

Distance learning module on Reservation in services for SC, ST & OBC		
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UNIT-1: CONSTITUTIONAL PROVISION FOR RESERVATIONS IN SERVICES

Structure of the Unit

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1.1 INTRODUCTION

In this Unit we shall discuss the provisions available in the Constitution of India, based on which orders relating to reservations in services for Scheduled Castes (SCs), Scheduled Tribes (STs) and other Backward Classes (OBCs) have been issued by Department of Personnel & Training and Ministries of Social Justice of Government of India. The provisions made in the Articles 16, 335, 338, 340, 341 & 342 of the Constitution relate to reservation, protection and safeguards, in public employment in respect of the persons belonging to the SCs/STs and other backward classes.

In this Unit we will learn in detail about the all the above articles except Article 340 to 342. Article 340 to 342 will be discussed in the Unit-2

1.2 OBJECTIVES

After reading this Unit, you will be able to:

- a) Explain Article 14 of the Constitution;
- b) Describe the Constitutional Provisions for reservation for SCs/STs and other Backward classes in services (Art.16 and 335) and
- c) Describe the monitoring mechanism of implementing Constitutional provisions for SCs/STs (Art. 338).

1.3 PREAMBLE OF THE CONSTITUTION

Every Constitution has philosophy of its own. The Preamble of our Constitution proclaims the resolution of PEOPLE OF INDIA to constitute India into a SOVEREIGN, SOCIALIST, SECULAR AND DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;
LIBERTY of thought, expression, belief, faith and worship;
EQUALITY of status and opportunity; and to promote among them all ;
FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation.

The word 'social justice' in the Preamble implies recognition of greater good to a larger number without deprivation of legal rights of anybody.

The concept of equality, enshrined in the Preamble has also found expression as a fundamental right in Article 14 to 16, which we shall discuss in the next section.

1.4 - RIGHT TO EQUALITY-Article 14

The Article 14 of the Constitution is one of the fundamental rights of the Constitution of India. Let us now know about this Article.

Article 14 of the Constitution reads:

“The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India”

What do the two phrases in this Article namely “equality before the law” and “equal protection of law” mean? On the face of it the two phrases may seem to be identical, but in fact, they mean different things.

While “Equality before the law” is negative concept; “equal protection of laws” is a positive one. The former declares that everyone is equal before law, that no one can claim privileges and that all classes are equally subject to the ordinary law of the land. “Equal protection of Law”, on the other hand means, that among equals, the law should be equal and equally administered. That like should be treated as like. Or in other words, persons differently circumstanced need not be treated in the same manner. For example ‘Equal protection of Law’ does not mean that every persons shall be taxed equally, but that persons under the same category should be taxed by the same standard. The guarantee of “equal protection” thus is a guarantee of equal treatment of persons in “equal circumstances” permitting differentiation in different circumstances.

If there were a reasonable basis for classification, the legislature would be entitled to make different treatment. Thus, the legislature may (i) exempt certain classes of property from taxation at all, such as charities, libraries etc; (ii) impose different specific taxes upon different trades and profession.

Illustration of reasonable classification: In offences relating to women, e.g., adultery, women in India may be placed in a more favourable position, having regard to their social status and need for protection. According to s.497 of the Indian Penal Code, in an offence of adultery though the man is punishable for adultery, the women is not punishable as an abettor. Thus the treatment of the women (as a class) favourably has been held as not unconstitutional, because such immunity is necessary for the protection of women in view of their existing position in India Society. (*Yusuf V. State of Bombay, AIR.1954 S.C. 321*)

1.5 – Safeguards for public employment(Art-16)

In the previous section we learnt about Article 14 and the doctrine of equality”. In this Unit we will learn in detail about Article 16, which is regarding equality of opportunity in the matter of employment under State

Article 16 of the constitution provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state. Article 16 reads as under:

Clause(1):There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

Clause(2):No citizen shall on grounds only of religion, race, caste sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of any employment of office under the State.

Clause (3): Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of or any local or other authority within, a State or Union Territory, any requirement as to residence within that State or Union Territory prior to such employment or appointment.

Clause (4)- Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which in the opinion of the State, is not adequately represented in the services under the state".

Clause (4-A): Nothing in this article shall prevent the State from making provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes, which in the opinion of the State are not adequately represented in the service of the State.

Clause (4-B): Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or Clause (4-A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty percent reservation on total number of vacancies of that year (Constitution 81st Amendment Act, 2000).

Have you read the above Article carefully? Many question must be coming to your mind. In this Unit we will confine ourselves to discussion on Article 16(1) to 16(4). We will discuss Article 16(4A) and 16(4B) in the later part of this course.

Before we begin further discussion on Article 16, we request that you read the following conversation between two friends working in the Department of ABC, during their lunch hour stroll. Brief introduction of the two persons, Mr A, and Mr.B is as under:

Mr.A has been recently posted to the Establishment Section of the Department ABC and is trying to understand the policy, rules and instructions about reservation in service.

Mr.B: Is dealing with this subject for a long time and is a keen student of this subject.

Mr.A : *Mr.B, can you clear few of my doubts about the Constitutional provision regarding reservation of posts for SC, ST and OBC.*

Mr.B: *I know you must have been facing some problem with this subject as you have been recently posted to that section.*

Mr.A: *Yes, Yes! I was trying to understand the finer points of Article 16. The clause 1 of Article 16 states that inter-alia, no discrimination can be made on the basis of "caste". In other words any discrimination based on caste is prohibited by the Constitution. How then, there is a reservation and concessions in Government jobs Schedule Castes and Tribes?*

Mr.B.: *You are right in saying that any discrimination based on caste is prohibited by the Constitution. In fact both Clause (1) and (2) of the Article 16 guarantee equality of opportunity to all citizens in the matter of appointment to any office or any employment under the State. But at the same time it is important to understand that Clause (1) is a facet of the doctrine of "equality before Law" laid down in the Article 14. Article 14 permits classification. Thus, Article 16(1) also permits classification, as it is a facet of the doctrine of "equality before Law".*

Mr.A: *16(4) that you referred, lays down that reservation may be made for 'any backward class of citizens'. This article does not contain the word "caste" but talks about class. Does that mean that 'Caste' and 'Class' are synonymous?*

Mr.B: *The Hon'ble Supreme Court has clarified that a "caste" may constitute a "class". That is how the SCs/STs/OBCs have been treated as a "class" which have further been considered as "Backward" and reservation provided under Article 16(4). This has been further explained later in this section.*

While reading the remaining Unit, try to find out how correctly Mr.B replied to the questions raised by Mr.A.

Article 16(1) is a facet of the doctrine of equality enshrined in Article 14. Article 16(1) does permit reasonable classification just as Article 14 does. Reasonable classification ensures the attainment of the equality of opportunity assured by Article 16(1). For assuring equality of opportunity in public employment by Article 16 (1), it may well be necessary in certain situations to treat unequally situated persons unequally. Not doing so, would perpetuate and accentuate inequality. Viewed in this background it becomes clear that Article 16(4) is an instance of such classification, implicit in and permitted by Article 16(1). The Supreme Court held in the case of Indra Sawhney that **“indeed, even without clause (4), it would have been permissible for the State to have evolved such a classification and made a provision for reservation of appointment/posts in their (Backward Classes) favour. Clause (4) merely puts the matter beyond any doubt in specific terms”**.

 In text Activity:

Any classification, other than on the basis of backwardness, would fall under Article 16(1). Can you cite an example of a classification, other than for backward classes made for the purpose of employment/posts, which would come under Article 16(1).

Reservation made in favour of handicapped persons is an illustration of classification under clause (1) of Article 16. Since reservation for handicapped persons is not a classification based on 'backwardness', it would come under Article 16(1).

By now it must have been clear to you that just like Article 14, classification is permitted by Article 16 also. Thus Scheduled Castes and Scheduled Tribes form a class by themselves. The classification has been held by the highest Court as fulfilling the test of reasonable classification that you learnt in the previous section.

The entire gamut of the constitutional provisions pertaining to reservations was addressed by the Supreme Court in writ Petition (Civil) No.930 of 1990 {Indira Sawhney Vs UOI-AIR 1993-SC 477}. The Supreme Court upheld the reservation for 'other backward classes' (OBC) in the services. The aforesaid case came as the order issued by the

Government of India on 1990 reserving 27% of posts for Other Backward Classes was challenged before the Hon'ble Supreme Court

To understand fully the Article 16(4), four of the following terms which appear in the said Article needs to be fully understood:-

- (a) **State**
- (b) **Backward Class of Citizens**
- (c) **Opinion**
- (d) **Not adequately represented.**

(a) **STATE**- The word 'State' has the same meaning as defined in Article 12 of the Constitution. 'State' means, the Central Government, State Governments, Parliament, State Legislatures, and all local e.g. *Panchayat*, Port Trust etc.) or other authorities within the territory of India or under the control of the Government of India.

(b) **BACKWARD CLASS OF CITIZEN**- For the term '*Backward Class of Citizens*', it was contended before the Supreme Court whether SCs and STs can be classified as backward classes in order to entitle them to the benefits of reservation under Article 16(4) of the Constitution. The Supreme Court had held that:

" Article 16 in the first instance by clause(2) prohibits discrimination on the ground, inter-alia, of religion, race, caste, place of birth, residence and permits an exception to be made in the matter of reservation in favour of backward classes of citizens. The expression 'backward class' is not used as synonymous with 'backward caste' or 'backward community'. The members of an entire caste or community may be in the social, economic and educational scale of values at a given time be backward and may on that account be treated as a backward class, but that is not because they are members of a caste or community, but because they form a class. In its ordinary connotation the expression 'class' means a homogenous section of the people grouped together because of certain likenesses or common traits, and who are identifiable by some common attributes such as status, rank, occupation, residence in a locality, race religion and the like". (Triloki Nath Vs. State of Jammu & Kashmir 1969) I SCR 103A 1960 SCI).

Thus, the **SCs and STs would be deemed to be 'backward class'** within the meaning of Article 16(4). In case of classification of backward classes, the Supreme Court in the case of Indra Sawhney has opined as follows:

- A caste can be and quite often is a social class in India. If it is backward socially, it would be backward class for the purpose of Article 16(4). Among non-Hindus, there are several occupational

groups, sects and denominations, which, for historical reasons, are socially backward. They too represent backward social collectives for the purpose of Article 16(4).

- Neither the Constitution nor the law prescribes the procedure or method of identification of backward classes. Nor is it possible or advisable for the court to lay down any such procedure or method. It must be left to the authority appointed to identify the backward classes. It can adopt such method/ procedure as it thinks convenient and so long as its survey covers the entire populace, no objection can be taken to it. Identification of the backward classes can certainly be done with reference to castes among, and along with, other occupational groups, classes and sections of people. One can start the process either with the occupational groups or with castes or with some other groups. Thus one can start the process with the castes, wherever they are found, apply the criteria (evolved for determining backwardness) and find out whether it satisfies the criteria. If it does-what emerges is a “backward class of citizens” within the meaning of and for the purpose of Article 16(4). Similar process can be adopted in the case of other occupational group, communities and classes, so as to cover the entire populace. The central idea and overall objectives should be to consider all available groups, sections and group/ class encompassing and overwhelming majority of the country’s population, one can well begin with it and then go to other groups, sections and classes.
- It is not necessary for a class to be designated as a backward class that it is situated similarly to the scheduled castes/scheduled tribes.
- ‘Creamy layer’ can be, and must be excluded.
- It is not correct to say that the backward class of citizens contemplated in article 16 (4) is the same as the socially and educationally backward classes referred to in article 15(4). It is much wider. The accent in article 16(4) is on social backwardness. Of course, social, educational and economic backwardness are closely inter-twined in the Indian context”. (Indira Sawhney Vs UOI)

(c) **OPINION**-Another word occurring in Article 16(4) is ‘**Opinion**’. Thus, what is a matter of opinion cannot be mandatory nor is it subjected to any limitation of time.

(d) **NOT ADEQUATELY REPRESENTED**- Hon’ble Supreme Court has clarified the meaning of ‘not adequately represented’ as under:

“ The adequacy of representation of a particular class in the services under the State is a matter within the subjective satisfaction of the appropriate Government. The judicial scrutiny in that behalf is the same as in other matters within the subjective satisfaction of an authority.”

Therefore, the ‘State’ has the first form an opinion about which castes/ community could be classified as the ‘**backward class**’ and whether the class so identified is adequately represented in the services under the state or not. After completion of this exercise, nothing shall prevent the State from making reservations. According to the Supreme Court, Article 16(4) does not confer any right on the SCs and STs and there is no Constitutional duty imposed on the Government to make reservations for SCs/ STs, either at the initial stage of recruitment or at the stage of promotion. In other words, Art.16(4) confers a discretionary power on the State to make reservations of appointments in favour of backward class of citizens which in its opinion, are not adequately represented in the services of the State (Rajendran Vs UOI-1968 SCR 721)

Reservation in Promotion

In the *Indra Sawhney*’ case, hon’ble Supreme Court also held that reservation in promotion is unconstitutional but permitted the reservation, for Scheduled Castes and Scheduled Tribes to continue for a period of five years(From 16.11.92). Consequent to this, the Constitution was amended by the Constitution (Seventy-seventh Amendment) Act, 1995 and **Article 16(4-A)** was incorporated. This Article enables the State to provide for reservation, in matters of promotion, in favour of the Scheduled Castes and Scheduled Tribes. The fact that the words “Backward class” used in Article 16(4) have been instituted in Article 16(4-A) by the words “SCs & STs”, itself precludes consideration of making reservation in promotion in favour of any other category of citizens.

1.6- Limitations of the Safeguard-Article 335

Article 335 of the Constitution originally read as under:-

“ The claim of the members of the Scheduled castes and the Scheduled Tribes shall be taken in to consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of the State.”

The Hon’ble Supreme Court has held in a number of cases, that Article 335 operates as a limitation to the provision contained in Article 16(4)

though Article 16(4) does not specifically refer to Article 335 or raise any question of maintenance of efficiency of the administration. Thus, reservation for the backward class will be struck down as violative of Article 14 and 16(1), if it is unreasonably excessive.

While forming an opinion for making reservations the State shall also take cognisance of the limitation set out in Art.335 i.e. whether making reservation is consistent with the maintenance of efficiency of administration.

82nd Amendment Act, 2000, amended the Article 335. The background for the amendment was that the Hon'ble Supreme Court in the case of S.Vinod Kumar Vs. U.O.I had held that the various instructions of Government providing for lower qualifying marks/lesser standard of evaluation in matter of promotion for candidates belonging to SC/ST are not permissible in view of the provisions contained in Article 335. In view of this decision the various orders regarding lower qualifying marks/standard of evaluation for SC/ST in the matter of promotion were withdrawn by the Government w.e.f. 22.7.97. However, the Parliament decided to once again restore the relaxations and concession in promotion and the following proviso to Art.335 were added:-

“Provided that nothing in this Article shall prevent in making of any provisions in favour of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State”

In pursuance of this enabling proviso of Art.335, all relaxations/ concession which were withdrawn earlier w.e.f. 22.7.97 have now been restored w.e.f. 3.10.2000 vide DOPT's O.M.No.36012/23/96-Estt.(Res.)-Vol.II dated 3/10/2000.

Self Assessment Question

Note: -

- (i) Answer the following questions in the provided space,**
- (ii) Compare your answers with those given at the end.**

1. Article 16(4) provides for the State to make reservation in post/ employment for backward classes of society? Which three categories which fall under the term “backward classes”

2. Article 16(1) prohibits reservation on the basis of caste. Article 16(4) of the Constitution provides for the States to make reservation in posts/appointments for “any backward classes”. How then reservation on the basis of caste is provided.

3. Which clause of Article 16 of the Constitution provides for reservation in promotion? Why was there a need to insert that clause.?

4. Which Article acts as limitation on Article 16(4)?

5. What does the expression '*backward class citizens*' in the Article 16(4) mean? Write in your own language.

1. -----

2. -----

3

4

5

1.7- National Commission for SC & ST-Article 338

Even after making specific provisions for safeguards for SC/ST, the founding fathers thought of providing for a Constitutional Authority to watch the working of these safeguards. Accordingly Article 338 made a provision for “Special Officer” for SC/ST to be appointed by the President to investigate all matters relating to the safeguards provided for the SCs/STs under the Constitution.

However, various viewpoints were expressed about the efficacy of the system. It was felt that a high level five-member Commission under Article 338 will be more effective than a single Special Officer. Hence, through the Constitution 65th amendment, Act, 1990, Art.338 was amended to provide for National Commission for Scheduled Castes and Scheduled Tribes (NCSCST), consisting of a Chairperson, Vice-Chairperson and five other members so appointed by the President under his hand and seal. Clause 5 of Article 338 which states the duties of the Commission is as under: -

Duties of the Commission 338(5):-

- (a) to investigate and monitor all matters relating to the safeguards provided for the SCs/ STs under this Constitutional or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of SCs/ STs;
- (c) to participate and advise on planning process of socio-economic development of the SCs/STs and to evaluate the progress of their development under the Union and any State;
- (d) to present the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- (e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the SCs/STs; and
- (f) to discharge such other functions in relation to the protection, welfare and development and advancement of the SCs/STs as the President may, subject to the provisions of any law made by Parliament, by rule specify.

Clause (6) of Article 338 provides that the President shall cause reports of the Commission to be laid before each House of the parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any of such recommendations.

Clause (8) provides that the Commission shall have all the powers of Civil Court trying a suit. The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause 5 have all the powers of Civil Court trying a suit and in particular in respect of the following matters, namely:-

- (a) Summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) Requiring the discovery and production of any document;
- (c) Receiving evidence of affidavits;
- (d) Requisitioning any public record or copy thereof from any court or office;

- (e) Issuing commissions or the examination of witnesses and documents;
- (f) Any other matter, which the President may, by rule, determine.

Article 338 (9) lays down that the Union and every State Government shall consult the Commission of all major policy matters affecting SCs/STs.

From the above provisions it is easy to understand the importance that the Commission enjoys so far as the safeguarding the interest of SC/ST employees. Besides the Constitutional provisions, various instructions have also been issued by the Government regarding.

A list of these instructions are as under:

- A SC/ST employee can write directly to the Commission on matters relating to appointments, confirmation, promotion and grant of other concessions available to SCs/STs, without any prior permission from the concerned administrative Ministries/Departments. [MHA O.M.No17016/1/76-SCT(i) dt.8.4.1976]
- The Ministries/Departments, etc. should extend necessary assistance to the Commission in connection with the Special Studies of rosters maintained and implementation of other concessions to SCs/STs and also to report on follow-up action on such studies, within 6 months. If it is not possible to send a report within 6 months, an interim reply should be sent to the Commission explaining the reasons as to why a full reply cannot be sent.
- NCSCST has no power of granting injunctions, whether temporary or permanent. The Commission has the procedural powers of a Civil Court for the purpose of investigating and inquiring into the matters and that too for that limited purpose only. [DOPT O.M.No.36036/2/97-Estt.(Res.) dated 1.1.98]

Self-Assessment Question

Note: -

- (i) Answer the following questions in the provided space,**
- (ii) Compare your answers with those given at the end.**

6. The National Commission for SCs & STs has been set up under which article of the Constitution of India?

(a) Article 339

(b) Article 338

(c) Article 339

(d) Article 340

7. A SC/ST employee need not take any permission form the Administrative Authorities before writing to NCSCST, but that employee has to take the permission of the liaison Officer. Comment

8. NCSCST does not have the powers to call for the original files relating to appointment of candidates belonging to the SC & ST, in order to investigate a matter relating to complain from a SC/ST employee. Comment.

9. Is it mandatory, under the Constitution for the Union/State/Union Territory to consult the NCSCST on all matters of major policy affecting SCs/ STs? True/False

1.8- LET US SUM UP

- In this Unit, we discussed the Constitutional provisions for reservation for backward classes of citizen. We learned that, Article 14 of the Constitution guarantees 'Equality before Law; or 'Equal protection of the Law' but at the same time permits a reasonable classifications.
- Classification of SC/ST(and also OBCs) as backward classes of citizen is a reasonable classification permitted by Article 14. However Article 16(4) is exhaustive of the subject of reservation in favour of 'backward classes of citizens, as explained in the judgement of Supreme Court in Writ Petition No.930 of 1990 (Indira Sawhney Vs UOI).
- Article 16(4-A) permits reservation in promotion for SCs / STs.
- For maintaining efficiency in the administration limitations were set out in Article 335. The Hon'ble Supreme Court held in the case of **S.Vinod Kumar Vs. UOI** that any relaxations/concessions provided to SC/ST in matters of promotion is not permissible by Article-335. In pursuance of this judgement, Government withdrew all concessions/relaxations for SC/ST in matters of promotion. However, the Article 335 was amended and a proviso was added to provide for relaxations/concession to SC/ST in Promotion.

- For monitoring the provisions of the reservations a "Constitutional Authority" was set up under Article 338. The Constitutional Authority is known as 'National Commission for SCs/STs'. The composition of the commission is Chairperson, Vice- Chairperson and five members. All the members including Chairperson, Vice-Chairperson are appointed by the President of India. The 'National Commission for SCs/STs' has been provided judicial and administrative powers.

