are made subsequently reversion of the adhoc appointees should take place strictly in the reverse order of seniority, the junior-most candidate being reverted first. No special concessions are to be given to SC/ST candidates at the time of such reversion;

6. It will be clear from what is stated above that there is no need for maintaining any separate formal roster for adhoc promotions. The concept of dereservation, carrying forward of the reservation etc. will also not be applicable in the case of adhoc appointments. However, a simple register called Adhoc Promotions Register may be maintained for the different categories of posts for which adhoc appointments are made to facilitate a record being kept of the adhoc appointments and for ensuring reversion in the proper order on regular promotions being made to the posts in question; and

7. For regular promotions when eventually made the procedures and instructions laid down in the Brochure will continue to apply.

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

Department of Personnel and A.R. O.M. No. 36011/13/83-Estt.(SCT)
dated 2nd May, 1983

Subject :—Principles for promotion to selection posts—further clarification regarding Application to Scheduled Castes/Scheduled Tribes employees.

The undersigned is directed to refer to this Department's O.M. No. 22/11/3/76-Estt.(D), dated the 24th December, 1980, wherein the field of choice in respect of the posts to be filled by promotion on selection basis and the system of preparing select list have been revised. It has been mentioned therein that if adequate number of candidates belonging to Scheduled Castes/Scheduled Tribes are not available, the field of choice could be extended to five times the number of vacancies but Scheduled Castes/Scheduled Tribes officers so considered in the extended field will be placed en bloc at the bottom. Various Ministries/Departments have been seeking clarifications in the matter of applications of these orders to the Scheduled Castes/Scheduled Tribes employees particularly in the context of the earlier orders contained in this Department O.M. No. 1/12/67-Estt.(C) dated the 11th July, 1968: After careful examination of the issues, it is clarified as follows :

- (a) In promotions by selection in Groups 'C' and 'D', the earlier instructions contained in the O. M. No. 1/12/67-Estt. (C), dated 11-7-1968 would continue to apply in the case of Scheduled Castes/Scheduled Tribes employees as these are not superseded by the instructions of 24-12-1980. However, the procedure for identifying year-wise vacancies and preparation of year-wise panels as contained in the O. M. dated 24-12-1980 will be applied for preparation of separate panels for Scheduled Castes and Scheduled Tribes.
 - (b) As regards promotion by selection from Group 'C' to Group 'B' within Group 'B' and from Group 'B' to the lowest rung of Group 'A' the principles enunciated in the O. M. of 24-12-1980 will apply to Scheduled Castes and Scheduled Tribes officials subject to the modification that meritorious Scheduled Castes/Scheduled Tribes candidates, even in the extended field of choice should not be made to lose the advantage earned by virtue of their superior merit in comparison to others in the normal zone. It has, therefore, been decided that such of the meritorious Scheduled Castes/Scheduled Tribes candidates who are in the extended field and get selected should retain their position in the panel in accordance with their gradation by the D. P. C. To this extent, para 3 (c) of the O. M. dated 24-12-1980 may be deemed to have been amended.
2. Ministry of Finance etc. may circulate this to all other offices for appropriate necessary action.

Department of Personnel and A. R. O. M. No. 36011/14/83-Estt. (SCT)
dated 30th September, 1983

**Subject:—Adhoc promotions consideration of cases of Scheduled Castes/Scheduled Tribes employees—
further clarification.**

The undersigned is directed to refer to the Department of Personnel and A. R. O. M. No. 36011/14/83-Estt. (SCT) dated 30-4-1983 on the subject mentioned above. A doubt arisen with regard to guidelines (3) and (4) of the O. M. dated 30-4-1983 as to the outer limit in the seniority list from which Scheduled Castes/Scheduled Tribes candidates should be located for ad hoc promotions.

2. It has not been decided that the Scheduled Castes/Scheduled Tribes candidates who are within the number of actual vacancies should be considered in accordance with their general seniority on the principle of seniority cum fitness and if they are not adjudged unfit, they should all be promoted on adhoc basis. If, however, the number of Scheduled Castes/Scheduled Tribes candidates found fit within the range of actual vacancies is less than the number of vacancies identified as falling to their share, than additional Scheduled Castes/Scheduled Tribes candidates to the extent required should be located by going down the seniority list but within 5 times the number of vacancies being filled on a particular occasion, subject, of course, to their eligibility and fitness.

