

**G.I., Dept. of Per. & A.R., O.M. No. 36012/3/75-Estt.(SCT),
dated 6-10-1976;
No. 36013/6/80-Estt. (SCT), dated 28-1-1982, No. 36011/15/92-
Estt.(SCT),
dated 28-10-1992 and No. 36028/21/2003-Estt.(Res.),
dated 29-11-2004**

Subject:- Supersession of Scheduled Castes and Scheduled Tribes candidates in promotion-submission / reporting of cases to Minister and other authorities.

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 case of supersession of Scheduled Castes/Scheduled Tribes candidates in promotion, keeping in view the spirit of the recommendation of the Parliamentary Committee of the Welfare of SCs, and STs, 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 case where eligible Scheduled Castes/Scheduled Tribes candidates, though available, are not appointed / selected for the reserved 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.
- (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 finalization of the select list.
- (iii) In promotions to Group 'C' and within Group 'C'. – 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 Minister / Department.

NOTE. –The eligibility of Scheduled Caste/Scheduled Tribe candidates for consideration against reserved vacancies is to be determined in accordance with 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.

2. In regard to promotions by selection to posts within Group 'A', which carry an ultimate salary of Rs. 18,300 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. 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.

Clarification.- It has been decided that in posts filled by promotion, supersession of SC/ST candidates even against unreserved vacancies should be reported to the Minister / Minister of State / Deputy Minister, as the case may be.