1.9 SUGGESTED READINGS

Some of the books which will be useful to keep as a reference book are:-

- Government of India, The Constitution of India, GOI Press New Delhi.
- Government of India ,Brochure on Reservation for SCs/ STs in Services , GOI Press, Department of Personnel and Training {Estt SCT}
- Muthuswamy and Bindra, Swamy's Compilation on Reservation and Concessions for SCs/STs OBC, Swamy's Publishers (P) Ltd. Chennai and New Delhi.
- Ghose S.K., Reservation in Services (A manual for Government and Public Sector), Akshar Publication, New Delhi.
- Supreme Court Judgement in Indra Sawhney Vs UOI Writ Petition (Civil) No.930 of 1990

1.9-ANSWERS TO SELF-ASSESSMENT QUESTIONS

Answer to Q.1. The three categories that fall under the term 'backward classes' mentioned in Article 16(4) are (i) SC, (ii)ST and (iii) Other backward Classes.

Answer to Q.2: Please see section 1.5.1.

Answer to Q.3: Article 16(4-A) provides for reservation in promotion. This article was incorporated later to neutralise the judgement of the Hon'ble Supreme Court in which the Hon'ble Court had held that reservation in promotion is not permissible under the Constitution.

Answer to Q.4: Article 335 acts as a limitation on Article 16(4). See "1.5.2-Limitations of the safeguard".

Answer to Q.5: See para (b) below "Indira Swahney Case" (Page 8).

Answer to Q.6. Article 340.

Answer to Q.7. A SC/ST employee does not require prior permission from either the Administrative Authorities or the liaison Officer before submitting his representation to NCSCST.

Answer to Q.8. NCSCST has the procedural powers of a civil court for the purpose of investigating and inquiring into the matter and that too for that limited purpose only. It has no power of granting injunctions, whether temporary or permanent. It has the powers to call for the original files relating to appointment of candidates belonging to SC/ST community, in order to investigate a matter relating to complain from SC/ST employee.

Answer to Q.9: Yes. It is mandatory to consult the NCSCST on all matter of major policy affecting SCs/STs. See **Article-338(9)**.(Page-12)

Rough work

UNIT-2: DEFINITION OF SCHEDULED CASTES, SCHEDULED TRIBES AND BACKWARD CLASSES AND CASTE/TRIBE CERTIFICATES

STRUCTURE

2.1 –Introduction.

2.2 –Objectives.

2.3 -Who is a SC/ ST?

2.4 -Cast Certificate for SCs/ STs.

2.4.1 Authorities Empowered to Issue SC/ST Cast Certificates.

2.4.2 Provisional Appointment- in absence of certificate.

2.4.3 Further verification & re-verification.

2.5 -Effect of Certain Events on the Status of SCs/STs.

2.5.1-Marriage.

2.5.2-Conversion or re-conversion.

2.5.2-Migration.

2.5.4-Adoption.

2.6 -Other backward classes

2.6.1-Definition/identification of other Backward Classes.

2.6.2-Form of certificate to be produced by OBCs.

2.7 -Let us Sum up.

2.8 -Answers to Self Check-Exercises.

2.1 INTRODUCTION

In the Unit-1, you have learned the Constitutional provision for reservation in services for backward classes of citizens (i.e. SCs, STs and OBCs) and also provision for constitutional safeguards for Public Employment and monitoring provisions. In this we will learn which are the classes of people classified as Scheduled Caste and Scheduled Tribe and Other Backward Classes. We will also learn about the criterion of a valid certificate required to be produced by SCs, STs and OBCs for claiming benefit/concession for appointment to services under the Union.

2.2-OBJECTIVES

After going through this Unit, you will be able to:

- **List the requirements for a valid caste certificates for SCs/STs/OBCs;**
- **State the effect of MARRIAGE, MIGRATION, CONVERSION AND ADOPTION on the Status of SCs/STs;**
- **List the situations when verification/re-verification of caste/Tribe certificate is required.**

2.3-WHO IS A SC/ST?

Article 341 and 342 of the Constitution provides for drawing up the lists of Scheduled Castes and Scheduled Tribes respectively. The Article 341 and 342 are reproduced below. Please read them carefully.

Schedule Castes:

“Article 341(1): The President may with respect to any State or Union Territory, and where it is a State after consultation with the Governor thereof, by public notification, specify the casts, races or tribes or parts of or groups within casts, races or tribes which shall for the purpose of this Constitution be deemed to be Schedule Casts in relation to that State or Union Territory, as the case may be”.

“Article 341(2): Parliament may by law include in or exclude from the list of Schedule Casts specified in a notification issued under clause (1) any casts, race or tribe or parts of or groups within casts, races or tribes but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification”.

Schedule Tribes: -

“Article 342(1): The President may with respect to any State or Union Territory, and where it is a State after consultation with the Governor thereof, by public notification, specify the tribe or tribal communities which shall for the purpose of this Constitution be deemed to be Schedule Tribes in relation to that State or Union Territory, as the case may be”.

“Article 342(2): Parliament may by law include in or exclude from the list of Schedule Tribes specified in a notification issued under clause (1) any tribe or tribal communities but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification”.

 **In text Activity :**

You have read the both the Articles. The Articles are similarly worded. 341 is regarding the procedure to be adopted for specifying the castes, Tribes or races as Scheduled Caste and 342 is in respect of Scheduled Tribe. On the basis of what you have read and grasped, Can you answer these questions quickly before proceeding further in this Unit:

1. In respect of a State/Union Territory who is empowered to specify the Castes, races or tribes as Scheduled Caste and similarly the Tribes or Tribal Communities as Scheduled Tribe.
 - President
 - Governor of the State
 - Chief Minister of the State
2. If a caste residing in a particular State of India, is to be added or included today into the list of Scheduled Caste who is empowered under the Constitution to do that.
 - President
 - Governor
 - Chief Minister
 - Parliament
 - Legislative Assembly of the State

Let us learn whether you have correctly answered these questions and let us explore these two Articles a little more.

The question as to who is empowered to specify the castes as SC is easy to answer. A plain reading of the Article 341 and 342 reveals that it is the President who is empowered to frame the lists of SCs/ STs. In respect of a State he may consult the Governor of that particular State. Accordingly, in pursuance of the clause(1) of Article 341 and 342, a notification has been issued by the President, declaring various communities as SCs and STs, in respect of each State/U.T.

Let us now come to the second question. If you read the clause (2) of Article 341 and 342 you will find that any inclusion in or exclusion from the

list can be done by the 'Parliament' and not by the President. Under cl.(2), the original Scheduled Castes and Tribes Order cannot be varied by a subsequent Order of Notification unless that is issued under a law made by Parliament. In other words the President has the initial power to frame the lists of SCs and STs, but it can be modified or amended only by parliamentary legislation.

Thus a caste/Tribe is a SC or ST, as the case may be, only and only if the caste/tribe has been included in the list drawn by President under Art.341 or 342.

Let us now learn some more interesting features of these two Articles. These two Articles specifically empower the President to declare a group within a caste (instead of the Caste as a whole) as a Scheduled Caste. Can you think of an example from your State or any other State.

The object of Article.341 (1) is to provide additional protection to the member of SCs having regard to the economic and educational backwardness from which they suffer. In view of this the President may well come to the conclusion that not the whole caste, race or tribe but parts or groups within them should be specified. Similarly, the President may specify castes, etc. or parts thereof in relation not only to the entire State, but in relation to parts of the State where he is satisfied that the examination to the social and educational backwardness of the race, caste or tribe justifies such specification.

Example 1: "*Dhobi*" caste of Madhya Pradesh. Not all persons belonging to the *Dhobi* Caste in the State of Madhya Pradesh are SC. But only those persons belonging to this caste and residing in Bhopal, Raisen and Sehore districts are notified as SC.

Example 2: *Kakkalana* Caste of Tamil Nadu. Not all *Kakkalana* caste are Scheduled Caste but only those residing in Kanyakumari district and Shenkottah taluk of Tirunelveli district are deemed to be SC under Article 341 of the Constitution.

Thus Article 341 & 342 prescribed that the President may list particular communities as SCs and STs respectively. Any inclusion or exclusion can be only by parliamentary legislation. But one question still remains unanswered. Is there any criterion defined in the Constitution for defining SCs or STs? In other words which community is to be defined as SC or ST?. The answer is that there is no definition of SCs or STs in the Constitution. What then, is the criterion for inclusion in the list of Scheduled Caste and Scheduled Tribe? The criteria for inclusion of any

community in the list of Scheduled Castes and Scheduled Tribes are as under:

SCHEDULED CASTES: Extreme social, educational and economic background arising out of the traditional practice of untouchability.

SCHEDULED TRIBES: Indications of primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large and backwardness.

Self-Assessment Questions.

Note:-

- (i) Answer the following questions in the provided space,
- (ii) Compare your answers with the one given at the end.

1. Which article of the Constitution provides drawing up the list of the SCs and STs respectively?

Art. 341 & 342	Art.339 & 340	Art.335 & 342	Art.338 & 339
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2. Whether a member of SC community converted to Buddhist religion shall continue to be a member of SC?

3. Who has the power to frame the list of SCs/STs and how they can be modified or amended?

1-----

2-----

3-----

2.4 - CASTE CERTIFICATES FOR SCs & STs

In previous Section, we discussed the constitutional provisions for drawing lists of SCs/STs. In this section, we will learn as to what are the requirements of a valid caste the Caste Certificate to be produced by a

person belonging to a caste/Tribe scheduled as SC/ST as the case may be.

Every person who claims to be a member of Scheduled Caste or Scheduled Tribes has to produce a Caste Certificate to the appointing authority, as sufficient proof in support of a candidate's claim to make him/her eligible for various relaxation and concessions. Can he produce a certificate which has been signed by a Gazatted Officer or let us say a MLA or M.P. Read the case study below and proceed further.

Case Study-1: In an organization twenty posts of Lower Division Clerks have been recruited on direct recruitment basis. The Offer of appointment to all the candidates have been sent after completing other formalities like medical report and police verification report. One of the candidates Shri X, who claimed to belong to SC category, has reported for duty. On being asked to produce the original caste certificate he produces the following certificate :-

To whomsoever it may concern

Shri X son of Shri Y a permanent resident of Nabi Karim Delhi, belongs to the **Jatav** caste which is a Scheduled Caste of Delhi as per the "Scheduled Caste Order, 1950".

(Signed)
Under Secretary
Ministry of XYZ
Government of India

Shri X also produces the original caste certificate of his father, duly signed by the District Magistrate New Delhi. The caste certificate of his father is in order Shri X also informs that he has applied for his caste certificate form the concerned authorities in Delhi but is yet to be issued

The form prescribed by the Government is as under

Form of certificate as prescribed in MHA OM No. 42/21/49-NSG dated 28-1-1952 as revised in Department of Personnel & AR letter No.36012/6/76- Estt.(SCT) dated 29-10-1977, to be produced by a candidate belonging to SC or ST in support of his claim.

Form of Caste Certificate

This is to certify that Shri/Shrimathi*/Kumari*
Son/daughter* of Of village/town*
..... in District/Division*
of the State/Union Territory* belongs to the
.....

Cast/Tribe* which is recognised as a Scheduled Caste/Schedule Tribe* under:

The constitution (Scheduled Castes) Order, 1950.

The constitution (Scheduled Tribes) Order, 1950.

The constitution (Scheduled Castes)(Union Territories) Order, 1951.

The constitution (Scheduled Tribes)(Union Territories) Order, 1951.

[(As amended by the Scheduled Castes and Scheduled Tribes Lists (Modification Order) 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North-eastern Areas (reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976.

- The constitution (Jammu and Kashmir) Scheduled Castes Order, 1956;
- The constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959, as amended by the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976.
- The constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962;
- The constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962;
- The constitution (Pondichery) Scheduled Castes Order, 1964;
- The constitution (Uttar Pradesh) Scheduled Tribes Order, 1967;
- The constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;
- The constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;
- The constitution (Nagaland) Scheduled Tribes Order, 1970;
- The constitution (Sikkim) Scheduled Castes Order, 1978
- The constitution (Sikkim) Scheduled Tribes Order, 1978
- The constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989;
- The Constitution (Scheduled Castes) Order (Amendment) Act, 1990.
- The Constitution (Scheduled Tribes) Order (Amendment) Act, 1991.
- The Constitution (Scheduled Tribes) Order Second Amendment Act, 1991.

2[#]. This certificate is issued on the basis of the Scheduled Castes/Scheduled Tribes Certificate issued to Shri/Shrimati*father/mother* in District / Division* of the State/Union Territory* Who belong to the Caste/Tribe* which is recognised as a Scheduled Castes/Scheduled Tribes in the State/UT*issued by the, dated.....

3. Shri/Shrimathi*/Kumari* and/or* his/her* family ordinarily reside(s) in village/town* of District/Division* of the State/Union Territory* of

Signature.....

Designation.....

(with seal of the office)

Place

State/UT

Date.....

Note – The term “Ordinarily resides” used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

* Please delete the words, which are not applicable.

#.The para 2 is applicable only in those cases when the certificate has been issued by the competent authority in the State/UT in which the applicant is residing after migration.

From the aforesaid form you can see that a Caste/Tribe certificate should necessarily contain information about:

- (a) Name of the person;
- (b) Father's name;
- (c) Permanent place of residence;
- (d) Name of the Caste/Tribe and
- (e) Constitutional order under which the caste/tribe has been notified.
- (f) Signature of issuing authority along with the designation, seals and date.

2.4.1-Authorities Empowered to issue SC/ST certificates

Let us now learn who are the Authorities who can issue a caste/Tribe certificate. These authorities are :

- 1) District Magistrate/ Additional District Magistrate/ Collector/Deputy Commissioner/ Additional Deputy Commissioner/ Deputy Collector/ 1st Class Stipendiary Magistrate/ Sub-Divisional Magistrate/ Taluka Magistrate/ Executive Magistrate/ Extra Assistant Commissioner.
- 2) Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/ Presidency Magistrate.
- 3) Revenue Officer not below the rank of Tehsildar.
- 4) Sub-Divisional Officer of the area where the candidate and/or his/her family normally resides.
- 5) Administrator/Secretary to Administrator/Development Officer (Lakshdweep Islands)

From these instructions you can easily make out that the Ministry of XYZ cannot accept the caste certificate produced by Shri X as a valid certificate. The reason is that it is neither in the prescribed proforma nor signed by the Authority competent to issue the certificate. But despite these facts, Shri X should could have been allowed to join the post. Let us see why.

2.4.2-Provisional Appointment in absence of certificate

When a candidate belonging to SC or ST is unable to produce a cast certificate from any of the competent authorities, he may be appointed provisionally on the basis of whatever '*prima facie*' proof he is able to produce in support of his claim, subject to his furnishing the prescribed certificate within the reasonable time. If the candidate faces genuine difficulty in getting the certificate, the appointing authority should itself verify his claim through the District Magistrate concerned. Appointment of a SC or ST candidate should not be withheld / delayed pending verification of cast status.(DP&AR OMNo.36019/7/75-EsTT(SCT) dated 31-10-75).

Thus in the illustration give in the in-text activity no.1, Shri X produced a certificate of his father which appeared in order. That certificate is a good prima facie evidence in support of his claim. Hence on the basis of that he should have been appointed on provisional basis till he produced the prescribed certificate for which a reasonable time could be provided to him.

The instructions issued by the Govt. of India from time to time provide that the appointing authorities should verify the caste/tribe certificates through the competent authority of the place of permanent abode of the certificate holder and in case, the verification reveals that the candidate's claim is false, his/her services should be terminated. Since these instruction were not being scrupulously observed by the administrative authorities, the Govt. of India, DOPT issued detailed instructions specifying the authorities competent to issue community certificates (which you have learned already). And directing the appointing authorities to include the following clause in the offer of appointment to the candidates claiming to be SCs/STs:

“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 Penal Code for production of false certificates.”

The authorities empowered to issue of caste certificates are required to strictly adhere to the guidelines issued on the subject. Before issuing the certificates, it is necessary for the authorities concerned to make proper verification based primarily on revenue records and, if need be through reliable inquiries. Case in which a doubt arises may be referred to the Department of Personnel and Training.

Self-Assessment Questions

Which of the following caste certificate will be accepted as a valid caste certificate:

Q.4.

This is to certify that Shri Ganga Das, Son of Shri Mohan Das of Village Jhilmil, in District – Chhindwara of the State of Madhya Pradesh belongs to the Pasi Caste, which is recognised as Scheduled Caste under the Constitution (Scheduled Castes) order, 1950.

Shri Ganga Das and his family ordinarily reside in village Jhilmil of Chhindwara District of the State of Madhya Pradesh.

Signed
District Magistrate
Seal

Place: Chindwara
Date:05-09-1993

Q.5

This is to certify that Smt. Kanta Devi, wife of Shri Ramesh Kumar of village Lamta in District Balaghat of the State of Madhya Pradesh belongs to the Beldar Caste which is recognised as a Scheduled Caste under the Constitution (Scheduled Caste) Order, 1950.

Shri Ramesh Kumar and his family ordinarily reside in village Lamta of Balaghat district of Madhya Pradesh.

Signed
District Magistrate
Seal

Place: Balaghat
Date:16-10-79

Q.6:

This certificate is issued on the basis of the Scheduled Caste Certificate issued to Shri Anand Ram, father of Shri Mukund Ram of town Gorakhpur in District Gorakhpur of the State of Uttar Pradesh, who belongs to the Khatic caste which is recognised as a scheduled caste in the State of Uttar Pradesh, issued by the district Magistrate, Gorakhpur vide their No.C-156/66, dated 15-9-1966

Signed /-
District Magistrate
Shivpuri, Madhya Pradesh
Seal

Place:Shivpuri
Date:16-10-1989

2.5- EFFECT OF CERTAIN EVENTS ON THE STATUS OF SCs & STs.

There are guidelines for authority empowered to issue Caste Certificates

General - (Applicable to all cases) When a person claims to belong to SC or ST by birth it should be verified-

- That the person and his/her parents actually belong to the community claimed;
- That this community is included in the Presidential Orders specifying the SCs and STs in relation to the concerned State/UTs;
- That the person belongs to the State and to the area within that State in respect of community has been scheduled;
- If a person claims to be SC, he/she should profess either the Hindu, the Sikhs or has converted to the Buddhist religion;
- If the person claims to be a ST, he/she may profess any religion.

2.5.1- Marriage- its effect on caste

Claim through Marriage- The guiding principle is that the person who was not SC/ST/OBC by birth, will not be a member of SC/ST/OBC merely because he/she had married to a person belonging to a SC/ST/OBC person. Similarly, a person who is a member of SC/ST/OBC would continue to be a member of SC/ST/OBC as the case may be, even after his or her marriage with a person who does not belong to a SC/ ST/OBC . Similarly, a person who is not a member of SC/ST will not become a member of SC/ST by marrying a person belonging to SC/ST.

2.5.2-Cases of conversion or re-conversion

In accordance with the SCs/STs Order (Amendment) Act 1956- “No person who professes a religion ***other than*** the Hindu or the Sikh religion shall be deemed to be a member of a Scheduled Casts”. However, this Act was amended by the Scheduled Castes Order (Amendment) Act, 1990 which provides that members of SCs included in the President order and converted to Buddhist religion shall continue to be deemed to be member of SCs¹.

From this you can see that if a person claim to be a SC, he should profess either Hindu or Sikh religion. Members of SCs included in the Presidential orders who have converted to Buddhism will also be deemed to continue to belong to the SCs. However, If a person converts himself to a religion(Other than Hindu, Sikh, or Buddhism) that would lead to forfeiture of claim to belong to SC. There is no bar of religion in respect of Scheduled Tribe. **A scheduled Tribe may profess any religion.**

From this discussion you can see that due to change of religion a SC person may cease to belong to SC community and consequently he/she will not be entitled to any benefit of reservation as SC. In view of this Ministries/Departments etc. any stipulate in the letter of appointment, issued to SC candidates that they should inform their appointing/administrative authority immediately after any change in the person’s status about the religion being professed. Similarly, the SC employees should be instructed to intimate about change, if any, in their religion immediately to their appointing authority².

2.5.3-Migration

Let us now learn as to what happens to the caste/Tribe status of a persons who migrates to a State other than his original State. If a person migrate from one State to another State, he can claim to belong to a SC or ST only in relation to the State to which he originally belonged and not in respect to the State to which he has migrated³. (This means that an SC/ST employee will be continued to consider as SC/ST for the purpose of Central Government Jobs irrespective of his State of Migration but not for the State Government job to the State Government). Thus, even if the

¹ Min. of Welfare letter No. 12016/28/90-SCD.(R.Cell) dated 20-11-1990

² DOPT O.M.No.13/3/71-Estt(SCT) dated 10/9/71.

³ MHA letter NoBC-12025/2/76 SCT(1) dated 22-3-77 and letter No.35/1/72 RU(SCT-V) dated 2-5-75 – Brochure-p265 and 259).

community he belongs to is recognised as SC/ST in the State to which he has migrated, he will not be considered as SC/ST for the purpose of the State Government jobs.

Example: Shri A who belongs to X caste of Goa migrates to Mumbai and starts residing in that State permanently. The caste X is declared as SC in the State of Maharashtra also. If Shri A applies for a post in the Department of Post (Central Government post) in an office located in Mumbai. He will get the benefit of reservation. But if he applies for any post under the State Government of Maharashtra he will not get any benefit of reservation and will be treated as a general candidate. Shri X however can apply for a post in the Government of Goa and will again be treated as a SC in spite of the fact that he is permanently residing in Maharashtra and not Goa.