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

**Department of Personnel & Training O.M. No. 36012/12/88-Estt.(SCT),
dated 21-9-88**

Subject :—Concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion by selection—posts within Group A (Class I)

The undersigned is directed to invite a reference to the Ministry of Home Affairs O.M. No. 1/9/69-Estt.(SCT) dated 26th March, 1970 as amended vide O.M. No. 1/10/74-Estt.(SCT), dated 23rd December, 1974 according to which in promotions by selection to posts within Group A (Class I) which carry an ultimate salary of Rs. 2250/- (per revised), the SC/ST 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 up, would be included in that list provided they are not considered unfit for promotion. The scales of pay of group A post have been revised on the basis of the recommendations of the 4th Central Pay Commission. It has, therefore, been decided that orders contained in the aforesaid O.M. would apply to promotions by selection to posts within Group A carrying an ultimate salary of Rs. 5700/- or less in the revised scale of pay.

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

**Deptt. of Personnel & Training No. 22038/1/88-Estt.(D) New Delhi
dated the 1 February, 1990 To all Ministries/Departments of the Government of India**

OFFICE MEMORANDUM

Subject :—Non-functional Selection Grade in Group 'A' Services Guidelines to be followed by Selection Committee.

A reference is invited to this Department's O.M. No. 28038/1/88-Estt.(D) dated 9-10-1989 laying down the procedure and criteria to be followed by the Selection Committee for selection for appointment to the non-functional Selection Grade in Group 'A' Services.

It has since been decided that SC/ST officers considered for being appointed in their turn to posts in the NFSG against available vacancies may be included in the select list even if they do not fulfil the critetia laid down in the aforesaid O.M. provided they are not considered unfit by the Selection Committee.

3. These instructions may please be brought to the notice of all concerned for guidance and compliance.

Department of Personnel and Training O.M. No. 36024/4/86-Estt.(SCT)
dated 6-6-1990

Subject :—Reservation for Scheduled Castes and Scheduled Tribes in vacancies filled by promotion by selection—promotion to vacancies in posts in Group B, within group B and from group B to lowest rung of Group A.

The undersigned is directed to invite attention to the DP&AR O.M. No. 10/41/73-Estt.(SCT), dated 20-7-74 No. 10/37/74-Estt.(SCT) dated 3-2-75 and O.M. No. 1/9/74-Estt.(SCT) dated 29-4-75 on the above mentioned subject.

2. Para 2(v) and 2(vi) of O.M. No. 10/41/73-Estt.(SCT) dated 20-7-74 providing for reservation in promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group A, lay down that there will be no carry forward of reservation from year to year and in the event of adequate number of SC/ST candidates not being available in any particular year, a SC candidate may be considered for appointment against a vacancy reserved for ST and vice versa in the same year itself in which the reservation is made. However, in para 1 of OM dated 3-2-75 it is laid down that when a vacancy falling on a reserved point in the roster is treated as unreserved due to its being the only vacancy during the year of promotion, the reservation so due against the reserved point should be carried forward to subsequent three recruitment years. As in case of promotion by selection method from Group C to Group B, within Group B and from Group B to the lowest rung of Group A the reservations are not to be carried forward, it is hereby clarified that in such promotions where a vacancy falling at a reserved point in the roster is treated as unreserved due to the fact that there is only one vacancy during the year of promotion, it will be carried forward to three recruitment years and exchange between SC and ST would be allowed only in the third year of carry forward in the event of non-availability of candidates belonging to the community for which the reservation has been provided.

3. These instructions modify the instructions contained in OM No. 10/37/74-Estt.(SCT), dated 3-2-75 and O.M. No. 1/9/74-Estt.(SCT), dated 29-4-75 to the extent indicated above and take effect from the date of issue of this OM.

