

Annexure to O.M.No.36017/1/2004-Estt.(Res.) dated 5.7.2005

Sl.No.	Name of the State/UT	Percentage of Reservation		
		SCs	STs	OBCs
(1)	(2)	(3)	(4)	(5)
01	Andhra Pradesh	16	7	27
02	Arunachal Pradesh	1	45	0
03	Assam	7	12	27
04	Bihar	16	1	27
05	Chhattisgarh	12	32	6
06	Goa	2	0	18
07	Gujarat	7	15	27
08	Haryana	19	0	27
09	Himachal Pradesh	25	4	20
10	Jammu & Kashmir	8	11	27
11	Jharkhand	12	26	12
12	Karnataka	16	7	27
13	Kerala	10	1	27
14	Madhya Pradesh	15	20	15
15	Maharashtra	10	9	27
16	Manipur	3	34	13
17	Meghalaya	1	44	5
18	Mizoram	0	45	5
19	Nagaland	0	45	0
20	Orissa	16	22	12
21	Punjab	29	0	21
22	Rajasthan	17	13	20
23	Sikkim	5	21	24
24	Tamil Nadu	19	1	27
25	Tripura	17	31	2
26	Uttaranchal	18	3	13
27	Uttar Pradesh	21	1	27
28	West Bengal	23	5	22
29	Andaman & Nicobar Islands	0	8	27
30	Chandigarh	18	0	27
31	Dadra & Nagar Haveli	2	43	5
32	Daman & Diu	3	9	27
33	Delhi	15	7.5	27
34	Lakshadweep	0	45	0
35	Pondicherry	16	0	27

No.36022/4/2005-Estt.(Res.)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

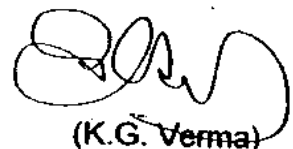
New Delhi, the 13<sup>th</sup> July, 2005.

OFFICE MEMORANDUM

Subject: Training of Scheduled Caste/Scheduled Tribe candidates selected for appointment by relaxed standards.

The undersigned is directed to say that the Union Public Service Commission have pointed out that despite instructions that the candidates belonging to Scheduled Castes and Scheduled Tribes who are selected in various competitive examinations by relaxed standards should be given extra training so as to enable them to come up to the standards of other candidates and that special training programmes including in-service training programmes should be drawn up accordingly, some Ministries/Departments did not take any action to impart training to SC/ST candidates selected by relaxed standards even if the Commission specifically recommended some training for them.

2. All the Ministries/Departments are requested to follow the instructions in the matter scrupulously. Attention in this regard is invited to Ministry of Home Affairs' O.M. No.27/2/70-Estt.(SCT) dated 21<sup>st</sup> April, 1970 and this Department's O.M. No.36022/13/76-Estt.(SCT) dated 14<sup>th</sup> September, 1976.



(K.G. Verma)  
Deputy Secretary to the Government of India  
Tele: 23092797

To

1. All Ministries/Departments of the Government of India.

.....2/-

2. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
3. Department of Economic Affairs (Banking Division), New Delhi.
4. Department of Economic Affairs (Insurance Division), New Delhi.
5. Department of Public Enterprises, New Delhi.
6. Railway Board.
7. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
8. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
9. Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi.
10. National Commission for SCs, Lok Nayak Bhavan, New Delhi.
11. National Commission for STs, Lok Nayak Bhavan, New Delhi.
12. National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.
13. Office of the Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi – 110002.
14. CBI, LBSNAA, ISTM, PESB, Central Sectt. Library, MHA Library.
15. Information and Facilitation Centre, DOPT, North Block, New Delhi.
16. 200 spare copies for Estt.(Res.) Section.

No.36011/3/2005-Estt.(Res.)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

New Delhi, the 9<sup>th</sup> September, 2005.

**OFFICE MEMORANDUM**

**Subject: Verification of caste status of Scheduled Caste, Scheduled Tribe and Other Backward Class candidates at the time of initial appointment/promotion.**

Attention is invited to Department of Personnel and Administrative Reforms (now Department of Personnel & Training) O.M. No.36011/16/80-Estt.(SCT) dated 27<sup>th</sup> February, 1981 which provides that the appointing authorities should verify the caste status of a Scheduled Caste/Tribe candidate at the time of initial appointment and promotion against a vacancy reserved for Scheduled Castes/Tribes. The O.M. clarifies that a candidate who entered into service as an SC/ST candidate may discontinue to be so if the caste/community to which he belongs is descheduled subsequently. A Scheduled Caste candidate also loses his status of Scheduled Caste if he embraces a religion other than Hinduism, Sikhism or Buddhism. Though such officers who lose the status of SC or ST after entering into service are required to inform the Government about it, many of them do not do so. In the absence of necessary vigil, there are possibilities of non-SC/ST candidates getting benefit of reservation and various concessions in the matter of promotion. Therefore, verification of caste status at every important upturn of employee's career is necessary so that the benefit of reservation and other schemes of concessions, etc. meant for SCs/STs go only to the rightful claimants and not those who become disentitled to them. With a view to facilitating such verification, the caste/community to which the SC/ST person belongs, his place of residence and the name of the State should be pasted on the top of the Service Book, personal file and other relevant documents relating to the employee. Attention is also invited to this Department's O.M. No.36033/4/97-Estt.(Res.) dated 25<sup>th</sup> July, 2003 which provides that caste/community status and creamy layer status of OBC candidates should be verified at the time of initial appointment.