To remove the difficulties faced by the SCs/STs who have migrated from State/UT to another, in obtaining Caste certificates, all State Governments/UTs have been instructed that the prescribed authority of State Governments/UTs may issue the SCs / STs Certificate to a person who has migrated from other State, on the production of genuine certificate issued to his father/ mother by the prescribed authority of the State of the father's/mother's origin, except where the prescribed authority feels that the detailed inquiry is necessary through the State of origin, before issue certificate⁴. (Please see para 2 of the prescribed proforma reproduced on page 24)

When the Caste/Tribe Certificate is issued by the competent authority in the State/UT in which the applicant at the time of application is residing after migration, the caste certificate would also include para 2 of the form of caste certificate (See page 24) the form of the application is slightly different.

2.5.4-Adoption

Adoptee acquires the status of the adopter. On the validity of the adoption being clearly established and the caste certificate obtained from the appropriate authority the person would be deemed to be belonging to the SC or ST and would be entitled to the relaxation/ concessions admissible.

If a 'Other community' child is adopted by SC/ST parents and adoption is valid under the law, then the adopted child would be deemed to be SC or

⁴ MHA letter No.BC-16014/1/82 SC&BCD-1 Dated 18-11-82

ST as the case may be. Conversely, if SC/ST child is adopted by 'Other community' parents then the SC/ST child will cease to belong to SC/ST community.

It is necessary for the appointing authority to verify the caste certificate at the initial stage i.e. at the time of initial recruitment. This can be verified at the time of promotion against vacancy /post reserved for SC/ST. The cast certificate can be verified further if the appointing authority may get complaints against the employee caste certificate.

Self Assessment Questions.

- Read the following questions and decide, whether or not the event mentioned in the questions will have any effect on the caste/tribe status of the person.
- Write your comments in the boxes provided below the questions.
- Compare your answer with the one given at the end of the unit.

7. Shri Moti lal is a member of SC belonging to Bihar. He is at present settled in Calcutta. He has one Son and a daughter who are also in Calcutta. Both his son and daughter, in response to a notification applied for a post of Assistant in Central Government. Will they get any benefit of reservation ?

8. Miss Alka, who is a member of SC marries Mr. John and converted to Christianity. She applies against a vacancy reserved for SC. Can she be considered against the reserved post?

9. Miss Onkar, who is a member of ST marries Mr. K lal and converted to Islam. What will be her status. Will she continue to get benefits of ST?

10. Mr. S. Kumar is a member of SC and Smt. Kumar is not a member of SC. Since they did not have any issue of their own and adopted Babloo who is the son of Smt. and Shri K.Kumar, who do not belong to SC. The adoption is legally valid. What would be Babloo's status?

Q.7

Q.8

Q.9

Q.10

2.6- Further Verification/re-verification Where Necessary

It is always open to the appointing authorities, if it is considered necessary for any reason, to verify the claim of a candidate through the District Magistrate of the place

Re-verification of Caste/ Tribe Status

The caste certificate can be re-verified at every important upturn of career of an SC/ST employee. The appointing authority should verify the caste status of SC/ST at the time of (i) Initial appointment; and (ii) promotion against reserved vacancy/post for SC/ST.

In the DP&AR OM No.36011/16/80 Estt(SCT) dated 27-12-81 it has been stated that the caste and community to which a SC/ST person belongs, his place of residence and name of state, should be pasted on the top of the service book, personal file or any other relevant document concerning the employee to facilitate such verification. SC/ST person, whose caste/Tribe has been de-scheduled after his initial appointment as a SC/St is no longer entitled to enjoy the benefit of reservation in promotions. The verification of caste/Tribe status at every important up-turn of employee's career is necessary so that the benefit of reservation and other concessions etc. meant for SC/ST should go to the rightful claimant and not those who become disentitled to them.

Note: The re-verification of the caste status does not imply that in all cases reference should be made to the concerned District authorities afresh. It is only in cases where the appointing authority may have reasonable grounds to doubt the caste status of a particular employee, that reference need be made to the concerned District Magistrate. It must be noted that if a person has once been accepted as a SC or ST, he would continue to be so accepted unless conclusively proved otherwise. In other words, even in case where the caste status of an SC or ST becomes doubtful and re-verification is being done, the particular employee would continue to be treated as SC or ST as the case may be, and get the benefits thereof, till it is conclusively established that the person is not an SC or ST.

2.7 - OTHER BACKWARD CLASSES

To identify the backward classes (other than SCs and STs) the Second Backward Classes Commission (Mandal Commission) was constituted by an order made by the President of India in 1979 under Article 340 of the Constitution with the following terms of reference:

- to determine the criteria for defining the socially and educationally backward classes;
- to recommend steps to be taken for the advancement of the socially and educationally backward classes of citizens so identified;
- to examine the desirability or otherwise of making provision for the reservation of appointments or posts in favor of such backward classes of citizens which are not adequately represented in the public service and posts in connection with the affairs of the union or any State; and
- present to the President a report setting out the facts as found by them and making such recommendations as they think proper.

The Commission submitted its report on 31.12.1980.

2.6.1- Definition/Identification of Other Backward Classes (OBC)

Let us learn as to what mechanism was adopted by the Commission to identify the 'other Backward Classes'. The Mandal Commission in its report has set out the eleven indicators/ criteria to determine the social and educational backwardness. These 11 indicators were grouped under three broad heads i.e. Social, Educational and Economic.

Let us discuss these indicators:

➤ **Social (3 point for each of the four indicators-Total 12 points) :-**

1. Castes/classes considered as socially backward by others.
2. Castes/classes that mainly depend on manual labor for their livelihood.
3. Castes/classes where at least 25% females and 10% males above the State average get married at an age below 17 years in rural areas and at least 10% females and 5 % males do so in urban areas.
4. casts/classes where participation of females in work is at least 25% above the State average.

- **Educational (2 points for each of the three indicator- total 6 points)**
 - 5. Castes/ classes where the number of children in the age group 5-15 years who never attended school is at least 25% above the State average;
 - 6. Castes/ classes where the rate of student drop out in the age group of 5-15 years is at least 25% above the State average;
 - 7. Castes/ classes amongst whom the proportion of matriculation is at least 25% below the State average.

- **Economic (1 point for each of 4 indicators- total 4 points)**
 - 8. Castes/ classes where the average value of family assets is at least 25% below the State average.
 - 9. Castes/ classes where the number of families living in kuccha houses is at least 25% above the State average;
 - 10. Castes/ classes where the source of drinking water is beyond half a kilometer for more than 50% of the households;
 - 11. Castes/ classes where the number of households, having taken consumption loan in at least 25% above the State average.

Thus you can see that the three groups i.e. Social, Educational and Economic are not of equal importance. Separate weightage was given to indicators in each group. All social indicators were given 3 points. Educational indicators- 2 points each and Economic indicators – 1 point each. Total points come to 22. Whoever community obtained 11 points out of total 22 was considered as “Socially and Educationally backward Class” (now known as OBC)

The commission adopted multiple approaches for the preparation of comprehensive list of Other Backward Classes for all the States and UTs. The main sources for preparation of these lists are:

- Socio-educational field Survey;
- Census Report of 1961;
- Public evidence through interaction with people of the country;
- Lists of OBCs notified by various State Governments.

The OBC for the purpose of the reservations introduced by the Government of India in civil posts and services, in the first phase would

comprise caste and communities, which are common to both the lists in the report of the Mandal Commission and State Government list.

The Government of India decided that the benefit of reservations intended for the OBCs will not be extended to persons/sections falling under the category of the Creamy Layer.

2.6.2-Form of certificate to be produced by OBC

For the purpose of verification of caste/ communities belonging to OBC the following proforma of the certificate has been laid down⁵ as reproduced below:

This is to certify that _____, son of _____, of village _____ District/Division _____ in the _____ State _____ belongs to the _____ community, which is recognised as Backward Class under:-

- * (i) Government of Indian, Ministry of Welfare, Resolution No. 12011/68/93-BCC(C), dated the 10th September, 1993, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 186, dated the 13th September, 1993.
- * (ii) Government of Indian, Ministry of Welfare, Resolution No. 12011/7/95-BCC, dated the 19th October, 1994, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 163, dated the 20th October, 1994.
- * (iii) Government of Indian, Ministry of Welfare, Resolution No. 12011/68/93-BCC, dated the 24th May, 1995, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 88, dated the 25th May, 1995.
- * (iv) Government of Indian, Ministry of Welfare, Resolution No. 12011/44/93-BCC, dated the 10th September, 1993, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 210, dated the 11th December, 1993.

Shri and/or his family ordinarily reside(s) in the District/Division of the State. This is also to certify that he/she does not belong to the persons/sections (Creamy Layer) mentioned in Column 3 of the Schedule to the Government of India, Department of Personnel and Training, O.M. No. 36012/22/93-Estt.(SCT), dated 8-9-1993.

**District Magistrate
Deputy Commissioner, etc.**

**Dated:
SEAL**

N.B. – (a) The term ‘Ordinarily’ used here will have the same meaning as in Section 20 of the Representation of the People’s Act, 1950.

(b) The authorities competent to issue caste certificates are indicated below:-

(i) District Magistrate/Additional Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/First Class Stipendiary Magistrate/Sub-Divisional

⁵ DoPT OM No. 36033/28/94x-Estt(Rse) dated 2-7-1997

- Magistrate/Taluka Magistrate/Executive Magistrate/Extra assistant Commissioner (not below the rank of First Class Stipendiary Magistrate).
- (ii) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
- (iii) Revenue Officer not below the rank of Tehsildar; and
- (iv) Sub-Divisional Officer of the area where the candidate and/or his family resides.

From this certificate you can see that it is essentially same as that of SC and ST. The only difference is that a particular statement regarding exclusion from the 'Creamy layer has to be given in the certificate itself.

Validity period of OBC certificate-crucial date⁶

From the certificate above you have seen that the certificate has two parts- first part indicates that the concerned person belongs to a community listed as OBC and the second part indicates that the candidate does not belong to the creamy layer. Since the 'creamy layer' will depend on the income and other criteria which is subject to change, the validity of the OBC certificate submitted has to be verified. The crucial date for this purpose may be treated as the **closing date** for receipt of applications for the post except in cases where crucial date is fixed otherwise.

Self Assessment Question

Note:-

- Answer the following questions in the provided space,
- Compare your answers with the one given at the end.

11 Whether a caste certificate issued by the competent authority is valid if it does not mention whether or not the person falls in the 'creamy layer' or not?

12. What are the instructions for 'provisional appointment' of a candidate belonging to reserved category who fails to produce a caste certificate in his own name at the time of appointment?

13. Whether it is necessary to verify the cast status of the SC/ST employees at the time of promotion against reserved vacancy/ post.

14.The crucial date for determining the veracity of the OBC certificate is the date of appointment of the person.

15. Mandal commission included three indicators to find out whether a caste is backward or not. The three indicators were

- a) Social, Political & Economic
- b) Social, Educational & Economic.
- c) Political, Economic & Occupation

11.....

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12.....

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⁶ O.M.No.No.36033/4/97-Estt(Res) dated 25.7.2003

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13.....
14.....
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15.....
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2.7-Let us sum up

In this Unit, we learnt the criteria of inclusion in the list of SC and ST respectively are:

SCHEDULED CASTS: Extreme social, educational and economic background arising out of the traditional practice of untouchability.

SCHEDULED TRIBES: Indications of primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large and backwardness

- The procedure adopted for identifying OBCs is the 22-point scale. The 11 indicators in which have been given different weightage. Of the three criteria the social indicators have been given the maximum weightage.
- We also learnt that the President has the initial power to frame the lists of SCs and STs, but they can be modified or amended only by parliamentary legislation.
- We also learnt about the effects of precisely four events on the status of SC/ST which briefly are as under:

Marriage: Marriage does not change the status of the caste/Tribe.

Conversion: Only Hinduism, Sikhism and Buddhism recognise SC. Hence on conversion to any religion other than these a SC person will cease to be a SC.

Re-conversion: On re-conversion, the person is deemed to have reverted to his original caste provided his community has accepted him/her.

Adoption: The adopter gets the status of the adoptee.

Migration: Even after migration the person continues to be a SC/ST for the purpose of Central Government job but not for the State Government job in the State of migration.

Finally we also learnt the requirements of a valid Caste/Tribe certificate. We learned *inter-alia* that the caste certificate should be signed only by those authorities, who have been declared as competent to sign such certificates by the Government.

We learnt that even if the candidate is unable to produce the valid certificate he should be **provisionally appointed** on the basis of whatever prima-facie evidence he can show and should be given an opportunity to produce the original certificate within a reasonable time. If the candidate is facing any difficulty to obtain the certificate the administrative authorities of the Ministry/Department, where he is employed should themselves make efforts to correspond with the authorities that will be issuing the certificate.

2.8-Answers to self-Assessment Questions.

Answer to **SAQ-1:** 341 and 342 respectively.

Answer to **SAQ-2:** Only Hinduism, Sikhism and Buddhism recognises 'untouchability'. Hence A Hindu belonging to SC community continues to remain a SC even after conversion into Buddhist religion. However, if he converts into any other religion other than Buddhism or Sikhism, he ceases to be a Hindu.

Answer to **SAQ-3:** Under the Constitution, the President has the power to draw the list of SC/ST. However any inclusion or exclusion from the list can be done by the Parliament and not by the President. (Read section 1.3.)

Answer to **SAQ-4:** The certificate issued to Ganga Dass is correct in all respects i.e. it has all the information required (Please see page 27). However, the only defect in the certificate is that it **does not contain the seal** of the Authority who has issued the certificate.

Answer to **SAQ-5**: The name of the husband (and not of the father) has been mentioned in the certificate. The name of the father should be mentioned in the certificate.

Answer to **SAQ-6**: The name of the person to whom the certificate has been issued has not been mentioned in the certificate. It can only be assumed that the certificate has been issued to Shri Mukund Ram.

Answer to **SAQ-7**: Shri Moti Lal is member of Scheduled Caste belonging to Bihar. For any Central Government job anywhere in India he will get the relaxations/concessions available to a SC member. This will be irrespective of the fact that he may be settled anywhere in India. The post of Assistant is a Central Government job and hence both his son and daughter will get the benefit of reservation.

Answer to **SAQ-8**: Marriage does not change the Caste of a person as 'caste' is by birth. However conversion does change the status of SC, if the conversion is to a religion other than Hindu, Sikh or Buddhism. The status of Miss Alka will no longer be SC as she has got converted to Christianity. Hence she cannot be considered against the reserved post.

Answer to **SAQ-9**: Yes. Miss Onkar will continue to remain ST even after conversion to Hinduism. Conversion has no effect on status of Scheduled Tribe.

Answer to **SAQ-10**: After adoption the child gets the caste of his/her adopted parents. **Hence Babloo would be entitled to the benefits available to SCs.**

Answer to **SAQ-11**: According to the proforma prescribed by the Central Government the OBC certificate must also contain a para certifying that the candidate does not belong to the 'creamy layer'

Answer to **SAQ-12**: Please see section 2.4.2.

Answer to **SAQ-13**: Please see para 2 section 2.4.3.

Answer to SAQ-14: The crucial date is the closing date and not the date of appointment.

Answer to **SAQ-15**: Please see section 2.6.1.

Unit-3-VARIOUS METHODS OF RECRUITMENT IN THE GOVERNMENT.

Structure

3.1. Introduction

3.2. Objectives

3.3. Recognized methods of recruitment

3.4. Direct Recruitment

- 3.4.1. All India Basis by Open Competition
- 3.4.2. All India Basis otherwise than Open Competition
- 3.4.3. Local or Regional Recruitment

3.5. Promotion

- 3.5.1. Zone of consideration (ZOC)
- 3.5.2. Bench Mark
- 3.5.3. Limited Departmental Competitive Examination (LDCE)
- 3.5.4. Seniority-cum-fitness or Seniority-Cum-Fitness
- 3.5.5. Selection

3.6. Let us sum up

3.7. Answers to Self-Assessment Questions.

3.1-Introduction

In the Unit-I on “**Constitutional provisions on reservation in services**”, you learnt that Article 16 enables the ‘State’ to make provisions for reservation of appointments or posts in favour of SCs, STs and OBCs.

However, the detailed provisions regarding the quantum and the applicability of reservation in appointment or posts are governed by the orders issued from time to time by the Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pension, Government of India. The applicability of reservation orders is dependent on the method of recruitment. Not only the percentage of reservation but also the procedure of the application of reservation will depend and vary according to the method of recruitment.

In this Unit we will learn about the six recognized methods of recruitment adopted in the Central Government.

3.2-OBJECTIVES

After reading this Unit you will be able to:

- a) Describe the various methods of recruitment;
- b) Distinguish between two types of Direct Recruitment viz; 'All India Open Competition and 'All India otherwise than Open Competition;
- c) Explain the three different modes of promotion viz; (i) Limited Departmental Competitive Examination, (ii) Seniority-Cum-fitness and (iii) Selection.

3.3 VARIOUS METHODS OF RECRUITMENT.

You are all aware that Recruitment Rules should be framed for every post that is likely to last for more than a year. Recruitment Rules for a post contains various details about the post viz. the name of the post, the number of the post the scale of pay, method of recruitment to be adopted for recruitment to that post. The various methods of recruitment adopted in the Central Government to fill a post are:-

- a) Deputation
- b) Absorption
- c) Short-term contract
- d) Re-employment
- e) Direct Recruitment
- f) Promotion

We will learn in detail about Direct recruitment and 'Promotion' in the next two sections. Because these are the only two methods of recruitment in which reservation of posts are applicable.

In this section we will learn about the remaining four in brief.

(a) Deputation: In this method appointment is made for a limited period of an official of Central Government/State Government/Public Sector Undertaking. At the end of the limited period the official goes back to his parent cadre. The normal term of the deputation varies from 3 to 5 years. An example of this is the appointment of I.A.S Officers to various posts under the Central Government. On completion of their term they go back to their parent cadre.

- (b) Absorption:** In this method the official is again working in Central Govt/State Government but he is not appointed for a limited time but is absorbed in the new department. There is no tenure in this appointment.
- (c) Short-term-contract:** This method is also in the nature of deputation and this method is followed when services of suitable officers belonging to non-governmental organisation, e.g., Universities,

recognised research institutions, PSUs etc., are required for teaching, research, scientific or technical posts.

- (d) **Re-employment:** It means re-employment of Armed Forces personnel who are due to retire or who are to be transferred to reserve within a period of one year and are having requisite experience and qualification prescribed in the recruitment rules. If selected the person would be given deputation terms upto the date on which they are due for release from the Armed Forces, thereafter they may be continued on Re-employment.

Self Assessment Question

Note: (a) Space is given for your answer.

(b) Compare your answer to that given at the end of the Unit.

Q.1 State True/False

(a) Appointment by Deputation is a without a time period.

(b) In the case of Absorption, the person is appointed for a limited time and has to go back to his parent cadre at the expiry of the term.

(c) In the method "Re-employment", a person who has retired on superannuation is appointed to the same post for a short period.

(d) Short-term contract is a method of recruitment resorted to get the services of employee of a non-governmental organization.

3.4-Direct Recruitment

Direct recruitment is one of the six method of recruitment in the Government service. In this method of recruitment, persons are recruited from the open market. Direct recruitment, is generally done either by holding a written test or by interview or by both. There are various recruiting agencies like, Union Public Service Commission (UPSC), Staff Selection Commission (SSC). The Department/Ministries also in some of the cases undertake recruitment directly.

For the purpose of reservation, direct recruitment may be categorised into three types, namely:

- a) On All-India basis by open competition and;
- b) On All-India basis **otherwise than** Open competition and;
- c) Recruitment to Class III & IV posts which normally attract candidates from a locality or a region.

Let us try to learn, in detail what are these three types of recruitment.

3.4.1-All India basis open competition: Any recruitment through UPSC or by means of written examination by SSC or any other authority falls in this Category. Thus, as long SSC or for that matter any Authority holds a

written competitive Examination, it is called All India Basis by Open Competition. But if UPSC (only UPSC) undertakes recruitment without a written competitive examination i.e. by interview alone even then it fall in this category.

3.4.2- All-India basis otherwise than open competition **means, recruitment by any authority other than UPSC, by not conducting a written competitive test. For example, if Staff Selection Commission is holding a recruitment by not holding a written competitive exam, the recruitment is 'All India basis otherwise than open competition'.**

In the next Unit, we will learn that quantum of the reservation, i.e. what percentage of reservation applicable to SC, ST and OBC will depend on what is the method of direct recruitment explained above.

Self Assessment Question

- Note: (a) Space is given for your answer. Mark “ ” under the appropriate column.
 (b) Compare your answer to that given at the end of the Unit.

Question 2. State whether the following direct recruitment fall under All India basis by open Competition or 'Otherwise than by All India open competition'.

Sl.No.	Recruiting Authority	All India basis by open competition	All-India basis Otherwise than by open competition
1	Banking Service Recruitment Board undertakes recruitment for thirty posts of Technical staff by written examination.		
2.	UPSC undertaking recruitment to the post of Hydrologist in the Ministry of Water Resources on the basis of interview alone		
3	Staff Selection Commission undertaking recruitment to the post of Copy holder on the basis of interview alone		
4.	Ministry of Law undertaking recruitment to the post of Stenographer (Hindi-cum-English) on the basis of written competitive Examination followed by interview.		