Department of Personnel & Training No. AB. 14017/30/89-Estt. RR New Delhi
the 10 July, 1990

Subject :—Filling up of vacancies reserved for Scheduled Castes and Scheduled Tribes, falling in the promotion quota.

The undersigned is directed to say that according to the existing instructions, where eligible candidates (within the zone, where promotion is made by the selection method) belonging to Scheduled Castes and Scheduled Tribes are not available in the feeder cadre for promotion to reserved vacancies falling in the promotion quota, it becomes necessary to de-reserve the vacancies and fill them up by promotion of eligible "general" candidates, if available.

2. A Committee of Members of Parliament which examined various matters relating to representation of Scheduled Castes and Scheduled Tribes in Government services has recommended that wherever substantial backlog is still persisting due to non-availability of candidates belonging to Scheduled Castes and Scheduled Tribes in the feeder cadres, direct recruitment should be arranged to fill up the reserved vacancies.

3. The recommendation has been examined and it has been decided that where recruitment to a grade is made both by promotion and direct recruitment i.e. where separate quotas for promotion and direct recruitment are prescribed in the recruitment rules, reserved vacancies falling in the promotion quota which cannot be filled due to non-availability of eligible persons belonging to Scheduled Castes and Scheduled Tribes in the feeder cadre may be temporarily diverted to the direct recruitment quota and filled by recruitment of candidates belonging to Scheduled Castes and Scheduled Tribes as the case may be in accordance with the provisions relating to direct recruitment contained in the recruitment rules. In the subsequent year(s) when reserved vacancies in the direct recruitment quota become available they may be diverted to the promotion quota to make up for the vacancies diverted earlier and filled from Scheduled Castes/Scheduled Tribe candidates in the feeder cadre who might by now have become eligible for promotion. The exchange of vacancies in this manner will ensure that the structure and composition of the cadre remain unaffected over a period.

4. The proposed diversion of vacancies from the promotion quota to the direct recruitment quota and vice-versa involves relaxation of the recruitment rules prescribing separate quotas for promotion and direct recruitment. It is possible to effect the proposed diversion in exercise of the powers conferred by the relevant relaxation clause in the recruitment rules. As far as Group C and D posts are concerned, Ministries/Departments are themselves competent to effect such diversion in exercise of the powers for relaxation of recruitment rules. In respect of Group A and Group B posts, the concurrence of the Department of Personnel and Training and the Union Public Service Commission is essential. It has been decided that in the matter of diversion of reserved promotion quota vacancies for direct recruitment and vice versa in the circumstances mentioned above, the Ministries/Departments may themselves exercise the powers for relaxation, even in respect of Group A & Group B posts, subject to the approval of the U.P.S.C.

5. The procedure outlined in paras 3 and 4 above will not apply in cases where the posts in a cadre are filled 100% by promotion or in which there is no element of direct recruitment prescribed in the recruitment rules. In such cases, the existing procedure will continue to be followed.

6. All Ministries/Departments are requested to take necessary action in the matter accordingly. It is requested that diversion of vacancies may be effected after careful consideration of all aspects. If, for instance, a candidate belonging to Scheduled Castes or Scheduled Tribe is likely to become eligible for promotion in the near future, it may be preferable to keep the reserved vacancy unfilled till that time, rather than diverting the vacancy for direct recruitment of a candidate from outside. The powers for relaxation of recruitment rules in the manner indicated above may be exercised judiciously to ensure that the interests of persons belonging to Scheduled Castes and Scheduled Tribes are taken care of and are not adversely affected by following these instructions mechanically.

**Department of Personnel and Training O.M. No. 22011/1/90-Estt.(D)
dated the 12th October, 1990.**

Subject:—Zone of consideration for promotion by selection—Revised instructions.

Attention of the Ministry of Finance etc. are invited to this Department's OM No. 22011/3/76-Estt.(D) dated 24-12-80 in which the zone of consideration of officers for promotion by selection is prescribed as under :

No of vacancies	No. of officers to be considered
1	5
2	8
3	10
4	three times the number of vacancies

It is also laid down that where adequate number of SC/ST candidates are not available whether the normal field of choice as indicated above, the field of choice may be extended to five times the number of vacancies and the SC/ST (and not any other) coming within the extended field of choice be considered against the vacancies reserved for them.