2. This Department's O.M. No.36012/6/88-Estt.(SCT) dated 24<sup>th</sup> April, 1990 provides that the appointing authorities should, in the offer of appointment to the candidates claiming to be belonging to Scheduled Castes/Scheduled Tribes, include a clause as follows:

..... 2/-

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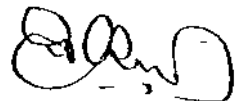
"The appointment is provisional and is subject to the caste/tribe certificate being verified through the proper channels and if the verification reveals that the claim to belong to Scheduled Caste/Scheduled Tribe, as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Panel Code for production of false certificates."

Likewise this Department's O.M. No.36033/4/97-Estt.(Res.) dated 25<sup>th</sup> July, 2003 provides that in case of the offer of appointment to the candidates claiming to belong to Other Backward Classes, a clause as follows should be included:

"The appointment is provisional and is subject to the community certificate being verified through the proper channels. If the verification reveals that the claim of the candidate to belong to Other Backward Classes or not to belong to creamy layer is false, his/her services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of Indian Panel Code for production of false certificates."

3. It has been brought to the notice of the Government that some candidates manage to secure employment under the Government against the vacancies reserved for SCs/STs/OBCs by producing false caste/community certificates and some candidates continue to get the benefits available to the Scheduled Castes/Scheduled Tribes even after losing the status of SC/ST. The undersigned is directed to say that instructions referred to above should be scrupulously followed so that it may not be possible for any non-SC/ST/OBC candidate to secure employment or get benefit of promotion or concessions on the basis of a false claim to belong to these categories and if any person gets an appointment on the basis of such false claim, his services may be terminated as per conditions contained in the offer of appointment.

4. Contents of this O.M. may be brought to the notice of all concerned.



(K.G. Verma)

Deputy Secretary to the Government of India

Tele: 23092797

To

1. All Ministries/Departments of the Government of India.

..... 3/-

2. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
3. Department of Economic Affairs (Banking Division), New Delhi.
4. Department of Economic Affairs (Insurance Division), New Delhi.
5. Department of Public Enterprises, New Delhi.
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7. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
8. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
9. Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi.
10. National Commission for SCs, Lok Nayak Bhavan, New Delhi.
11. National Commission for STs, Lok Nayak Bhavan, New Delhi.
12. National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.
13. Office of the Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi - 110002.
14. CBI, LBSNAA, ISTM, PESB, Central Sectt. Library, MHA Library.
15. Information and Facilitation Centre, DOPT, North Block, New Delhi.
16. 200 spare copies for Estt.(Res.) Section.

No.AB.14017/2/1997-Estt.(RR)/Pt.  
 Government of India  
 Ministry of Personnel, Public Grievances & Pensions,  
 (DEPARTMENT OF PERSONNEL & TRAINING)

New Delhi, dated the 19<sup>th</sup> January, 2007

OFFICE MEMORANDUM

Subject: Fifth Central Pay Commission's recommendations -- Revision of Pay Scales -- amendment of Service Rules / Recruitment Rules.

The undersigned is directed to refer to this Department's OM No. AB - 14017/2/97-Estt.(RR) dated the 25<sup>th</sup> May, 1998 on the subject noted above and to say that paragraph 2 of the said OM provided as follows:-

"The Supreme Court in its judgement in R.K. Sabharwal's case has ruled in favour of a change-over from the existing "vacancy" based reservation roster to "post" based roster. Under the existing policy the determination of different quotas for recruitment is vacancy-based. In order to comply with the aforesaid Supreme Court judgement, which has been implemented vide the DOPT OM No. 36012/2/96-Estt.(Res.) dated the 2<sup>nd</sup> July, 1997, it will be necessary to amend the existing Service Rules / Recruitment Rules under column 11 of Annexure-1 in the DOP&T guidelines dated the 18<sup>th</sup> March, 1988 to replace the words "percentage of the 'vacancies' to be filled by various methods" by "percentage of the 'posts' to be filled by various methods".

2. The Supreme Court in its Judgement in CWP No. 5893 of 1997 decided on 18.12.1998 - State of Punjab & Others vs. Dr. R.N. Bhatnagar & another held as follows:-

"The quota of percentage of departmental promotees and direct recruits has to be worked out on the basis of the roster points taking into consideration vacancies that fall due at a given point of time. .... There is no question of filling up the vacancy created by the retirement of a direct recruit by a direct recruit or the vacancy created by a promotee by a promotee."

3. The Court also held that the decision rendered by the Constitution Bench in R.K. Sabharwal's case vs. State of Punjab & others [(1995(1) SLR 791(SC)] in connection with Article 16 (4) and the operation of

roster for achieving the reservation of posts for Scheduled Castes, Scheduled Tribes & Backward Classes as per the scheme of reservation, cannot be pressed in service for the scheme of method of appointment.