3.4.3-Local or Regional Recruitment; Central Government also undertakes direct recruitment on local or regional basis and the recruitment thus is not on All-India basis. In this only candidates domiciled in the particular region or locality can apply. Normally, such

recruitment takes place to Group 'C' posts in Central Government Offices located in a State or adjoining States.

3.5-PROMOTION

We have discussed the various categories of direct recruitment. Promotion is another method of recruitment. In promotion a official holding post is eligible for appointment to a next higher post in the hierarchy, on completion of certain years of regular service prescribed in the Recruitment Rules for that post. In this method of recruitment, there should be a post from which promotion takes place (the lower post) and there should be a post to which promotion takes place or the higher post.

Promotion can be broadly categorized into three modes depending on whether it purely by merit, purely by seniority or whether it is a mixture of the two: -

- a) Departmental Examination; (purely by Merit);
- b) Seniority-cum-fitness (Purely by seniority); and
- c) Selection (both seniority and merit).

The modes of promotion is given **Figure 1.1** below

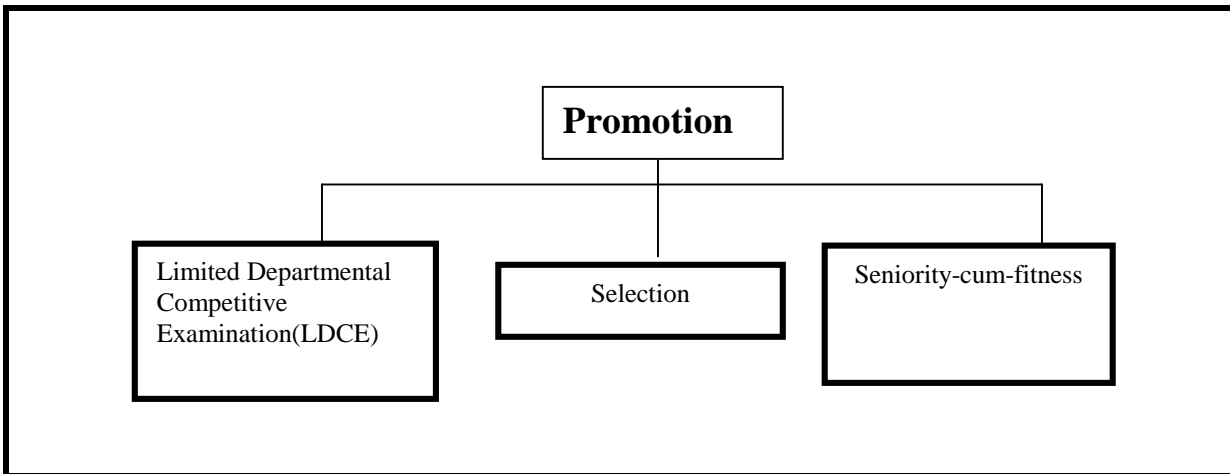


Figure 1.1

Before we learn about the various modes of promotion mentioned above, it is necessary to understand two concepts:

- a) Zone of Consideration (Z.O.C); and
- b) Bench Mark.

3.5.1- Zone of Consideration (Z.O.C):

It means, that for a particular number of vacancies in the promotional grade, not all the eligible persons in the feeder grade, but only those who fall within the ZOC, will be considered for promotion. For one vacancy, the ZOC will be five, which means that only the first five persons in the seniority list will be considered by the DPC. Even if, the sixth person has rendered the required number of service in the feeder grade, he will not be considered by the DPC. The ZOC, for more than one vacancy, is twice the number of vacancies **plus** four. (see **table-1**)

If sufficient number of SC/ST candidates are not applicable within the normal zone than the zone will be extended to five times the vacancy to get required numbers of SC/ST candidates. The general candidates in the extended zone will not be considered.

The Zone of consideration and the extended zone for various vacancies is given in Table 1.1

Number of vacancies	Zone of Consideration	Extended zone (5 times the vacancy)
1	5	5
For 2 or more vacancies	Twice the vacancies + 4	5 times the vacancy

Table-1

Self-Assessment Question.

Note: (a) Space is given for your answer

(a) Compare your answer to that given at the end of the Unit.

Q.3. What will be the Z.O.C in the following vacancies.

Sl.No.	No. of Vacancies	Z.O.C	Extended ZOC
1	9		
2	6		
3	2		

Q.4. There are five vacancies in the grade Deputy Director. In the feeder grade of Assistant Director, there are 19 persons all of whom have rendered eligibility service for promotion. Departmental promotion Committee considered 19 officers from the grade of Assistant Directors. Is the action of DPC correct?

We have discussed and learnt about Z.O.C. Let us now learn about 'Bench Mark'.

3.5.2- Bench Mark

As you are all aware that Annual Confidential Report (ACR) are the basic inputs on the basis of which assessment of the Government servant is made for appointment to a higher post. Normally the Annual Confidential Reports categorizes a government servant into any among the following:

- a) Outstanding
- b) Very Good
- c) Good
- d) Average
- e) Not yet fit.

Viewed in this background, 'Bench mark' means the minimum standard of performance that the person must possess, for being eligible for promotion. For example, if the 'Bench Mark' prescribed for the post is '**Very Good**', then the DPC will adjudge the suitability of a person for promotion either as 'Fit' or 'Unfit', but keeping in mind the bench mark for the post to which promotion is taking place. Thus, only those persons who are assessed as 'V.G' or 'Outstanding' can be promoted to that post. In other words, officers who have been assessed below the "Bench Mark" i.e. 'Good' or Average' cannot be promoted.

The Bench Mark prescribed for any post can be either 'Very Good' or 'Good' depending on the level of the post. For posts carrying scale of pay of **Rs.12000-16500 and above** the benchmark is "**Very good**". For posts below this level the benchmark is "**Good**".⁷

The guidelines laid down by DOPT can be represented in a tabular form as shown in Table-2:-

Level of post	Bench Mark Prescribed.
Posts Up to and excluding the level of Rs.12000- (Vth Pay Commission scale)	Good
Posts in the level of Rs.12000 and above	Very Good

Table-2

*From the **table-2** you can see, that for any level of post, Bench Mark can either be 'Very Good' or 'Good', depending on the level of the posts.*

The DPC shall determine the suitability of those being assessed for promotion with reference to the prescribed benchmark and accordingly grade the officers as 'fit' or 'unfit' only. Only those who are graded as 'fit' (i.e. who meet the prescribed bench mark) by the DPC shall be included and arranged in the panel for promotion. Those officers who have been graded as 'unfit' by DPC shall not find place in the panel. Thus, there shall be no supersession in promotion amongst those who are graded 'fit' (in terms of the prescribed bench mark). The inter-se seniority of the officers who find place in the panel shall be same as their inter-se seniority in the feeder grade.

Having understood these two concepts namely 'Z.O.C' and 'Bench Mark' let us try to learn in details the three modes of promotion, mentioned in section 1.3 viz. Limited Departmental Competitive Exam. Seniority-cum-fitness and Selection. (Please refer figure 1.1.)

3.5.3- LIMITED DEPARTMENTAL COMPETITIVE EXAMINATION.(L.D.C.E)

⁷ DOPT O.M.No.35034/7/97-Estt(D) dated 8/2/2002.

Departmental Competitive Examination is one of the methods of promotion in which the members in the feeder grade can take an examination on completion of certain numbers of years in that post and their seniority in the promotional post is decided depending on their merit in the examination. Thus seniority plays no role in this method of promotion. For example for the posts in the grade of Section officer in the Central Secretariat Service, the feeder grade is the Assistants of the Central Secretariat Service. 40% posts in the grade of Section Officer are filled by '**Limited Departmental Competitive Examination**'. Thus any Assistant of the Ministry/Department of CSS can take the examination, irrespective of his seniority in the grade, subject only to the condition that he should have rendered requisite number of service as required in the recruitment rules. His rank in the examination and not his seniority in the grade of Assistants will decide his seniority in the grade of Section Officer. In other words a junior Assistant can supercede a senior Assistant, if the rank of the junior, in the Departmental Examination, is higher than his senior.

3.5.4-Seniority-cum-fitness

In this mode of promotion the officers are considered in the order of their seniority subject to rejection of the unfit. Both the principles of 'Zone of consideration' as well as 'Bench Mark' are absent in this mode of promotion.

What is the effect of the absence of both Z.O.C. and Bench Mark on the manner we select officials from the feeder grade for promotion?

Absence of Z.O.C. means, that to select as many number of persons as the vacancy, the Departmental Promotion Committee may go down to any extent in the seniority list, if sufficient numbers of 'FIT' candidates are not found.

Let us now see what is effect of absence of Bench Mark. Since there is no Bench mark prescribed in Seniority-cum-fitness promotion, the Departmental Promotion Committee, considering the officers for promotion, will adjudge them either 'fit' or Not yet fit' but unlike in the case of selection promotion no 'benchmark' has been prescribed.


The relevance of the absence of 'bench mark' will be clear with the help of the following example. Let us assume that a post is to be filled by promotion by 'selection' mode. If a person has consistently got 'Good' grading in his Confidential Reports even then he may not be adjudged 'Fit' for promotion, if the post to which he is being promoted has the prescribed

bench mark of 'Very good'. On the contrary if the same person is being considered for promotion for a post, which is by Seniority-cum-fitness basis, then the DPC may adjudge him 'Fit' because in seniority-cum-fitness promotion there is no benchmark prescribed.

let us now apply the concepts we have learnt to a problem given in the below:

Example 1.1.:There are 20 posts of Upper Division Clerk(UDC) in a Ministry which are filled 100% by promotion by **Seniority-cum-fitness mode** from the feeder grade of Lower Division Clerks(LDC). In the year 2001, 5 vacancies in the grade of UDC are available. There are 25 posts of LDC. Of the 25 LDC, only the first fifteen LDCs have rendered 8 years service required under Recruitment Rules for promotion to the post of UDC. The assessment made by the D.P.C. based on the Confidential records of the of the 15 eligible LDCs being assessed, are as under:

Sl.No/Sr.L ist number	Name	Assessment made by the DPC	Sl.No/Sr.L ist number	Name	Assessment made by the DPC
1	A	NYF	8	H	NYF
2	B	FIT	9	I	NYF
3	C	NYF	10	J	NYF
4	D	NYF	12	K	NYF
5	E	FIT	13	L	NYF
6	F	FIT	14	M	FIT
7	G	NYF	15	N	FIT

 Activity 1: Which five persons will be promoted?.

Answer to Activity 1. The persons who will be promoted are Mr.B, Mr.E, Mr.F, Mr.M and Mr.N.

Self- Assessment Question

Unit-3-Various methods of recruitment in the Government

Q.5. If in the aforesaid example, if there is only one vacancy and all the candidates from 1 to 14 have been assessed as NYF. Will you promote the 15th person (Mr.N) ?.

In the case of seniority-cum-fitness, there cannot be any supersession i.e. the inter-se seniority of the persons who have been found fit and included in the panel will remain same as in the feeder grade.

3.5.5-Selection

In the previous section we learned about two modes of promotion, which are (i) L.D.C.E (ii) Seniority-cum-fitness. Now we will learn how the third mode of promotion i.e. Selection is different from the other two?

In 'selection' mode, both the principles viz. 'Zone of Consideration' and 'Bench Mark' are present. As you learned earlier the DPC will grade the officers 'fit' or 'unfit' with reference to the Benchmark of the post. Let us understand this with help of an example.

There are 5 vacancies available in the cadre of Joint Director. Promotion is to take place from the feeder grade of Deputy Director. The method of promotion is by selection and the benchmark is 'Very good'. The assessment made by the DPC of the last five years C.Rs of the eligible persons in the feeder grade is given below.

<i>Sl.No./Seniority position in the grade of Deputy Director</i>	<i>Name</i>	<i>Assessment made by DPC On the basis of last 5 years ACRs</i>	<i>Sl.No./Seniority position in the grade of Deputy Director</i>	<i>Name</i>	<i>Assessment made by DPC On the basis of last 5 years ACRs</i>
1		Very good	9	I	Not yet fit
2		Good	10	J	Very Good
3		Outstanding	11	K	Very Good
4		Good	12	L	Good
5		Very Good	13	M	Very Good
6		Very Good	14	N	Very Good
7		Good	15	O	Not assessed
8		Not yet fit	16	P	Not assessed

In Text Activity 2:

Carefully go through the assessment made by the DPC and convert the grading into either 'Fit' or 'Not yet fit (NYF)' with reference to the 'benchmark' prescribed. Then write the names of the officers to be promoted who have met the benchmark. Answer of this activity has been provided below

<i>Sl.No . in the panel</i>	<i>Name of the person</i>	<i>Fit/Unfit</i>
1		

Unit-3-Various methods of recruitment in the Government

2		
3		
4		
5		

Answer to Activity 2: The five persons who will be included in the panel for promotion will be: -

Sl.NO.	Name	Fit/NYF
1	A	FIT
2	C	FIT
3.	E	FIT
4.	F	FIT
5	J	FIT

Mr.B,D,G & H could not meet the Benchmark and hence will be adjudged “unfit”. From the example you can also see that the 15th & 16th person will not be assessed by the DPC as they do not fall within the Z.O.C.

Self- Assessment Question

Q.6. In the above case, if the Benchmark for the post of Jt.Director is “good”, then the five persons who will be included in the panel will be: -

- 1.
- 2.
- 3.
- 4.
- 5.

Self-Assessment Question

Q.7. Compare the features of ‘Selection’ and Seniority-cum-fitness’, in terms of three criteria viz. (I) Bench Mark, (ii) Z.O.C and (iii) Supersession. Tick ‘✓’ under the appropriate column and ‘x’ if the column is not applicable.

Mode	Z.O.C	B.M	Supersession
Seniority-cum-fitness			
Selection			

Q.8. In the Ministry of ABC, for the post of Under Secretary (legal) (Group ‘A’ post) [Scale of pay 10,000-15200] the feeder grade is Superintendent (Legal) [scale of pay 6500-10500] which is a Group ‘B post. There are 8 vacancies available in the grade of Under Secretary (Legal).

Unit-3-Various methods of recruitment in the Government

All the 25 Officers in the lower grade have completed the eligibility service. The assessment made by the DPC of the 20 officers is given below. Select the eight officers who will be promoted.

The promotion is by **Selection** and the Bench Mark is '**Good**'.

No. in Sr.list	Name	Grading by DPC	No. in Sr.list	Name	Grading by DPC
1		Average	11	K	Good
2		Outstanding	12	L	Very Good
3		Very Good	13	M	Good
4		Good	14	N	Good
5		Outstanding	15	O	Good
6		Very Good	16	P	Very Good
7		Outstanding	17	Q	Good
8		Good	18	R	Average
9		Not yet fit	19	S	Good
10		Average	20	T	Average

Write down your answer in the table below

Sl.No in the panel	Name	Fit/Unfit
1		
2		
3		
4		
5		
6		
7		
8		

Before we conclude this unit, one small clarification which we promised, would be answered later now requires to be given. We said that L.D.C.E is not to be confused with Departmental Qualifying examination. L.D.C.E is a distinct mode of promotion, whereas Departmental Qualifying examination is part of selection or seniority-cum-fitness mode of promotion. There are some posts/services in which the mode of promotion may be seniority-cum-fitness or selection but a Departmental Examination is also prescribed to determine the fitness of the candidates for promotion. This examination is only 'qualifying' in nature and final merit of the candidates (only those who qualify) is not decided on the basis of the marks obtained but on the basis of the Confidential records/interview.

3.6-LET US SUM UP

- In this Unit we learnt that: -
- There are six recognized methods of recruitment in the government service. Orders of reservation in service are applicable in only 'Direct Recruitment' and 'Promotion'.

- For the purpose of reservation, Direct recruitment may be divided into three categories which are:
 - a) All India basis by Open Competition
 - b) Other than All India Basis by Open Competition
 - c) Regional or Local recruitment.

- We also learnt that promotion can be of three modes namely
 - a) L.D.C.E.
 - b) Seniority-cum-fitness and
 - c) Selection

- In Selection method the 'Bench Mark' and 'Zone of Consideration' are present. Both these features are absent in 'Seniority-cum-fitness' mode.

- Bench Mark for Selection post is either 'Good' or 'very good' depending on the level of post.
- In both the modes(i.e 'selection' as well as 'seniority-cum-fitness'), the Departmental Promotion Committee(DPC) will adjudge the suitability of officers for promotion and grade them either 'Fit' or 'Unfit'. In the case of selection, the DPC will keep in mind the bench-mark before adjudging any person as 'Fit' or 'unfit'.

In the next unit we will learn what is the percentage of reservation that is applicable in the various types of direct recruitment and the different modes of promotion

3.7-Answers to self-assessment questions.

Answer to SAQ-1:

Q.1 State True/False

- a) Deputation is always for a specified period.
- b) In the case of Absorbtion, the person is appointed without any specified time and he severs his links with the previous department.
- c) Please see section 3.3.(d)
- d) Please see 3.3.(e)

Answer to Q.2.

Sl.No.	Recruiting Authority	All India basis by open competition	All-India basis Otherwise than by open competition
1	Banking Service Recruitment Board undertakes recruitment for thirty posts of Technical staff by written examination.		
2.	UPSC undertaking recruitment to the post of Hydrologist in the Ministry of Water Resources on the basis of interview alone		
3	Staff Selection Commission undertaking recruitment to the post of Copy holder on the basis of interview alone		
4.	Ministry of Law undertaking recruitment to the post of Stenographer (Hindi-cum-English) on the basis of written competitive Examination followed by interview.		

Answer to Q.3. What will be the Z.O.C in the following vacancies.

Sl.No.	No. of Vacancies	Z.O.C	Extended zone
1	9	Twenty two ($9 \times 2 + 4 = 22$)	45
2	6	Sixteen ($6 \times 2 + 4 = 16$)	30
3	2	Eight ($2 \times 2 + 4 = 08$)	10

Answer Q.4

Since the number of vacancies are 5, the Zone of Consideration is 14 and not more than first 14 persons should be considered. The action of the DPC in considering 15th to 19th persons is not in order.

Answer to SAQ-5: Since it is a case of seniority-cum-fitness mode, there is no zone of consideration involved. Hence the 15th person will be promoted if all other senior to him are found 'unfit'.

Answer to SAQ-6: The panel for promotion will include the following persons:-A,B,C,D,E since all of them meet the bench mark of "Good".

ANSWER TO SAQ-7:

Mode	Z.O.C	B.M	Supersession
Seniority-cum-fitness	X	X	X
Selection			X

ANSWER TO SAQ-8

The eight persons who will find place in the panel will be:

No. in Sr.list	Name	Fit/Unfit
	A	Unfit
1	B	Fit
2	C	Fit
3	D	Fit
4	E	Fit
5	F	Fit
6	G	Fit
7	H	Fit
	I	Unfit
	J	Unfit
8	K	Fit

Unit-4- percentages of reservation for SC, ST and OBC

Structure

- 4.1. Introduction
- 4.2. Objectives
- 4.3. Percentages of reservation in Direct Recruitment
 - 4.3.1. %age in recruitment made through Staff Selection Commission(SSC).
- 4.4. Percentage of reservation in Promotion
 - 4.4.1. Concession in Promotion.
- 4.5. Let us sum up.
- 4.6. Answer to Self Assessment Questions.

4.1- INTRODUCTION

In the previous Unit, you learnt about the six recognized methods of recruitment. In this Unit we will learn what is the percentage of reservation for each category viz. SC, ST and OBC in **Promotion** and **Direct Recruitment** as these are the only two methods of recruitment to which the orders on reservation are applicable.

4.2- OBJECTIVES

After reading this Unit you will be able to:

- a) State the percentage of reservation in promotion and direct recruitment.
- b) Explain “concession” available to SC/ST employees in Promotion.

4.3-RESERVATION IN DIRECT RECRUITMENT

In the previous Unit, we learnt about the three categories of direct recruitment viz. (i) All India basis by open competition (ii) All India basis otherwise than open competition and (iii) recruitment to Group ‘C’ and ‘D’ posts normally attracting candidates from a locality or region.

Until September 1993, in the method of 'Direct recruitment', reservations of posts were only for SCs and STs. From September 1993 reservation for OBCs has also been provided in the case of direct recruitment. The percentage of reservation for SC, ST and OBC is different in each of the three types of direct recruitment and is shown in the table-1 below: -

S.No.	Category	Share of entitlement		
		SC	ST	OBC
1	Direct recruitment on all-India basis by open competition	15	7.5	27
2	Direct recruitment on all-India basis otherwise than by open competition	16 ² / ₃	7.5	25.84
3	Direct Recruitment to Group 'C' & 'D' posts which normally attract candidates from a locality or region	Generally in proportion to the population of SCs, STs and OBCs in the respective States/Union Territory.		
Table-1				

4.3.1- %age in Recruitment made through Staff Selection Commission (SSC) by Open Competition

In the previous section we learnt about the percentage of reservation in the three types of direct recruitment. So far as recruitment by Staff Selection Commission is concerned, the percentage of reservation is further governed by the DOPT's O.M.No .36011/9/82-Estt.(SCT) dated 8.2.83.

The examination conducted by SSC involves a mixture of following two kinds of nomination: -

1. On the basis of a single common All India list and;
2. On the basis of zone-wise lists.(the whole country having been divided into a number of zones where each zone corresponds more or less to a State/U.T) drawn up in accordance with the centre-linked-zonal scheme under which candidates are eligible to be considered for appointment to posts in offices located in the Zone in which the centre of examination opted by the candidates falls, though the examination is common .