2. The existing zone of consideration for promotion to selection posts has been examined in the light of the concepts of 'benchmark' introduced in the revised DPC guidelines vide O.M. No. 22011/5/86-Estt.(D), dated 10-3-89 and dated 10-4-89 and it has been decided to modify the zone of consideration as under :

Number of vacancies	Number of officers to be included <i>in the zone of</i>
1	5
2	8
3	10
4	10+twice the number of vacancies in excess of three vacancies.

(see statement attached)

The existing provision relating to extension of the field of choice to five times the number of vacancies in respect of SC/ST will, however, continue.

3. These instructions will take effect from 1-11-1990.

4. Ministries/Departments are requested to bring these instructions to the notice of all concerned, including their attached and subordinate offices, for guidance and also to ensure their compliance.

Statement Referred to in Para 2

Vacancies	Zone of Consideration	Vacancies	Zone of Consideration
1	5	15	34
2	8	16	36
3	10	17	38
4	12	18	40
5	14	19	42
6	16	20	44
7	18	30	64
8	20	40	84
9	22	50	104
10	24	60	124
11	26	70	144
12	28	80	164
13	30	90	184
14	32	100	204
		×	2×+4

**Department of Personnel and Training O.M. No. 36012/6/85-Estt.(SCT)
dated 1-11-90.**

Subject :—Concessions to Scheduled Castes/Scheduled Tribes in posts filled by promotion—Group A services/posts.

The undersigned is directed to refer to the O.M. No. 1/9/69-Estt.(SCT) dated 26-3-70 as amended vide O.M. No. 1/10/74-Estt.(SCT), dated 23-12-74 and O.M. No. 36012/12/88-Estt.(SCT), dated 21-9-88 on the above mentioned subject (copy enclosed).

2. Though in the OM cited above it has been clearly mentioned that in promotion by selection within Class I (now group A) to posts which carry an ultimate salary of Rs. 2000/- per month or less (since revised to Rs. 5700), the Scheduled Castes and Scheduled Tribes will be given a concession namely "those Scheduled Castes and Scheduled Tribes who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which select list has to be drawn up, would be included in that list provided they are not considered unfit for promotion", doubts have been expressed in certain quarters as to whether the concession given herein above is a reservation or a concession.

3. It is hereby clarified that in promotion by selection within group A to posts which carry an ultimate salary of Rs. 5700/- p.m. there is no reservation.

OFFICE MEMORANDUM

Subject :—Zone of Consideration by selection—clarification regarding.

In this Department's O.M. No. 22011/3/76-Estt.(D), dated the 24th December, 1980 the zone of consideration of officers for promotion by selection was prescribed as under :—

No of vacancies	No. of officers to be considered
1	5
2	8
3	10
4 or more	3 times the number of vacancies

It was also laid down that where adequate number of SC/ST candidates are not available within the normal field of choice as indicated above, the field of choice may be extended to five times the number of vacancies and the SC/ST (and not any other) coming within the extended field of choice be considered against the vacancies reserved for them. This provision relating to an extended zone of five times the number of vacancies in respect of SC/ST has been retained in O.M. No. 22011/5/86-Estt.(D) dated 10-3-89 and 10-4-89 and also in O.M. No. 22011/1/90-Estt.(D) dated 12-10-90 in which the normal zone of consideration for general category was reduced for vacancies numbering 5 and above.

2. It is hereby clarified that the intention is to have an extended zone of five times the number of vacancies in all cases where adequate number of SC/ST candidates are not available in the normal zone of a smaller size. For a single vacancies, since the normal zone itself is 5 i.e. five times the number of vacancies, there is no intention to extend the zone. The normal zone and the extended zone for vacancies will accordingly be as follows :

No. of vacancies	Normal Zone	Zone for consideration for SC/ST
1	5	5
2	8	10
3	10	15
4	12	20
5 and above	Twice the number of vacancies+4	5 times the number of vacancies.

3. All Ministries/Departments are requested to bring these instructions to the notice of all concerned including their attached and subordinate offices for guidance and compliance.