4. The Supreme Court referred the above-mentioned case in its judgement dated 22.2.1999 in All India Federation of Central Excise vs. The Union of India & others [IA Nos. 4, 6-8 in Writ Petition (C) No. 306 of 1988 with Writ Petition (C) No. 651 of 1997], and reiterated the above-mentioned decision.

5. It has, therefore, been decided to rescind the instructions contained in Para 2 of this Department's OM dated 25.5.98, reproduced in paragraph 1 of this OM. The column 11 of the Annexure 1, appended to this Department's OM No. AB-14017/12/87-Estt.(RR) dated 18.3.1988 would continue in its form that existed before the issuance of OM dated 25.5.1998. For the sake of clarity, the column 11 of Annexure 1 would be as follows:-

**Method of recruitment;**

Whether by direct recruitment or by promotion or by deputation / absorption & percentage of the vacancies to be filled by various methods.

6. In case column 11 of the Annexure 1 in regard to Recruitment Rules for posts has been amended by the ministries / departments in accordance with the instructions contained in the OM of 25.5.1998, the same may be amended / notified again, as indicated in paragraph No. 5, in consultation with the Legislative Department. This may be done without making reference to the Department of Personnel & Training / Union Public Service Commission.

7. The attached Annexure illustrates how the post-based roster for reservation and vacancy-based roster for appointment under various methods are to be operated.

8. The reservation position for SCs/STs/OBCs would continue to be governed by the DOPT OM No. 36012/2/96-Estt.(Res.) dated 2<sup>nd</sup> July 1997.

9. This would take effect from the date of issue and the past cases would not be reopened.



10. Hindi version will follow.

  
(Smita Kumar)  
Director

To  
All Ministries / Departments of the Government of India.

Copy to:

- (i) The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi - 110 011 with reference to their communication No...
- (ii) The Comptroller & Auditor General of India, 10- Bahadur Shah Zafar Marg, New Delhi-110.002

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No.AB.14017/2/1997-Estt.(RR)/Pt.  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
(DEPARTMENT OF PERSONNEL & TRAINING)

New Delhi, dated the 4<sup>th</sup> May, 2007

CORRIGENDUM

Subject: Fifth Central Pay Commission's recommendations – Revision of Pay Scales – amendment of Service Rules / Recruitment Rules.

The undersigned is directed to invite reference to this Department's OM, of even number dated 19.1.07 and to request that the heading of the Annexure to this OM may be read as below:-

"Annexure to DOPT O.M. No. No.AB.14017/2/1997-Estt.(RR)/Pt. dated 19.1.2007"

2. Hindi version will follow.

(S.J.Kumar)  
Under-Secretary to the Govt. of India

To

All Ministries / Departments of the Government of India.

Copy to:

- (i) The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi – 110 011
- (ii) The Comptroller & Auditor General of India, 10- Bahadur Shah Zafar Marg, New Delhi-110 002

(iii) 200 Spare Copies.

Annexure to DOPT O.M. No. AB-14017/18/2000-Estt (RR)  
dated 12.1.2007

The term 'cadre strength' referred to in this Department's O.M. No. 35012/2/96-Estt (Res) dated 2.7.1997 in relation to calculation of reservation/maintenance of reservation registers/rosters means the number of posts required to be filled by a particular mode of recruitment in terms of the applicable Recruitment Rules. In a grade comprising 200 posts, where the Recruitment Rules prescribe a ratio of 40:40:20 for direct recruitment, promotion and deputation respectively, the cadre strength for direct recruitment and promotion shall be 80 each. Since there is no reservation for posts to be filled by deputation, 40 posts will not be subject to reservation. The O.M. of 2.7.97 also provides that if there is any increase or decrease in the cadre strength, size of the reservation roster will change and the number of reserved posts will also increase or decrease accordingly.

When recruitment is made vacancy-based, it is possible that at any given point of time, the share of direct recruitment may increase and the share of promotion may correspondingly decrease, or vice versa. In such cases, cadre strength for direct recruitment and cadre strength for promotion would change from year to year. Consequently, the number of reserved posts in direct recruitment quota and promotion quota will also change from year to year.

The following illustration clarifies the position

Illustration

Suppose sanctioned strength of a grade is 1000 and the Recruitment Rules for the grade provide that 50% of the vacancies shall be filled by direct recruitment on an All India basis by open competition and 50% by promotion. Reservation for SCs, STs and OBCs in direct recruitment in this case will be 15%, 7.5% and 27% respectively and in promotion reservation will be 15% for SC and 7.5% for ST

Suppose all the 1000 posts were filled in the year 2000 of which 500 i.e. 50% of the posts were filled by direct recruitment and 500 i.e. 50% of the posts were filled by promotion. The number of reserved posts in direct recruitment quota and promotion quota in that grade in the year 2000 would be as given below:

Direct Recruitment:	SCs-75,	STs-37,	OBCs-135
Promotion	SCs-75,	STs-37	