For example, the clerks Grade Examination is held for X, Y & Z categories. For X and Z categories, the list of candidates is based on the All India basis. While nomination for group Y is based on the centre-linked-zonal basis where the candidates are allocated to the zones from

Unit-4-Percentages of reservation for SC, ST and OBC

where they have taken the examination. In view of this the percentage of reservation applicable in case the recruitment is through SSC can be put in tabular form as under:-

RECRUITMENT MADE THROUGH SSC				
S.No.	Method	Share of entitlement		
		SC	ST	OBC
(i)	Organisations, which receive candidates from a single-common All India, list.	15	7.5	27
(ii)	Organisations which receive candidates from the list prepared by SSC on the basis of Centre-linked zonal basis	Proportion to the population of SC/ST/OBC of State.		
(iii)	Organisations spreading into more than one State/Union Territory	Roster to be drawn up in consultation with DOPT taking into consideration the population of SC/ST/OBC in such areas		

Table-2

The percentage of reservation for SC, ST and OBC in respect of each State and Union Territory has been prescribed by the Department of Personnel & Training and is available in the 'Brochure on Reservation in Service' (8th Edition) at P.P 494-502)

For example the percentages of the following States are:

Andhra Pradesh - 15 SC/ 06 ST/ 27OBC
Karnataka - 15 SC/ 05 ST/ 27 OBC
Tamil Nadu - 19 SC/ 01 ST/ 27 OBC
Manipur - 01 SC/ 27 ST/ 22 OBC
Sikkim - 06 SC/ 23 ST/ 21 OBC
West Bengal - 22 SC/ 06 ST/ 22 OBC

Self Assessment Question

Note: (a) Space is given for your answer.

(b) Compare your answer to that given at the end of the Unit.

Q.1 What are the two types of nominations possible in the Examination conducted by the Staff Selection Commission and what is the percentage prescribed for reservation for SC, ST and OBC.

Unit-4-Percentages of reservation for SC, ST and OBC

Q.2 What is the percentage of reservation for SC, ST and OBC in the following cases:-				
Sl.No.	Recruiting agency	SC-%	ST-%	OBC-%
1	Railway Recruitment Board undertakes recruitment for thirty posts of Technical Staff, by written examination.			
2.	UPSC undertaking recruitment to the post of Hydrologist in the Ministry of Water Resources on the basis of interview alone.			
3	Staff Selection Commission undertaking recruitment to the post of Copy holder on the basis of interview alone			
4.	Ministry of Law undertaking recruitment to the post of Stenographer (Hindi-cum-English) on the basis of written competitive Examination followed by interview.			
5	A subordinate Office of the Government of India, located in Tamil Nadu receiving candidates from the list prepared by SSC on the basis of centre linked zonal scheme.			

You have learnt about the percentage of reservation for SC, ST and OBC in direct recruitment and have seen that the percentage depends on the type of recruitment or in the case of SSC the source of the nomination of the candidate. It is also important to note that in the case of direct recruitment, **unless exempted,** reservation for SC, ST and OBC is applicable **to all levels of posts** i.e. from Group 'D' to Group 'A' posts.

4.4-Percentage of reservation in promotion

In the previous section we learnt that the percentage of reservation in the case of direct recruitment varied according to the various types of direct recruitment. However, the percentage of reservation in promotion is

uniform i.e. 15% for SC and 7.5% for ST, irrespective of the mode of promotion.

We had seen in the case of direct recruitment that reservation is applicable to all level of posts. Is the position same in the case of promotion also? The answer is 'NO'.

In the Unit-3, we learnt that promotion could be by Seniority-cum-fitness or Selection. In seniority-cum-fitness mode, reservation in promotion is applicable to all level of posts i.e. in Groups C & D, Group C to Group B, within Group B, from Group B to Group A and within Group A. But in **selection** mode, reservation is **NOT applicable in promotion within Group 'A'**. Promotion "Within Group A " means, that the lower post (feeder post) and the higher post to which promotion is taking place, both belong to Group 'A'.

The applicability of reservation in various modes of promotion can be indicated in the table-3 below: -

Mode of promotion		Reservation applicable: Yes or No
(i)Limited Departmental Competitive Examination (LDCE): Groups B,C & D.		Yes
(ii)Seniority-cum-fitness: In all groups (Groups A, B, C & D.)		Yes
selection	Groups C & D, Group C to Group B, within Group B, from Group B to lowest rung of Group A.	Yes
	Lowest rung of Group A to higher group A posts.	No

Table-3

In the **table-3** you can see that reservation in "Selection" mode is applicable upto the lowest rung of Group 'A'. The lowest rung of Group A can either be the scale of Rs.8000-13500 (pre-revised 2200-4000) or could be 10000-15200 (pre-revised 3000-4500) , depending on whether the promotion in the particular service takes place from group 'B' to 8000-13500 or directly to 10000-15200.

For example in the Central Secretariat Service, Section Officers (Rs.6500-10500, Gp.'B') with 8 years of service are eligible for promotion to the post of Under Secretary (Rs.10000-15200, Gp.'A') and there is no intermediate scale of pay of Rs.8000-13500. Thus in the CSS, the lowest rung of group

A will be 10000-15200 and reservation is applicable in the promotion from Section Officer to Under Secretary⁸.

Self Assessment Question

Note: (a) Space is given for your answer.

(b) Compare your answer to that given at the end of the Unit.

Q.3 In the following cases whether reservation is applicable or not. If reservation is applicable mark ' ' if not mark 'x'.

Group	Seniority-cum-fitness	Selection	
D to C			
C to C & C to B			
B to B			
B to A			
A to A			

4.4.1- CONCESSION IN PROMOTION

In the previous section we have learnt that in promotion reservation is not applicable in only one situation i.e. if the mode of promotion is by selection and promotion is taking place within group 'A'. Although there is no reservation in such cases and, therefore, no posts are reserved for SC or ST but a 'concession' is available to SC/ST employees.

In the next paragraph we will learn what is this 'concession'. But it is important to understand that the 'concession' is available only in promotion by selection within group 'A' which carry an ultimate salary of Rs.5700 (pre-revised scale) or less p.m. This can be schematically represented as in **Figure-1 (next page)**

⁸ G.I., Dept. of Per. & A.R., O.M.No.36011/12/80-Estt.(SCT) dt.10.11.80)

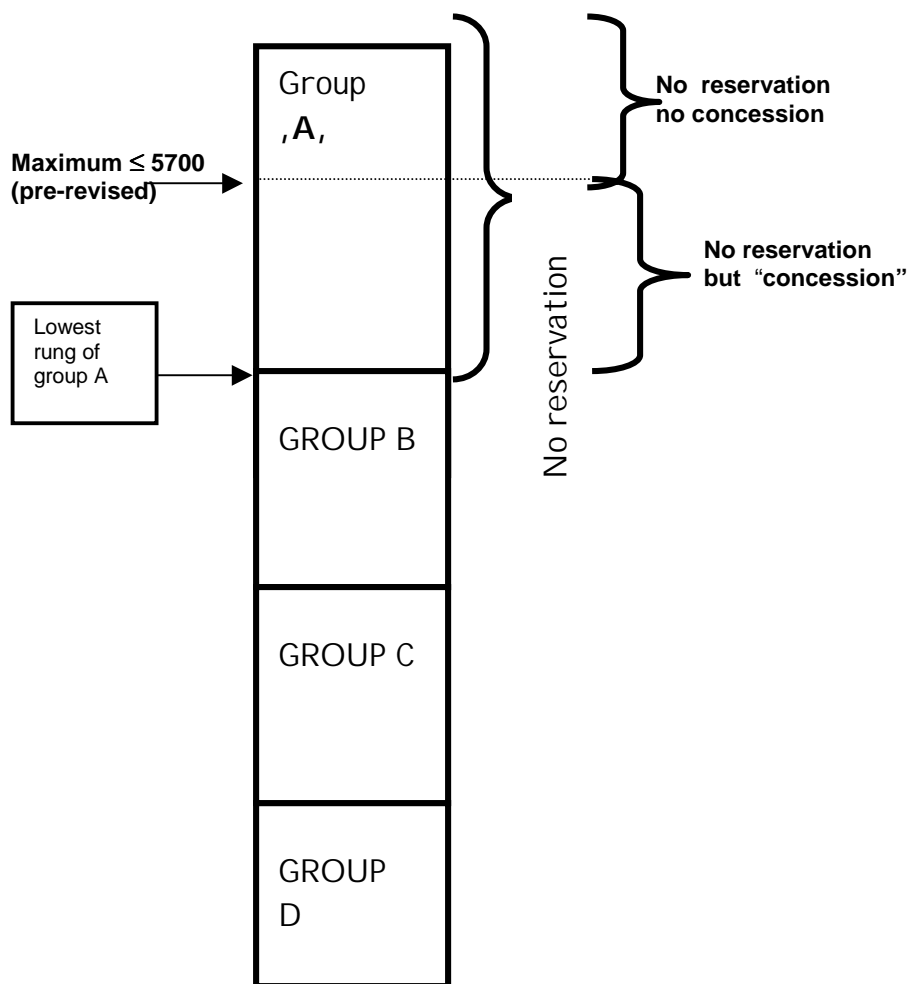


Figure-1:Reservation in 'Selection' mode

The concession available to the SC/ST Officers is, that those SC and ST Officers who are senior enough in the Z.O.C so as to be within the number of vacancies for which the select list has to be drawn, would be included in that list provided they are not considered unfit for promotion.

Illustration 1:

There are 3 vacancies for the post of Deputy Legislative Counsel (Scale Rs.12000-16000) to be filled by Selection from the feeder grade of Assistant Legislative Counsel (Scale Rs.10000-15200). The Bench Mark of the post is "Very Good". For the three vacancies, the Z.O.C is 10 and the assessment made by the DPC for the ten officers in the grade of ALC is as under: -

Unit-4-Percentages of reservation for SC, ST and OBC

Sl.No	Name	Category	C.R. Gradings
1	Ram Prasad	UR	Very Good
2	Muthu Krishnan	UR	Very Good
3	Ghanshaym Das	SC	Good
4	Kanwaljeet Singh	UR	Good
5	Sarat Moolchandaney	UR	Very Good
6	V.P.Lazar	UR	Very Good
7	Deepak Chaterjee	UR	Good
8	R.S.Meena	ST	Very Good
9	B.S.Patial	UR	Outstanding
10	Brijesh Ratan	SC	Very Good

The persons who will be placed in the select list are the following: -

S.No	Name	Assessment
1	Ram Prasad	Fit
2	Muthu Krishnan	Fit
3	Ghanshyam Das(SC)	Fit (although, not secured the Bench Mark but he falls within the number of vacancies which is 3 and hence 'concession' is applicable)

As you can see that, although Ghanshyam Das did not meet the Bench Mark "Very Good", yet he has been placed in the panel because he is within the number of vacancies (which in the instant illustration is three). Thus, Shri Ghanshyam Das who belong to SC community has been selected not because there is reservation but because of concession.

Self Assessment Question

Note: (a) Space is given for your answer.

(b) Compare your answer to that given at the end of the Unit.

Q.4 Take the facts of the illustration-1 provided above. But now assume that the numbers of vacancies are five. The assessment made by the DPC of the 14 officers in the grade of Assistant Legislative Counsel is as under:-

Sl.No.	Name	Assessment	Sl.No	Name	Assessment
1	A(Gen)	Very Good	8	H(Gen)	Very Good
2	B(Gen)	Outstanding	9	I(Gen)	Very Good
3	C(Gen)	Good	10	J(SC)	Very Good
4	D(Gen)	Very Good	11	K(Gen)	Good
5	E(SC)	Good	12	L(Gen)	Very Good
6	F(SC)	Good	13	M(ST)	Outstanding
7	G(Gen)	Very Good	14	N(Gen)	Good

Unit-4-Percentages of reservation for SC, ST and OBC

(write below the names of the five officers who will be selected after converting the grading into FIT/UNFIT.)

Sl.No.	Name	SC/ST/Gen	Fit/Unfit
1			
2			
3			
4			
5			

Q.5 Suppose Mr.E is a general candidate. In that case, which five persons will be selected for the select list.

Sl.No.	Name	SC/ST/Gen.	Fit/Unfit
1			
2			
3			
4			
5			

4.5- Let us Sum up:

In this Unit we have learnt that in the Direct Recruitment:-

- ❑ there is reservation for all the three categories i.e. for SC, ST and OBC.
- ❑ the percentage of reservation for SC, ST and OBC varies depending on the type of recruitment.
- ❑ Unless exempted by any specific order of the DOPT, reservation in direct recruitment is applicable to all levels of posts i.e. from Group 'D' to Group A.

In the case of "Promotion" we learnt the following:-

- ❑ The percentage of reservation in promotion is uniform which is **15%-SC and 7.5% -ST.**
- ❑ There is no reservation for OBC in promotion.
- ❑ There is no reservation in promotion (by selection) if the promotion is within Group 'A'.
- ❑ In promotion within group 'A' up to the level of posts, maximum of which is less than 5700/- p.m. (IVth pay commission scale), although no reservation is applicable but '**concession**' for SC/ST employees is available. 'Concession' is available to only those SC/ST officers who come within the number of vacancies.

- The benefit of concession is available only to those SC?ST officers who are within the number of vacancies.

4.6-Answers to Self-Assessment Questions

Q.1 The three types of recruitment undertaken by the Staff Selection Commission and percentage prescribed for reservation for SC, ST and OBC.

S.No.	Method	Share of entitlement		
		SC	ST	OBC
(i)	Organisation, which receive candidates from a single-common All India, list.	15	7.5	27
(ii)	Organisation which receive candidates from the list prepared by SSC on the basis of Centre-linked zonal basis	Proportion to the population of SC/ST/OBC of State.		
(iii)	organisation spreading into more than one State/Union Territory	Roster to be drawn up in consultation with DOPT taking into consideration the population of SC/ST/OBC in such areas		

Q.2 the percentage of reservation for SC, ST and OBC in the following cases:-

Sl.No.	Recruiting agency	SC-%	ST-%	OBC-%
1	Railway Recruitment Board undertakes recruitment for thirty posts of Technical Staff, by written examination.	15	7.5	27
2.	UPSC undertaking recruitment to the post of Hydrologist in the Ministry of Water Resources on the basis of interview alone.	15	7.5	27
3	Staff Selection Commission undertaking recruitment to the post of Copy holder on the basis of interview alone	16 ² / ₃	7.5	25.8 4
4.	Ministry of Law undertaking recruitment to the post of Stenographer (Hindi-cum-English) on the basis of written competitive Examination followed by interview.	15	7.5	27
5	A subordinate Office of the Government of India, located in Tamil Nadu receiving candidates from the list prepared by SSC on the basis of centre linked zonal scheme	19*	1*	27*

Q.3 In the following cases whether reservation is applicable or not. If reservation is applicable mark '✓' if reservation is not applicable mark 'x'.

<u>Group</u>	Seniority-cum-fitness	Selection
D to C		
C to C,B		
B to B		
B to A		
A to A		x

Answer to Q.4

The five Officers in the grade of Assistant Legislative Counsel who will be included in the Select list are as under:-

Sl.No.	Name(Category)	SC/ST/Gen	Assessment by DPC
1	A	Gen	Fit
2	B	Gen	Fit
3	D	Gen	Fit
4	E	SC	Fit**
5	G	Gen	Fit

**Please note: Both Mr.E(SC) and Mr.C(UR) have been graded as 'Good'. But only Mr.E(SC) has been included in the select list as (i) he belongs to SC community and (ii) he also comes within the number of vacancies which is 5 fulfilling both the requirements for benefit of 'concession'

Answer to Q.5.

If Mr.E is a general candidate then he will not find place in the panel as he does not meet the benchmark. In place of him, Mr.H will be included in the Select list. The five persons who will be selected are :-

Sl.No.	Name	SC/ST/Gen	Assessment by DPC
1	A	Gen	Fit
2	B	Gen	Fit
3	D	Gen	Fit
4	G	Gen	Fit
5	H	Gen	Fit

In fact, since there is not SC/ST official figures in the first five (Within the no. of vacancies) in the seniority list of the Assistant Legislative Counsel, no person is entitled to benefit of 'concession'. Although, Mr.F belongs to

SC community but since he is not within the number of vacancy which is five, it is Mr.H who is included in the Select list.

Unit-5-Exemption, Relaxation and Concessions

Structure:-

- 5.1. Introduction
- 5.2. Objectives
- 5.3. Posts exempted from Reservation orders
 - 5.3.1. Deputation
 - 5.3.2. Work Charged posts
 - 5.3.3. Scientific and Technical posts
- 5.4. Relaxation and Concessions available to SC/ST/OBC in Direct Recruitment
 - 5.4.1. Age.
 - 5.4.2. Fee Concession.
 - 5.4.3. Experience
 - 5.4.4. Essential Educational qualification
 - 5.4.5. Minimum Standards of evaluation
 - 5.4.6. Separate interview.
 - 5.4.7. Further relaxation in Technical/quasi-technical posts.
 - 5.4.8. Traveling allowance for interview/written test.
- 5.5. Relaxation and Concession in Promotion.
- 5.6. Other concessions and relaxations.
- 5.7. Let us Sum up
- 5.8. Answers to self-assessment questions

5.1-Introduction

In the Unit-2 of this module, we have learned about the quantum of reservation in the case of Promotion and Direct Recruitment. If you recall that in the case of Promotion by selection, reservation for SC and ST is not applicable within group 'A'. Is there any other situation when reservation orders are not applicable? In this Unit our topic of discussion will be to learn about posts, which are exempted from the purview of reservation orders and also the various concessions and relaxations available to reserved candidates/employees.

We will first discuss the various relaxations and concessions in the case of direct recruitment (Section 5.4) and then in the case of promotion (Section 5.5)

5.2-Objective

After reading this unit you will be able to :

- a) List the posts/services excluded from the reservation orders; and
- b) Explain the relaxations and concessions available to reserved category employees in Direct Recruitment and Promotion

5.3- Posts exempted from Reservation orders

So far as direct recruitment is concerned reservation for SC, ST and OBC should invariably be made in all posts filled by direct recruitment. Similarly in the case of promotion also reservation is to be applied, if the element of direct recruitment does not exceed 75%. If the element of direct recruitment exceeds 75% then reservation is to be applied only to direct recruitment and not to promotion.

However, there are some posts, which are exempted from the orders for reservation and these posts are as under:

- a) Armed Forces of India;
- b) Vacancies filled by "Deputation";
- c) Personal staff of President and Ministers;
- d) Vacancies filled by promotion within group A filled by selection method. This point we have already discussed in detail in the last Unit.;
- e) Temporary appointment < 45 days;
- f) Work-charged posts required for emergencies, like flood relief work, accident restoration and relief.
- g) Ad-hoc appointments that are purely stop gap arrangements
- h) Scientific and Technical posts above the lowest grade of group A.

Of these, we will learn in detail about deputation, scientific & Technical posts, and work-charged posts only.

5.3.1-DEPUTATION

Reservations do not apply to posts filled by deputation (earlier known as "transfer on deputation"). This means that when filling up posts by deputation none of the posts will be reserved for SC/ST. Although reservations do not apply to posts to be filled by deputation, but whenever a Ministry/Department etc. propose to depute in the public interest officers to a post to other Ministry/Department, the SC/ST employees serving in or under that Ministry/Department concerned, who are eligible to be sent on deputation should also be considered along with other eligible employees.

Similarly if a Ministry/Department is filling up some posts by deputation or Absorbtion they should duly consider the cases of SC/ST employees whose names have been forwarded by other Ministries/Departments. If the number of posts to be filled on deputation basis is fairly substantial

Unit-6: Principles of Preparation of Roster

the employing Ministry or office should endeavour to see that SC/ST employees fill a fair proportion of such posts. Of course subject to the availability of qualified persons belonging to these communities⁹

5.3.2-Work-Charged Posts

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

5.3.3- Scientific and Technical Posts

Whether reservation is applicable in Scientific and Technical Posts? Prior to 1975, scientific and technical posts required for conducting research or for organizing, guiding and directing research were exempted from the purview of orders relating to reservation. In 1975, the orders were modified and it was decided that the scheme of reservations should also cover appointments made to scientific and technical posts upto and including the lowest grade of Group A. The amended orders were however not made applicable to Department of Space, Department of Electronics and in regard to recruitment of trainees to the training school of the Department of Atomic Energy. Thus even in Scientific and Technical post upto and including the lowest grade of Group 'A', reservation for SC/ST/OBC is to be applied.

The question which arise now is whether reservation orders apply in the case of Scientific and Technical posts above the lowest grade?

Only such Scientific and Technical posts as satisfying all the following 3 conditions can be exempted from the purview of reservation orders:

- (i) *The posts should be in grade above the lowest grade in Group 'A' of the service concerned.*
- (ii) They should be classified as "Scientific and Technical" in terms of Cabinet Secretariat O.M.No.85/11/CF-61(1) dated 28.12.1961;
- (iii) the posts are for conducting research or for organising, guiding and directing research;

Orders of the Minister concerned should be obtained before exempting any posts satisfying the above conditions from the scheme of reservation. Thus in the case of scientific and technical posts, reservation orders do apply subject to the exemptions mentioned above.

⁹ DP&AR O.M.No36012/7/77-Estt.(SCT) dt.21.1.1978

5.4-Relaxations and Concessions in direct recruitment

There are various relaxations and concessions that have been provided to the SC/ST/OBC candidates. For the sake of convenience, the relaxations and concessions have been put under two heads, i.e. relaxation/concessions in the case of (i) Direct Recruitment and (2) Promotion. In this section we will learn about the various concessions in the case of direct recruitment. Before, we discuss the concessions and relaxations, one by one, we would like you to jot down the concessions and relaxations that you know of.

In the space below, write down the various concessions/relaxations that are available to SC/ST/OBC employees in the case of direct recruitment.



5.4.1-AGE RELAXATION

In the case of direct recruitment normally a fixed upper age limit is prescribed. For example in the case of recruitment of lower division clerks the upper age limit prescribed is 27 years. However, in the case of candidates belonging to SC and ST the upper age limit prescribed shall be increased by 5 years. In the case of a candidate belonging to OBC, the upper age shall be increased by 3 years. Thus a SC/ST candidate upto the age of 32 and a OBC candidate upto the age of 30 is eligible to apply for the post of LDC.

Age relaxation of 5 years for SC/ST and 3 years for OBC is exclusive of age relaxation of 3 years for SC/ST/OBC Departmental candidates.

Age relaxation in Promotion

Normally no upper age limit is prescribed in the case of promotion. But where an upper age limit not exceeding 50 years is prescribed for promotion to a service/ posts, it shall be relaxed by 5 years in favour of SCs and STs except in posts, which have arduous field duties or are meant for operational safety or are in para-military organisations.

5.4.2- Fee Concession

Only SC and ST candidates (and not OBC) are exempted from payment of fees prescribed for recruitment examination.

5.4.3-Experience

Recruitment rules for every post has a particular column (normally Column 7 of the Recruitment Rules having 14 columns) prescribing the “essential” and “desirable” qualifications required for that particular post/service. The Essential qualifications has further two parts viz:

- Educational Qualifications) and
- Experience

Relaxation of Experience Standards:

The experience is relaxable in favour of SC/ST if in the opinion of the Ministry/Department concerned such relaxation is not inconsistent with efficiency. However, suitable provisions may be made in the Recruitment Rules below the ‘essential qualifications’ as under:

“The qualification(s) regarding experience is/ are relaxable at the discretion of UPSC/SSC/Competent Authority in the case of candidates belonging to SC or ST if at any stage of selection the UPSC/SSC/Competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them”.

5.4.4-Essential Educational Qualifications.

It may however be noted that although experience criteria in RRs may be relaxed, if it is felt desirable as explained above but minimum essential educational qualifications as well as educational standards are not relaxable. Thus all candidates including SC/ST/OBC candidates shall satisfy the minimum educational qualifications. For example for the post of Lower Division clerk, the essential educational qualification is “Class 10th pass”. This educational qualification is essential and all candidates, whether SC, ST, OBC or general has to possess this essential qualification for being eligible for the post.

Unit-6: Principles of Preparation of Roster

Sometimes a minimum percentage or a minimum grade is also prescribed as part of educational qualifications in the RRS for example "Educational Qualifications: Mechanical Engineering with minimum 60% marks". In such cases, the minimum marks/grade so prescribed shall also apply uniformly to all candidates including SC,ST and OBC candidates.

In the case of direct recruitment the selecting authority shall determine the minimum standard for purpose of selection at the examination or at the interview. But in the case of SC, ST and OBC candidates, if adequate numbers of such candidates are not available to fill the reserved vacancies, then reserved category candidates may be selected to the extent of shortfall, by relaxing the minimum standard, provided they are not considered unfit for the post. Thus SC, ST and OBC candidates may be selected even if they score less than the minimum standard DOP&T O.M.No.36011/8/84-Estt. Dated 17.10.1986.

5.4.5-MINIMUM STANDARDS OF EVALUATION

In case of Direct recruitment, the minimum standards of evaluation for SC/ST/OBC candidates are also relaxable. For example if the minimum passing marks in the case of general category candidate is 50 out of 100, then in the case of reserved category it could be kept at a lower standard.

5.4.6-SEPARATE INTERVIEW OF SCs/STs CANDIDATES

In direct recruitment through written test/interview, candidates belonging to SC and ST would be called for interview on a separate day or a separate sitting of the selection Committee, so that SC and ST candidates are not judged in comparison with general candidates and the Interviewing authority/board is prominently aware of the need for judging the SC/ST candidates by relaxed standards.

5.4.7-Further relaxation of Standards in Non-technical and quasi-technical Group 'C' and Group 'D' posts.

It may so happen that in Group 'C' and 'D' posts even after providing relaxations of minimum standards in written examination and or/interview, the requisite numbers of SC/ST candidates are not available to fill the vacancies reserved for them. In such situation, the best among the available SC/ST has to be selected. In order to bring such candidates upto the minimum standard necessary for the maintenance of efficiency of administration they would be given **in-service training**. It is, however, important to note that this relaxation is available to only those SC/ST candidates who fulfill the minimum educational qualifications laid down in the Recruitment Rules about which we already learnt.

5.4.8-TRAVELLING ALLOWANCE

SC/ST candidates called for interview for appointment against advertised post recruitment to which is made either by the concerned Department or by SSC are entitled to second class railway fare. Fare to be reimbursed is fare for the shortest route from the railway station nearest to their normal place of residence or from which they actually perform the journey, whichever is nearer to place of interview and back to the same station. The reimbursement shall be restricted to the fare in respect of the distance in excess of 30 K.m. both ways. For example if Mr.A (belongs to ST community), travels 100 km to reach the place of interview, then he has to be reimbursed 70 km second class railway fare for one side and 70 k.m. for return journey. However, The reimbursement shall not include other charges as reservation charge, sleeper charges.

Before we learn more about the concession available to SC/ST about traveling allowance please read the case study given in the next page and write down your comments in the space provided.

CASE STUDY:

Two posts of Assistant(Technical) was advertised by the Ministry ABC, for being filled up by direct recruitment on the basis of written examination/interview. Three years experience in computer is an essential qualification. The post is unreserved. 20 applications are received and all the candidates are called for a written examination/interview to be held in Delhi. Out of the 20 applicants.. 3 candidates of these 20 candidates belong to SC community. Shri Ram Singh and Hans Raj both belonging to SC community and working in the Ministry of ABC also apply for the post. After the written examination/interview is over, the reimbursement of second class to and fro journey is made to all the three SC candidates, in accordance with the procedure you have learned. However, the internal Audit raised an objection that since the post of Assistant (Technical) is not reserved for SC, the reimbursement to the SC candidates is not in order. Whether the contention of the internal Audit is wrong or right? Write down your comments in the space provided below.

 _____

The objection raised by internal audit is correct but for wrong reasons. Because, the reimbursement is to be made to SC/ST employees irrespective of whether the post advertised is reserved or unreserved. In other words, even if the advertised posts is not reserved, as in the

instant case, a SC/ST candidate is entitled to reimbursement of train/bus fare.

The only situation when the SC/ST candidate is not entitled for reimbursement is when he/she is already in service in Central/State Government, Corporation, Public Undertaking, local Govt. Institutions and Panchayats. Therefore in this case, the reimbursement should not have been made. Audit is right although for wrong reasons.

5.5-RELAXATION AND CONCESSION IN PROMOTION.

In the unit-3 of this module we learnt that promotion are of three modes viz. (i) Limited Departmental Competitive Examination [LDCE] (ii) Seniority-cum-fitness and (iii) Selection.

In this section we will learn as to what are the relaxation and concession available in the case of promotion. As you know that there is no reservation for OBC employees in the promotion and thus the relaxations and concessions are available only to SC/ST employees. Let us first learn about relaxations available in the case of LDCE. In all LDCE a minimum mark or general qualifying standards is fixed which all candidates must secure to qualify the examination. However, SC/ST candidates who have not secured the general qualifying marks could also be considered for promotion. Provided they are not found unfit for promotion. In other words, the qualifying standards in these LDCE could be relaxed in favour of SC/ST employees.

Departmental Confirmation Examination : In some services/cadre a person in the post is confirmed only on qualifying a departmental examination. In such examinations also the minimum general standards are relaxable in favour of SC/ST employees as explained for the LDCE.

Departmental Qualifying Examinations: You have learnt about the relaxations in the case of Departmental Competitive Examinations. LDCE is only one of the mode of promotion. The other two modes are promotion by (i) Seniority-Cum-Fitness and (ii) Selection. Normally the suitability of an employee for promotion by seniority-cum-fitness or by selection, is decided on the basis of his confidential records. However, there are some posts/services in which qualifying Departmental Examination is a prerequisite before he/she could be considered by the DPC for promotion. The examination is only qualifying and not competitive. In such cases the minimum qualifying marks are relaxable for SC/ST.

But, the extent of such relaxation should be decided on each occasion whenever such an examination is held taking into account relevant factors including: -

- (i) Number of vacancies

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- (ii) The performance of SC/ST candidates as well as general candidates in that examination.
- (iii) The minimum standard of fitness for appointment to the post and
- (iv) The overall strength of the cadre and that of the scheduled castes and scheduled Tribe in that cadre.

Thus the extent of relaxation is not same for all occasions and has to be decided on each occasion when such examinations are held depending on the four factors stated above.

The relaxation/concession in the case of promotion which were withdrawn vide DOPT's O.M.No.36012/23/96-Estt.(Res.) dated 22/7/97 have now been restored vide DOPT's O.M.No.36012/23/96-Estt.(Res.) Vol.II dated 3/10/2000.

5.6- Other concessions

Composition of Selection Board/Departmental Promotion Committee(DPC)

(i) Group A & B Posts:

Whenever a Group A or Group 'B' posts are to be filled up by promotion, Ministries/Departments should make endeavour to the maximum extent possible to nominate a SC/ST officer on the Selection Board/DPC for various posts/services under them. Where a Selection Board/Departmental Promotion Committee has to make bulk selection for a large number of vacancies, say, for 30 or more at a time, no effort should be spared in finding a Scheduled Caste or Scheduled Tribe officer for inclusion in the Selection Board/Departmental Promotion Committee.[DP&AR O.M.No.F.16/1/74-Estt.(SCT) dated 23.5.75(p.336 Brochure]

(ii) Group C & D Posts:

For 10(ten) or more vacancies to be filled, in Group 'C' and 'D' posts/services, it shall be **mandatory** to have one member belonging to either SC or ST community and one member belonging to minority community in such Committees/Boards. For vacancies less than 10, no efforts should be spared in finding a SC/ST and a minority community officer for inclusion in such Committee/Boards.

Self Assessment Questions

Q.1.

- a) The age relaxation for SC/ST candidate is _____years and for OBC candidate is _____years.
- b) Reimbursement of rail/bus fare is not admissible to SC/ST candidates for appearing in written exam/interview if the distance to be traveled each way is less than _____k.m.
- c) It is mandatory to have a member belonging to minority community and one member belonging to SC or ST community if the number of vacancies to be filled are more than _____
- d) The age relaxation available to the departmental SC/ST/OBC candidates is inclusive of the age relaxation available to SC/ST/OBC candidates.

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- e) No reservation orders are applicable to the lowest grade of Group A Scientific and Technical post.
- f) What are the three conditions that a “Scientific or Technical” post must fulfill to be exempt from the orders of reservation.

Q.2. State True/False

Reservation orders are applicable:-

- a) In Direct Recruitment at all levels and in each group.
- b) In compassionate appointment
- c) Deputation
- d) Absorption
- e) In short term contract
- f) Work-charged posts.
- g) In appointment of Personal staff of the Ministers.
- h) In cases of Promotion to a Group A on non-selection basis.

Q.3. The post of Law Officer in the Ministry of ABC has the following essential and desirable educational qualifications and experience mentioned in the Recruitment Rules:

Essential:

- (i) Degree in Law(LLB) from a recognised University
- (ii) 7 years experience of legal matters.

Desirable:

- (i) LLM from a recognised University

Which of the above requirements can be relaxed for a SC/ST candidate:-

(i) Degree in Law(LLB)	(ii) 7 years' experience in legal matters	(iii) Both (i) and (ii)
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5.6 - Let us sum up

In this unit we have learned about the posts/services exempted from reservation orders. The posts/services from reservation orders are:

- a) Armed Forces of India
- b) Vacancies filled by “Deputation”
- c) Personal staff of President and Ministers
- d) Vacancies filled by promotion within group A filled by selection method. This point we have already discussed in detail in the last Unit.
- e) Temporary appointment < 45 days.
- f) Work-charged posts required for emergencies, like flood relief work, accident restoration and relief.

Besides this all Scientific and Technical posts, which are above the lowest grade of Group ‘A’ are also exempt from reservation orders if they fulfill the three criteria and have the approval of the Minister concerned.

We learnt about the various relaxation and concession available to SC/ST/OBC candidates. We also learnt that in the case of direct recruitment concessions like, age, lowering of marks or minimum standards is available to SC, ST and OBC candidates. However some of the concessions like traveling allowances are available only to SC and ST candidates and not to OBC candidates.

5.7- Answers to self-assessment Question

Q.1

- (a) The age relaxation for SC/ST is **5 years** and for OBC is **3 years**
- (b) 30 K.M.
- (c) 10 vacancies (section 5.5.)
- (d) Age relaxation to Departmental SC/ST candidates is over and above the age relaxation.
- (e) Reservation orders are available to the lowest grade of Group A Scientific and Technical Post.
- (f) Please see section 5.3.3.

Q.2.

- (a) **True.** In direct recruitment reservation is applicable at all levels.
- (b) **False.** No reservation is applicable in appointment on compassionate appointments.
- (c) **False.** No reservation is applicable in deputation.
- (d) **False.**
- (e) False
- (f) **False.** Please see 5.3.2.
- (g) **False** see section 5.3.
- (h) **True.** In promotion within group A, reservation is applicable if it is by non-selection basis.

Q.3. Only the '**experience**' criterion can be relaxed in favor of SC/ST. Other requirement under the 'Essential' i.e. degree in Law (LLB) cannot be relaxed. In other words even SC/ST candidates have to possess the degree in Law (LLB).

UNIT-6: PRINCIPLES OF PREPERATION OF ROSTER

Structure

- 6.1. Objectives
- 6.2. Introduction
- 6.3. Vacancy-based Vs Post-based.
- 6.4. Post based rosters-Salient features
 - 6.4.1.How to prepare rosters.
 - 6.4.2.Regional Rosters
 - 6.4.3.What is 'Squeezing'?
 - 6.4.4.Contraction and Expansion of Rosters.
- 6.5. How to make ' L ' shaped rosters.
 - 6.5.1.' L ' Shaped Rosters for Regional Recruitment
- 6.6. Summing up.
- 6.7. Answers to Self-Assessment Questions.
- 6.8. Annexure-DOPT's O.M dated 2.7.97.

6.1- OBJECTIVES

After reading this unit you will be able to

1. Differentiate between the 'vacancy-based' and 'post-based' reservation rosters.
2. Prepare post-based rosters.
3. Prepare 'L' shaped rosters.
4. Apply the concept of 'squeezing'.

6.2-INTRODUCTION

In the module 2, you learnt about the percentages of reservation for SC, ST and OBC. In this Module, we will learn how the reservations prescribed are given effect to with help of post based 'reservation rosters'. Post-based rosters have been prescribed by the Department of Personnel & Training vide its O.M.No. dated 2.7.97. These instructions were issued, in pursuance of the law laid down by the Hon'ble Supreme Court in the matter of *R.K.Sabharwal Vs. State of Punjab* (AIR 1995 SC 1371) as well as *J.C.Mallick Vs. Ministry of Railways* (1978 (1) SLR).

We will learn how to prepare the 'post-based rosters' and its salient features.

6.3-Vacancy-based Vs. Post-based Rosters

Before we begin the discussion on vacancy-based rosters .Vs. post-based rosters, let us first understand the words “Posts” and “Vacancies”. The expressions are very often used in the executive instructions.

Post: The word “post” means an appointment, job or employment i.e. a position to which a person is appointed.

Vacancy: “Vacancy” means an unoccupied post or office. When the incumbent of the post vacates the post due to death, resignation or retirement etc. a “vacancy” in that post would arise.

Example: Suppose there are 100 posts of Lower Division Clerks in an Organization. If, all 100 persons are occupying the posts, then the numbers of ‘vacancies’ are **zero**. However, if next year 9 persons retire and two persons resign, then there will be 11 vacancies although total posts will still be 100.

So far as reservation for SC, ST and OBC is concerned, the rosters are maintained for deciding how the vacancies, which arise in any cadre from year to year, are to be treated i.e whether to be treated as ‘reserved’ or as ‘unreserved’.

Prior to 2.7.97 and in accordance with the orders issued in 1983, for giving effect to the reservation in jobs for SC, ST and OBC, every appointing authority was required to maintain the following three types of rosters:-

- 200 points roster for Direct Recruitment on All India basis by open Competition.
- 120 points roster for Direct Recruitment otherwise than by Open Competition or
- 40 points roster for promotion.

These rosters were called ‘vacancy based roster’.

To appreciate and understand the post based rosters vis-a-vis vacancy based rosters, let us take a situation and analyse it, first in any year prior to 2.7.1997 and then the same situation after 2.7.1997.

Vacancy based rosters (Pre 2.7.97)

In the year 1994, in an organisation 24 posts of Data Entry Operator have been created and are to be filled 100% by direct recruitment through SSC. The percentage applicable is 15%-SC, 7.5%-ST and 27%-OBC.

In order to determine the vacancies reserved for SC, ST and OBC, it was required to refer to the 200-point roster (figure-1) and point number 1 to 24 of the roster.

Model 200 point Roster (Vacancy based) for posts filled by direct recruitment on all India basis by open Competition

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S.No	Category	S.No	Category	Sl.No	Category	Sl.No	Category
1	SC	51	OBC	101	SC	151	ST
2	Unreserved	52	Unreserved	102	Unreserved	152	Unreserved
3	ST	53	SC	103	OBC	153	OBC
4	Unreserved	54	Unreserved	104	Unreserved	154	Unreserved
5	OBC	55	OBC	105	OBC	155	SC
6	Unreserved	56	Unreserved	106	Unreserved	156	Unreserved
7	SC	57	ST	107	SC	157	OBC
8	Unreserved	58	Unreserved	108	Unreserved	158	Unreserved
9	OBC	59	OBC	109	OBC	159	OBC
10	Unreserved	60	Unreserved	110	Unreserved	160	Unreserved
11	OBC	61	SC	111	ST	161	SC
12	Unreserved	62	Unreserved	112	Unreserved	162	Unreserved
13	SC	63	OBC	113	OBC	163	OBC
14	Unreserved	64	Unreserved	114	Unreserved	164	Unreserved
15	OBC	65	OBC	115	SC	165	ST
16	Unreserved	66	Unreserved	116	Unreserved	166	Unreserved
17	ST	67	SC	117	OBC	167	OBC
18	Unreserved	68	Unreserved	118	Unreserved	168	Unreserved
19	SC	69	OBC	119	OBC	169	SC
20	Unreserved	70	Unreserved	120	Unreserved	170	Unreserved
21	OBC	71	ST	121	SC	171	OBC
22	Unreserved	72	Unreserved	122	Unreserved	172	Unreserved
23	OBC	73	OBC	123	OBC	173	SC
24	Unreserved	74	Unreserved	124	Unreserved	174	Unreserved
25	SC	75	OBC	125	ST	175	OBC
26	Unreserved	76	Unreserved	126	Unreserved	176	Unreserved
27	OBC	77	SC	127	OBC	177	ST
28	Unreserved	78	Unreserved	128	Unreserved	178	Unreserved
29	ST	79	OBC	129	SC	179	OBC
30	Unreserved	80	Unreserved	130	Unreserved	180	Unreserved
31	SC	81	SC	131	OBC	181	SC
32	Unreserved	82	Unreserved	132	Unreserved	182	Unreserved
33	OBC	83	OBC	133	SC	183	OBC
34	Unreserved	84	Unreserved	134	Unreserved	184	Unreserved
35	OBC	85	ST	135	OBC	185	OBC
36	unreserved	86	Unreserved	136	Unreserved	186	Unreserved
37	SC	87	OBC	137	ST	187	SC
38	unreserved	88	Unreserved	138	Unreserved	188	Unreserved
39	OBC	89	SC	139	OBC	189	OBC
40	unreserved	90	Unreserved	140	Unreserved	190	Unreserved
41	SC	91	OBC	141	SC	191	ST
42	Unreserved	92	Unreserved	142	Unreserved	192	Unreserved
43	OBC	93	SC	143	OBC	193	OBC
44	Unreserved	94	Unreserved	144	Unreserved	194	Unreserved
45	ST	95	OBC	145	OBC	195	SC
46	Unreserved	96	Unreserved	146	Unreserved	196	Unreserved
47	OBC	97	ST	147	SC	197	OBC
48	Unreserved	98	Unreserved	148	Unreserved	198	Unreserved
49	SC	99	OBC	149	OBC	199	Unreserved
50	Unreserved	100	Unreserved	150	Unreserved	200	Unreserved

FIGURE 1

You can see that in the 200 point roster, the point no 1,3,5,7 (all odd numbered point except 199) are earmarked for either SC or ST or OBC. On the other hand, all even number points are "Unreserved".

 **In-Text Activity No.1**

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Please write down the number of vacancies reserved for SC, ST and OBC out of 24 vacancies and also the respective point numbers in the roster.

Answer to the In-Text activity No.1:

Out of 24 vacancies the break up of reservation will be as under:

SC	Four	point nos 1,7,13,21
ST	Two	point nos 3,17
OBC	Six	point nos 5,9,11,15,19,23

From the answer you can see, that out of 24 vacancies we would report, 4 for SC, 2 for ST and 6 for OBC, i.e. total 12 vacancies for reserved and remaining 12 for unreserved.

Suppose all the 24 candidates join by the end of year 1995 in that case How many persons belonging to reserved category do we have in the cadre of 24 at the end of 1995?

Twelve! Obviously (Since we had reported 12 out 24 posts for reserved category). Let us further suppose that in the year 1996, 4 persons (one SC and three unreserved candidates) resign, giving rise to four vacancies. For these 4 vacancies, we will have to again decide as to how many will be reserved. For deciding the reservation for each category in the four vacancies, we would again refer to the 200-point roster. And this time we would refer to the points number 25,26,27 and 28. The points 25,26, 27 and 28 are earmarked for SC, UR, OBC and UR respectively. Thus out of four vacancies, two will be reserved and two will be unreserved.

In text Activity No.2: ✍

Calculate the numbers of persons belonging to reserve category in the cadre of 24, after all the four vacancies as reported are filled up by respective category.

Suppose again, that all the four candidates joined, in the cadre of 24 posts, there would be 13 persons of reserved category (4-SC, 7-OBC and 2-ST) and 11 unreserved category. Next year, let us assume that one more general candidate retired. We would have reported the resultant vacancy for ST(point no.29). After the ST candidate joined the post, there would have been 14 persons belonging to reserved category out of 24 posts (58% reservation)

You can easily see that although initially, the reserved persons in the cadre were not exceeding 50% but after the subsequent vacancies were filled up the reservation increased to 58%.

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Any further vacancies will again be referred to point number 29 onwards for deciding whether the vacancy is reserved for SC, ST or OBC or Unreserved and this process would continue upto point no.200. Thus, in pre-1997 era, on every occasion some vacancies arose, we would refer to the roster points in a 'running account' form, with the result that the percentage of reservation would vary every year. There was always the possibility of the reservation increasing beyond the prescribed percentage or even go down below it.

Post based Rosters (Post 2.7.97)

With the implementation of the "Post based" rosters w.e.f. 2.7.97, the mechanism of working out the reservation position to the available vacancies has undergone a major change. The new mechanism ensures that the individual percentage of reservation for each category and the overall percentage in the cadre remains the same as prescribed. To understand what is meant by reservation being "post based", let us again take the facts illustrated in the previous section and apply them on or after 2.7.97.

Suppose 24 posts of 'Data Entry Operator' have been created after 2.7.97 in an organisation and are to be filled 100% by direct recruitment. What will be break-up of the reservation? Which roster, will you refer to for deciding the reservation position? Will it still be of 200-point roster?

With the implementation of post based rosters, we now have a roster that will have exactly the same number of points as the number of sanctioned post in that cadre. In the instant case the roster will now have 24 points and **not 200** as in the pre-1997 era. Every point in the new post-based roster will be earmarked for any of the four categories i.e. SC, ST, OBC or Unreserved. We will learn how to earmark the points for a particular category, in the next section. At this stage, without going into the details of earmarking, go through the 24-point roster for the post of Data Entry Operator as given next page (figure-2)

SL.NO. OF POST	CATEGORY FOR WHICH EARMARKED	SL.NO OF THE POST	CATEGORY FOR WHICH EARMARKED
1	UR	13	UR
2	UR	14	ST-1
3	UR	15	SC-2
4	OBC	16	OBC-4

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5	UR	17	UR
6	UR	18	UR
7	SC-1	19	OBC-5
8	OBC-2	20	SC-3
9	UR	21	UR
10	UR	22	UR
11	UR	23	OBC-6
12	OBC-3	24	UR
NOTE: THE ROSTER HAS EXACTLY 24 POINTS. NEITHER LESS NOR MORE.			
FIGURE 2			

 In Text Activity 3:

Calculate the number of vacancies respectively for OBC, SC and ST that you will report to Recruiting authorities. Are the number of reserved vacancies same as that in the previous case (pre-1997).

Answer to the in-text activity 3.

According to the roster, out of 24 vacancies to be reported to SSC, the break up of vacancies will be as under:

Category	Numbers
Unreserved	- 14
OBC	- 6
SC	- 3
ST	- 1
Total	- 24

As in the earlier example let us assume in this case also, that all the candidates join by the end of year 1998.

How many reserved category persons you now have in the cadre. We have ten persons belonging to reserved category (the total reserved post were reported was only ten and not twelve as in the pre-97 case).

Let us now suppose that in the year 1999, 4 candidates, all belonging to 'unreserved category' resign, giving rise to four vacancies. What will be the break up of reservation of the four vacancies? [Hint: Unlike in the

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previous case, we cannot go to point number 25, 26 27 and 28 because in the post-based roster only 24 points exist.]

The answer is, that since all the persons who have resigned belong to unreserved category, we will report all the 4 vacancies for UNRESERVED. If instead of 4 unreserved persons, 2 unreserved persons and 1 SC and 1 OBC candidate resign, in that case we will report 2 vacancies for unreserved and 1 each for SC and OBC. In other words with the implementation of post based rosters, once the prescribed percentage of reservation is achieved in the cadre, the vacancies released by persons belonging to the general category is to be treated as general. Similarly vacancies released by SC, ST or OBC persons is to be treated for the respective category. This will ensure that the prescribed percentage of reservation is maintained. Thus after achieving the prescribed percentage, the situation which arose in the pre-1997 case, that is the percentage of reservation going above 50% or going below it, will not arise. The new post-based rosters ensures that the prescribed percentage of reservation is maintained in the cadre as a whole, although the percentage prescribed for each category is not being applied to the vacancies that arise on every occasion.

In the next section, we will learn, about the preparation of rosters. i.e. How to earmark each point of the roster?.

6.4-POST BASED ROSTERS-SALIENT FEATURES

In this section we will learn to prepare rosters. There are certain principles involved in the preparation of rosters and they are:

1. As hitherto, the reservation rosters are only an aid to determine the entitlement of different categories with regard to the quota reserved for them. They are not to determine seniority.
2. There should be separate rosters for direct recruitment and for promotion where reservation in promotion applies. If there are more than one mode of promotion prescribed as a method of filling up of a certain post, then for each mode there should be a separate roster.
3. As briefly discussed in the section-6.3, the number of points in each roster shall be equal to the number of posts in a cadre. It is however important to discuss a little about "cadre". Although cadre is generally to be construed as the number of posts in a particular grade, but for the purpose of preparation of roster, it shall mean the number of posts required to be filled by a **particular mode** of recruitment. For example, if in a Department there are 300 posts of Data Entry Operator and the recruitment rules prescribe the following method of recruitment:-
 - (i) 50% by direct recruitment;
 - (ii) 25% by promotion by Non-Selection and

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- (iii) 25% by promotion by Limited Departmental Competitive Exam.

In the aforesaid case, there are three cadres for the purpose of reservation. Three Cadres are: -

- Cadre for direct recruitment,
- Cadre for Promotion (Seniority-Cum-fitness) and;
- Cadre for Promotion (Limited Departmental Competitive Examination).

For each cadre there will be a separate roster comprising of as many points as the number of posts required to be filled by that particular method of recruitment as under: -

- Direct Recruitment -150 points(50% of 300)
- Non-Selection -75 points (25% of 300)

- Ltd. Departmental Comp. Exam.-75 points (25% of 300)

Note that there are separate rosters for each mode of promotion although the percentage of reservation is same in both the cases, i.e. 15% for SC and 7.5% for ST.

4. Since reservation does not apply to Deputation/Absorption, where recruitment rules prescribe a percentage of posts to be filled by this method, the corresponding proportion of posts should be excluded while drawing up the rosters. For example, if the Recruitment Rules for the post of 'Data Entry Operator' prescribes the following method of recruitment: -

- (iv) 50% by direct recruitment;
- (v) 25% promotion by Non-Selection and
- (vi) 25% by Deputation

5. In that case there will be **only two** rosters (**not three**) as under:-

- Direct recruitment - 150 points(50% of 300)
- Non-Selection -75 points (25% of 300)

Self Assessment Question

Note: (a) Space is given for your answer.

(b) Compare your answer to that given in the section 6.6 (page 29).

Q.1 The hierarchy of various posts in an organisation and method of recruitment prescribed in the recruitment rules are as under:-

Name of the post	No of posts	Method of Recruitment
------------------	-------------	-----------------------

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Deputy Secretary(Legal) (Rs.12000-375-16500) Group A	10	<ul style="list-style-type: none"> ▪ 33¹/₃% Deputation ▪ 66²/₃% Promotion (selection) failing which by deputation
Under Secretary(Legal) (Rs.10000-325-15200) Group A	15	<ul style="list-style-type: none"> ▪ 50% by Direct recruitment ▪ 50% by promotion by selection
Superintendent(Legal) (Rs.8000-275-13500) Group B	20	100% by promotion (selection)
Assistant (Legal) (Rs.6500-200-10500) Group B	40	<ul style="list-style-type: none"> ▪ 50% Direct Recruitment ▪ 25%-Ltd. Departmental Competitive Examination. ▪ 25% by promotion by non-selection mode
Court Messenger (Rs.5500-175-9000) Group 'B'	50	<ul style="list-style-type: none"> ▪ 80% Direct Recruitment ▪ 20% Promotion (Non-Selection)

Calculate the number of roster required in each of the grades and the number of points in each roster and write in the space provided below.

Name of the post	No of rosters	Points in each roster
Deputy Secretary (Legal)		
Under Secretary (Legal)		
Supdt.(Legal)		
Asstt.(Legal)		
Court Messenger		

After working on the question number-1, you have learned the following important points: -

The cadre for the purpose of reservation means, the total number of sanctioned posts to be filled by a particular mode of recruitment.

Each cadre will have a separate roster, if reservation is applicable to that cadre.

The number of points in the roster for each 'cadre' will be equal to the sanctioned post for that cadre.

In the next section we will learn how to earmark each point in the roster.

6.4.1-How to prepare rosters?

While preparing the post-based rosters, two important principles that have been kept in mind are-

- ❑ The reservation for the entitled categories is to be kept within the prescribed percentage of reservation and
- ❑ *Total reservation i.e. the number of points earmarked for reserved category in a roster, should in no case exceed 50% of the cadre.*

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Preparation of roster involves three steps, which are :-

- Step 1 is to identify **HOW MANY ROSTERS** are required for a particular grade. For example we learnt that for the post of Assistant (Legal) three rosters are to be made.
- Step 2 is to calculate **HOW MANY POINTS** each of the rosters to be prepared under step-1 should contain.
- Step 3 is to **EARMARK EACH POINT** in the roster for a particular category i.e. for SC or ST or OBC or U.R.

The first two steps have been dealt in the previous section. In this section we will learn the 3rd step in detail. For that let us prepare a roster for the post of Assistant (Legal).

The roster for 'direct recruitment' for the post of Assistant (Legal) will comprise of 20 points. Assuming that the direct recruitment is *All India basis by open competition*, the percentage of reservation applicable is SC-15%, ST-7.5% and OBC-27%. To earmark each of the 20 points in the roster we will follow the procedure explained as under:-

The method of earmarking

- (a) Multiply each post, by the prescribed percentages of reservation for the different reserved categories. The product of multiplication indicates the share of the community in that post. The point at which this product reaches a whole number or oversteps the number, is to be earmarked for that community. Refer to figure-3 (page number 12). The column 'a' is the serial number of the post. Column 'b', 'c' and 'd' are the share of entitlement for the respective communities. Column 'e' is the category, for which the post has been earmarked.

In the first row under column 'b', the share of SC community comes out as 0.15. Similarly ST obtains the number 0.075 and OBC obtains 0.27. Since none of the community obtains a whole number the first post is earmarked for 'Unreserved'. Let us go to the second post. Here SC obtains 0.30, ST-0.15 and OBC-0.54. Once again as none of the category obtain a whole number, the second post also is earmarked for 'unreserved'. Similarly we go to the 3rd post and earmark it for U.R. At the 4th post, we find that SC obtains 0.75, ST-0.45 but OBC obtains 1.08. Since OBC oversteps the number '1' at the 4th post, this post is earmarked for OBC. Please note that we have written 'OBC-1' to signify that this is the first post out of 20 that is reserved for OBC. OBC will now get the next post when it obtains 2 or oversteps 2.

- (b) If at any particular post, two or more categories complete a whole number or overstep a number or in other words, there is a clash of entitlement between two categories, in that case, the category, which has a higher fraction, is entitled to that post. Provided, that

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the other category has got at least one representation earlier. We may name this method of earmarking for quick reference, as the “**rule of fraction**”.

- (c) If two or more categories reaches or oversteps a number at a particular post, but it is not possible to compare the fractions because (i) the numbers are whole numbers and hence no fractions or (ii) the fractions are same, then refer to the immediate earlier reserved point and the category which has got no immediate representation earlier, will be entitled for that post.

The principles explained above are the basis of the model rosters that the Department of Personnel & Training have provided vide their O.M. dated 2.7.97. The O.M. along with the annexure have been reproduced in section 6.8.

Are you tired of reading? If so, pick a pencil and a calculator and attempt the following activity

In text Activity No.4. ✎ + 🧮

The skeleton of the 20-point roster for the post of Assistant (Legal) has been given below. Fill in the empty boxes in the table below and then fill in the column 5 against the respective serial number of the post (calculator may be helpful).

Sl. No. of post	Share of entitlement			Category for which the post should be earmarked
	SC @15%	ST @7.5%	OBC @27%	
(a)	(b)	(c)	(d)	(e)
1	1X0.15= 0.15	1x0.075= .075	1x0.27= 0.27	UR(as none of the categories have completed a number)
2	2x0.15= 0.30	2X0.075=0.15	2x0.27= 0.54	UR(as none of the categories have completed a number)

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3	0.45	0.225	0.81	-do-
4	0.60	0.300	1.08	OBC-1 (at point no.4, OBC has overstepped the number '1'. Hence this point has been earmarked for OBC)
5	0.75	0.375	1.35	UR (neither SC nor ST have obtained the number '1' or overstepped the number '1')
6				
7	1.05	0.525	1.89	SC (SC has overstepped the number '1')
8				
9				
10				
11				
12				
13	1.95	0.975	3.51	
14	2.10	1.050	3.78	
15				
16		1.200	4.32	
17				
18		1.350		
19				
20	3.00	1.500	5.40	

Figure-3

Did you earmark all the posts correctly? Did you face any dilemma at point no.14 in deciding whether to earmark for SC or ST? If not, congratulations! You have correctly grasped the principles of the post-based rosters you learnt in the beginning of this section. If you faced problem in earmarking the point number 14, you have some reasons to. The reason is that both SC and ST category oversteps a number at point number 14. Refer to figure-3. At the point number 14, ST obtains 1.05 (i.e. oversteps the number '1') and SC obtains 2.10 (i.e. oversteps the number '2') and hence both the category are entitled at point number 14. But the point number 14 is to be earmarked for ST (and not SC, although the fraction of SC is higher). The reason is that till point no.14, ST has got no representation. [refer to para(a) 'method of earmarking'] Accordingly, you go on upto point number 20 and the roster is ready and the 20 points of the roster will be as under: -

Sl. No. of post	Share of entitlement			Category for which the post should be earmarked
	SC @15%	ST @7.5%	OBC @27%	
(a)	(b)	(c)	(d)	(e)
1	0.15	0.075	0.27	UR
2	0.30	0.15	0.54	UR
3	0.45	0.225	0.81	-do-
4	0.60	0.300	1.08	OBC
5	0.75	0.375	1.35	UR

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6	0.90	0.450	1.62	UR
7	1.05	0.525	1.89	SC (as SC has overstepped the number '1')
8	1.20	0.600	2.16	OBC-2(OBC has overstepped number'2')
9	1.35	0.675	2.43	UR
10	1.50	0.750	2.70	UR
11	1.65	0.825	2.97	UR
12	1.80	0.900	3.24	OBC-3
13	1.95	0.975	3.51	UR.
14	2.10	1.050	3.78	ST-1(Prior to this point ST did not get any post)
15	2.25	1.125	4.05	SC-2
16	2.40	1.200	4.32	OBC-4
17	2.55	1.275	4.59	UR
18	2.70	1.350	4.86	UR
19	2.85	1.425	5.13	OBC-5
20	3.00	1.500	5.40	SC-3

To sum up, the preparation of roster involves three steps which are:-

- Category which obtains a number or oversteps a number gets the post.
- If there is a clash amongst more than one category, the category which has a higher fraction gets the post (*provided the other category has got at least one representation earlier*) and;
- If there is no fraction to compare, than the category, which did not get a representation immediately earlier, gets the post.

Self Assessment Question

Note: (a) Space is given for your answer.

(b) Compare your answer with model roster provide by the DOPT (Section 1.6)

Question 2. Prepare a roster of 85 posts to be filled by direct recruitment (All India basis by Open competition). Of the 85 points, 20 points you have already calculated and hence you need to earmark the remaining 65 posts only. The calculation part has been worked out in the table below. You may fill in only the fifth column (Column 'e') and compare you answer with the model roster provided by the DOPT which has been reproduced at the end of the Unit.

Also calculate how many posts out of 85 are reserved for each of the categories.

SL NO OF POST	SHARE OF ENTITLEMENT			CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC @15%	ST @7.5%	OBC @27%	
(a)	(b)	(c)	(d)	(e)
21	3.15	1.575	5.67	
22	3.30	1.650	5.94	
23	3.45	1.725	6.21	
24	3.60	1.800	6.48	
25	3.75	1.875	6.75	
26	3.90	1.950	7.02	

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27	4.05	2.025	7.29	
28	4.20	2.100	7.56	
29	4.35	2.175	7.83	
30	4.50	2.250	8.10	
31	4.65	2.325	8.37	
32	4.80	2.400	8.64	
33	4.95	2.475	8.91	
34	5.10	2.550	9.18	
35	5.25	2.625	9.45	
36	5.40	2.700	9.72	
37	5.55	2.775	9.99	
38	5.70	2.850	10.26	
39	5.85	2.925	10.53	
40	6.00	3.000	10.80	
41	6.15	3.075	11.07	
42	6.30	3.150	11.34	
43	6.45	3.225	11.61	
44	6.60	3.300	11.88	
45	6.75	3.375	12.15	
46	6.90	3.450	12.42	
47	7.05	3.525	12.69	
48	7.20	3.600	12.96	
49	7.35	3.675	13.23	
50	7.50	3.750	13.50	
51	7.65	3.825	13.77	
52	7.80	3.900	14.04	
53	7.95	3.975	14.31	
54	8.10	4.050	14.58	
55	8.25	4.125	14.85	
56	8.40	4.200	15.12	
57	8.55	4.275	15.39	
58	8.70	4.350	15.66	
59	8.85	4.425	15.93	
60	9.00	4.500	16.20	
61	9.15	4.575	16.47	
62	9.30	4.650	16.74	
63	9.45	4.725	17.01	
64	9.60	4.800	17.28	
65	9.75	4.875	17.55	
66	9.90	4.950	17.82	
67	10.05	5.025	18.09	
68	10.20	5.100	18.36	
69	10.35	5.175	18.63	
70	10.50	5.250	18.90	
71	10.65	5.325	19.17	
72	10.80	5.400	19.44	
73	10.95	5.475	19.71	
74	11.10	5.550	19.98	
75	11.25	5.625	20.25	
76	11.40	5.700	20.52	
77	11.55	5.775	20.79	
78	11.70	5.850	21.06	
79	11.85	5.925	21.33	

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80	12.00	6.000	21.60	
81	12.15	6.075	21.87	
82	12.30	6.150	22.14	
83	12.45	6.225	22.41	
84	12.60	6.300	22.68	
85	12.75	6.375	22.95	

Q.3. Prepare a roster of 85 posts to be filled by direct recruitment (Otherwise than by All-India by open competition)

SL.NO. OF POST	SHARE OF ENTITLEMENT			CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC @ 16.66%	ST @ 7.5%	OBC @ 25.84%	
1	0.166	0.075	0.258	
2	0.332	0.150	0.516	
3	0.498	0.225	0.774	
4	0.664	0.300	1.032	
5	0.830	0.375	1.290	
6	0.996	0.450	1.548	
7	1.162	0.525	1.806	
8	1.328	0.600	2.064	
9	1.494	0.675	2.322	
10	1.660	0.750	2.580	
11	1.826	0.825	2.838	
12	1.992	0.900	3.096	
13	2.158	0.975	3.354	
14	2.324	1.050	3.612	
15	2.490	1.125	3.870	
16	2.656	1.200	4.128	
17	2.822	1.275	4.386	
18	2.988	1.350	4.644	
19	3.154	1.425	4.902	
20	3.320	1.500	5.160	
21	3.486	1.575	5.418	
22	3.652	1.650	5.676	
23	3.818	1.725	5.934	
24	3.984	1.800	6.192	
25	4.150	1.875	6.450	
26	4.316	1.950	6.708	
27	4.482	2.025	6.966	
28	4.648	2.100	7.224	
29	4.814	2.175	7.482	
30	4.980	2.250	7.740	
31	5.146	2.325	7.998	
32	5.312	2.400	8.256	
33	5.478	2.475	8.514	
34	5.644	2.550	8.772	
35	5.810	2.625	9.030	
36	5.976	2.700	9.288	
37	6.142	2.775	9.546	
38	6.308	2.850	9.804	
39	6.474	2.925	10.062	
40	6.640	3.000	10.320	
41	6.806	3.075	10.578	
42	6.972	3.150	10.836	
43	7.138	3.225	11.094	
44	7.304	3.300	11.352	
45	7.470	3.375	11.610	
46	7.636	3.450	11.868	
47	7.802	3.525	12.126	
48	7.968	3.600	12.384	
49	8.134	3.675	12.642	
50	8.300	3.750	12.900	
51	8.466	3.825	13.158	

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52	8.632	3.900	13.416	
53	8.798	3.975	13.674	
54	8.964	4.050	13.932	
55	9.130	4.125	14.190	
56	9.296	4.200	14.448	
57	9.462	4.275	14.706	
58	9.628	4.350	14.964	
59	9.794	4.425	15.222	
60	9.960	4.500	15.480	
61	10.126	4.575	15.738	
62	10.292	4.650	15.996	
63	10.458	4.725	16.254	
64	10.624	4.800	16.512	
65	10.790	4.875	16.770	
66	10.956	4.950	17.028	
67	11.122	5.025	17.286	
68	11.288	5.100	17.544	
69	11.454	5.175	17.802	
70	11.620	5.250	18.060	
71	11.786	5.325	18.318	
72	11.952	5.400	18.576	
73	12.118	5.475	18.834	
74	12.284	5.550	19.092	
75	12.450	5.625	19.350	
76	12.616	5.700	19.608	
77	12.782	5.775	19.866	
78	12.948	5.850	20.124	
79	13.114	5.925	20.382	
80	13.280	6.000	20.640	
81	13.446	6.075	20.898	
82	13.612	6.150	21.156	
83	13.778	6.225	21.414	
84	13.944	6.300	21.672	
85	14.110	6.375	21.930	

Q.4 Prepare the roster for the post of Superintendent (Legal) which you worked out in SAQ-1.

SL.NO OF POST	SHARE OF ENTITLEMENT		CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC@ 15%	ST@ 7.5%	
1	0.15	0.075	
2	0.30	0.150	
3	0.45	0.225	
4	0.60	0.300	
5	0.75	0.375	
6	0.90	0.450	
7	1.05	0.525	
8	1.20	0.600	
9	1.35	0.675	
10	1.50	0.750	
11	1.65	0.825	
12	1.80	0.900	
13	1.95	0.975	
14	2.10	1.050	
15	2.25	1.125	
16	2.40	1.200	
17	2.55	1.275	
18	2.70	1.350	

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19	2.85	1.425	
20	3.00	1.500	

6.4.2-REGIONAL ROSTERS

DOPT have not provided the model rosters in the case of regional recruitment. You have to prepare them on your own.

You have learnt in the Module 2 (unit-5) that in the case of recruitment by Central Government Office making recruitment on regional basis, the percentage of reservation is that prescribed for the particular State. For Example, if there is Central Government Office located in Simla, Himachal Pradesh, and if recruitment is done for a Group 'C' post on local/regional basis then the percentage applicable would be SC-25%, ST-5% and OBC-

20% .

For preparation of roster in such cases, the Department of Personnel & Training has prescribed no model rosters and the model rosters have to be prepared by the concerned organisation in which such recruitment takes place. The principles of preparation of regional rosters are the same that you have learned in the previous sections.

In text Activity No.5 ✍

Let us prepare a roster applicable in the case of local/regional recruitment in the State of Himachal Pradesh. (You could choose to do for any other State you like). The skeleton of the preparation of roster has been provided and you may prepare the roster for the first few points, let us say 103 points only. Once again, we have done the calculation part for you and you have to decide the earmarking for each point. The percentage of reservation in the case of regional/local recruitment for Himachal Pradesh is SC-25%, ST-5% and OBC-20%

REGIONAL Roster- Himachal Pradesh				
SNO. OF POST	SC (25%)	ST (5%)	OBC (20%)	Category For which Earmarked
1	0.25	0.05	0.2	
2	0.5	0.1	0.4	
3	0.75	0.15	0.6	
4	1	0.2	0.8	
5	1.25	0.25	1	
6	1.5	0.3	1.2	

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7	1.75	0.35	1.4
8	2	0.4	1.6
9	2.25	0.45	1.8
10	2.5	0.5	2
11	2.75	0.55	2.2
12	3	0.6	2.4
13	3.25	0.65	2.6
14	3.5	0.7	2.8
15	3.75	0.75	3
16	4	0.8	3.2
17	4.25	0.85	3.4
18	4.5	0.9	3.6
19	4.75	0.95	3.8
20	5	1	4
21	5.25	1.05	4.2
22	5.5	1.1	4.4
23	5.75	1.15	4.6
24	6	1.2	4.8
25	6.25	1.25	5
26	6.5	1.3	5.2
27	6.75	1.35	5.4
28	7	1.4	5.6
29	7.25	1.45	5.8
30	7.5	1.5	6
31	7.75	1.55	6.2
32	8	1.6	6.4
33	8.25	1.65	6.6
34	8.5	1.7	6.8
35	8.75	1.75	7
36	9	1.8	7.2
37	9.25	1.85	7.4
38	9.5	1.9	7.6
39	9.75	1.95	7.8
40	10	2	8
41	10.25	2.05	8.2
42	10.5	2.1	8.4
43	10.75	2.15	8.6
44	11	2.2	8.8
45	11.25	2.25	9
46	11.5	2.3	9.2
47	11.75	2.35	9.4
48	12	2.4	9.6
49	12.25	2.45	9.8
50	12.5	2.5	10
51	12.75	2.55	10.2
52	13	2.6	10.4
53	13.25	2.65	10.6
54	13.5	2.7	10.8
55	13.75	2.75	11
56	14	2.8	11.2
57	14.25	2.85	11.4
58	14.5	2.9	11.6
59	14.75	2.95	11.8

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60	15	3	12
61	15.25	3.05	12.2
62	15.5	3.1	12.4
63	15.75	3.15	12.6
64	16	3.2	12.8
65	16.25	3.25	13
66	16.5	3.3	13.2
67	16.75	3.35	13.4
68	17	3.4	13.6
69	17.25	3.45	13.8
70	17.5	3.5	14
71	17.75	3.55	14.2
72	18	3.6	14.4
73	18.25	3.65	14.6
74	18.5	3.7	14.8
75	18.75	3.75	15
76	19	3.8	15.2
77	19.25	3.85	15.4
78	19.5	3.9	15.6
79	19.75	3.95	15.8
80	20	4	16
81	20.25	4.05	16.2
82	20.5	4.1	16.4
83	20.75	4.15	16.6
84	21	4.2	16.8
85	21.25	4.25	17
86	21.5	4.3	17.2
87	21.75	4.35	17.4
88	22	4.4	17.6
89	22.25	4.45	17.8
90	22.5	4.5	18
91	22.75	4.55	18.2
92	23	4.6	18.4
93	23.25	4.65	18.6
94	23.5	4.7	18.8
95	23.75	4.75	19
96	24	4.8	19.2
97	24.25	4.85	19.4
98	24.50	4.90	19.60
99	24.75	4.95	19.8
100	25.00	5.00	20.00
101	25.25	5.05	20.2
102	25.50	5.10	20.40
103	25.75	5.15	20.80

Compare your answer with the answer given below:

Category	Sl.No. of post earmarked
SC	4,8,12,16,21,24,28,,32,36,41,44,48,52,56,61,64,68,72,76,81,84,88,92,96,101.
ST	20,40,60,80,100.

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OBC	5,10,15,22,25,30,35,42,45,50,55,62,65,70,75,82,85,90,95,102.
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Please note that at the 100th point, there is a clash but we allot it to ST because earlier two reserved points have been allotted to OBC(95) & SC(96).

Now that you have prepared the model roster, you can prepare roster for any cadre depending on the points of the roster.

6.4.3-WHAT IS 'SQUEEZING' ?

In the unit 1.4.1, we learnt in detail, the procedure for preparation of rosters. In fact, to prepare Direct recruitment rosters upto 200 points, we can simply refer to the model rosters, provided by DOPT vide their O.M .dated 2.7.97 (page 45) because all the calculations and the earmarking for each post have already been provided by DOPT. For example, if you have to prepare a roster of a cadre of 15 posts to be filled 100% by Direct Recruitment on "All India basis by Open Competition" what will be the 15 points of the roster? If we refer to the model roster provided in the O.M. dated 2.7.97 (Section-6.8, Page 45), and note down the first fifteen points, our roster will be as shown next page: -


Sl.No. of post	Share of entitlement			Category earmarked
	SC @15%	ST @7.5%	OBC @27%	
(1)	(2)	(3)	(4)	(5)
1	0.15	0.075	0.27	UR
2	0.30	0.150	0.54	UR
3	0.45	0.225	0.81	UR
4	0.60	0.300	1.08	OBC-1
5	0.75	0.375	1.35	UR
6	0.90	0.450	1.62	UR
7	1.05	0.525	1.89	SC-1
8	1.20	0.600	2.16	OBC-2
9	1.35	0.675	2.43	UR
10	1.50	0.750	2.70	UR
11	1.65	0.825	2.97	UR
12	1.80	0.900	3.24	OBC-3
13	1.95	0.975	3.51	UR
14	2.10	1.050	3.78	ST-1
15	2.25	1.125	4.05	SC-2

Figure-6

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From the above roster, you can see that out of 15 posts, one post has been reserved for ST, Two for SC and three for OBC (total six posts reserved).

If we prepare a roster having the fifteen points shown above i.e. by simply following what is provided in the model roster, our roster may sometime be wrong and in this particular case is **WRONG**. Can you tell why?

 In the space provided below write down the reasons that you can think of.

If you look at point no 15 (i.e. the last point of the roster) in **figure-6**, SC category has reached the number "2.25". Ignoring the fraction i.e. 0.25, SC is entitled to 2 posts out of fifteen posts. Similarly, 'ST' has reached the number "1.125" (ignoring 0.125) and is entitled to 1 post. And OBC has reached the number "4.05" and is entitled to 4 posts out of fifteen. But in the roster that we have prepared i.e. by noting down the fifteen points from the 'model roster', only three posts are reserved for OBC instead of four. Since 'SC' and 'ST' categories have received their share of entitlement, it is obvious that 'UR' has received more than its share. **Therefore, the roster is wrong.** We have to make a roster in which, four out of fifteen posts should be earmarked for OBC. How do we do it? We do it by the process called "squeezing". In other words we squeeze the earmarking. This is done by shifting the earmarking upwards, till we get a "UR" earmarking to be dislodged.

The 14th and 15th posts are already earmarked for ST and SC category. The first available unreserved post is the 13th post and hence, we can squeeze and earmark 13th, 14th and 15th posts for ST, SC and OBC respectively.

Squeezing is done at the end of the roster to ensure that all the categories have got as many posts reserved for it as the number it obtains or oversteps at the last point of the roster.

Whether squeezing is required or not can be decided, by tallying the numbers obtained by the particular category, with the number of posts reserved for it in the roster. If they tally, no squeezing is required otherwise squeezing as explained above will have to be done.

Self Assessment Questions

Q.5. Refer to the model roster for Direct-recruitment on All India basis by Open Competition (Page 45) and write down in the space below the earmark each point of the roster for the post of **Court Messenger** that you worked out in the **SAQ-1** :

Sl.No. of the post	Earmarked for	Sl.No. of the post	Earmarked for
1		21	
2		22	

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3		23	
4		24	
5		25	
6		26	
7		27	
8		28	
9		29	
10		30	
11		31	
12		32	
13		33	
14		34	
15		35	
16		36	
17		37	
18		38	
19		39	
20		40	

6.4.4-Contraction and Expansion of Rosters

You have learned that for the purpose of rosters, the word 'cadre' has a different connotation. Cadre means the number of sanctioned posts, which are to be filled by a particular mode of recruitment.

There can be situations in which the strength of cadre may increase or decrease. In those situations you will have to 'expand' your rosters if the number of posts in the cadre have increased. If the number of posts have decreased, then you will have to 'contract' your roster.

For example in the self-assessment question no.5, if 2 posts out of 40 are abolished, you will have only 38 posts left in the cadre. You will have to prepare the roster once again. This will be a case of 'contraction' of the roster. **WHAT WILL BE THE 38 POINTS OF THE ROSTER.?**

The 38 points in the roster will have the same earmarking as you have done for the first 38 points in the case of the 40-point roster.

If the number of posts instead of getting abolished is created, in that case the roster will be 'expanded'. In the case of court messenger, if 2 posts are created then the cadre will have 42 posts.

Self-Assessment Questions

Q.6 A central Government Office located in Simla (Himachal Pradesh) is to make recruitment to a Group 'C' post on direct recruitment on local/regional basis. The numbers of sanctioned posts are 25. The recruitment rules provide 80% of posts to be filled by direct recruitment and 20% by Deputation from Group 'D' posts. Prepare the roster in the case of direct recruitment and write down in the box below the serial numbers of the posts earmarked for each category.

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Category	Sl.Nos of Posts earmarked
SC	
ST	
OBC	

Q.7 In the year 2004, two more posts have been created. Will there be any change in the roster?

Category	Sl.Nos of Posts earmarked
SC	
ST	
OBC	

6.5- 'L' Shaped Rosters.

To understand what are 'L' shaped rosters two questions that needs an explanation are:

- What is the need for preparing 'L' shaped rosters.
- How do we prepare a 'L' shaped roster.

Let us understand the need first. For that, let us again take a situation and try to prepare a roster. In the SAQ-1, you calculated the rosters required for the post of Under Secretary (Legal). The roster for promotion for Under Secretary (Legal) is an eight point roster. How are the eight points to be earmarked?.

In case of promotion the percentage of reservation for SC is 15% and ST-7.5%. If we earmark the eight posts, as per the procedure we have learned so far, i.e. by multiplying each post by the percentage, then the first eight points will be as under:

Sl.No. of posts	Earmarked for
1	UR
2	UR
3	UR
4	UR
5	UR
6	UR
7	SC-1
8	UR

Figure-7

If we make a roster like the one shown above, we will not be able to reserve any post for scheduled Tribe. There is no reservation for ST in the eight points above because the first reservation for ST falls at point number 14. Can we make a roster of these eight points? The answer is **NO**.

It is evident that we cannot follow the procedure of preparation of roster that we have learned till now, for any cadre having posts less or

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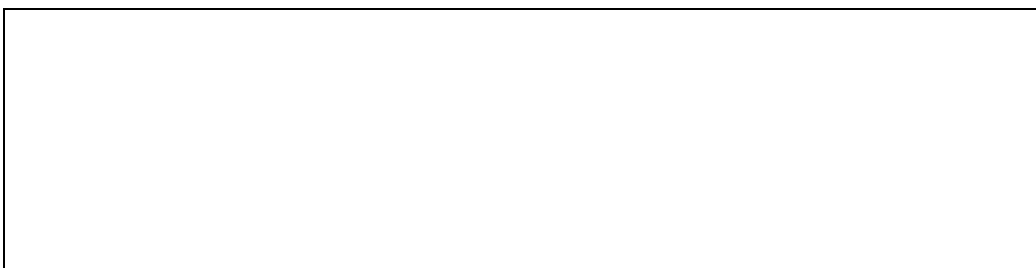
equal to 13 for the simple reason that by doing so one of the reserved categories (ST) will be permanently excluded and that would be against the reservation orders issued so far. Therefore, in such cases, the procedure of preparation of roster needs to be different from what we have learnt in the previous section. The procedure for making such rosters as prescribed in the DOPT O.M. dated 2.7.97 is as under: -

Step 1: Write vertically, the first fourteen points of the model roster. For example, if we want a roster for promotion as in the case of Under Secretary (Legal) then the fourteen points will be the fourteen points of the model roster for promotion. (Figure- 8)

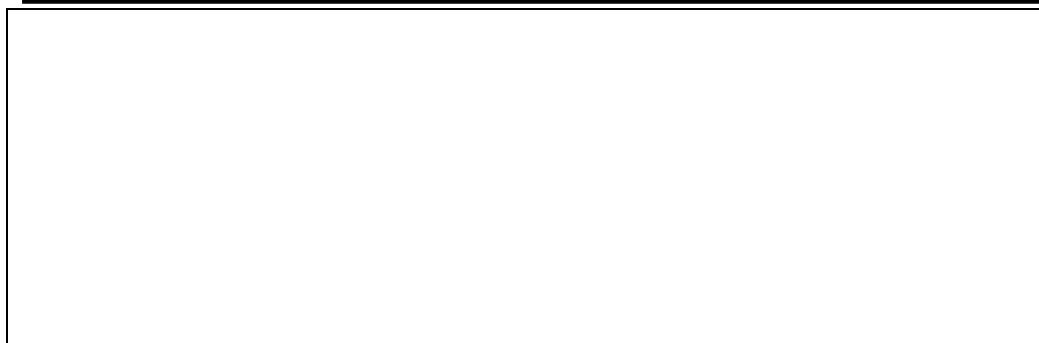
Sl.No.	Earmarking
1	UR
2	UR
3	UR
4	UR
5	UR
6	UR
7	SC
8	UR
9	UR
10	UR
11	UR
12	UR
13	UR
14	ST

Figure-8

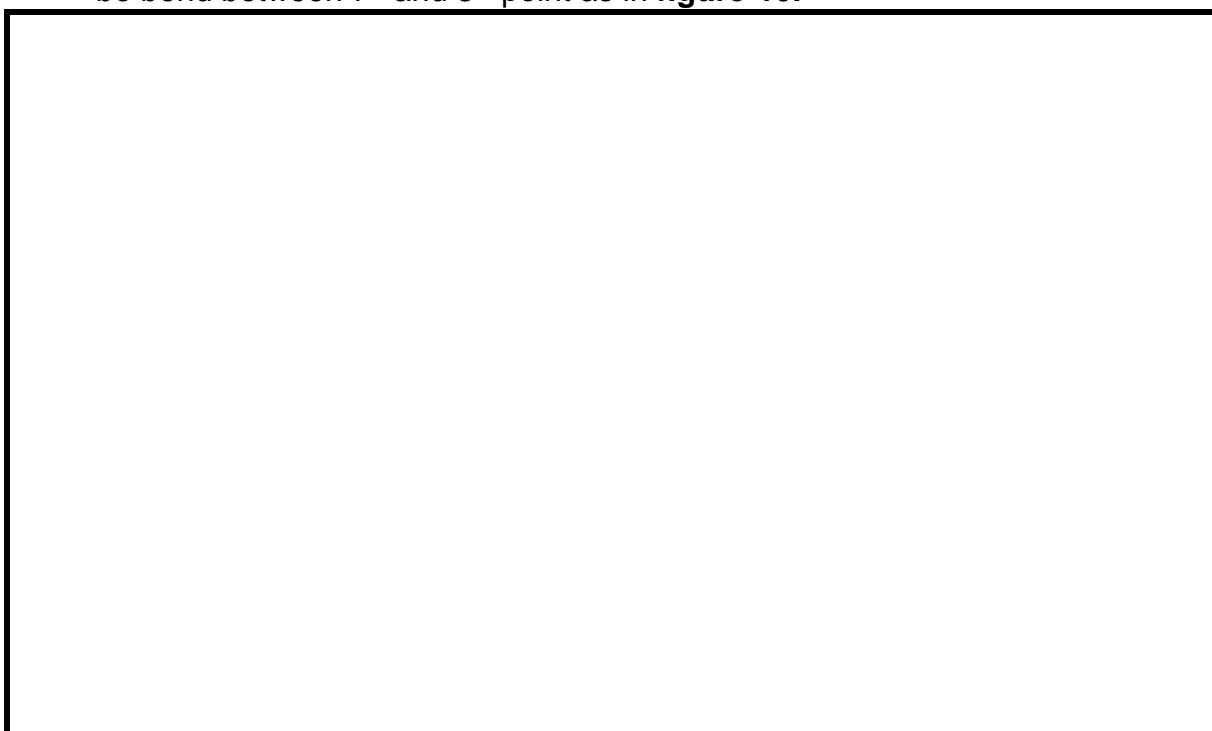
Step 2: We now have to bend the **figure-8**, into a 'L' shape figure, in which the vertical bar of the 'L' will have the same number of points as the 'cadre strength' and the horizontal bar will obviously have the remaining point out of 14. In the case of roster for the post of Under Secretary, the cadre strength is 8. Therefore, we will bend the roster at the 8th point as in **figure-9 (next page)**. The horizontal points are called as the '**replacement points**'.



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We will learn in detail about the meaning of 'replacement points' in the next Unit. At this stage, it will be sufficient to know that each point in the roster will be earmarked in the way explained above. If the cadre strength is 7 instead of eight, then the fourteen points in the figure-6 will be bent between 7th and 8th point as in **figure-10**.



Similarly any cadre having posts between 2 to 13 will have a 'L' shaped roster which will be prepared in the manner explained. You can see that the fourteen points of the 'L' will always be same, whether it is a 2-point roster or a 13-point roster. The reason is that it is the **same fourteen points which is being bent at different places depending on the cadre strength.**

The principles of preparation of rosters enunciated in the previous section apply *mutatis mutandis* to the 'L' shaped rosters. However, Department of Personnel & Training vide their O.M. dated 2.7.97 have provided the 'L' shaped rosters in the case of Promotion , direct recruitment All India basis by open competition as well as otherwise than by open competition (please see section 6.8). You could refer to these

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model rosters also for preparation of any roster for cadre from two to thirteen. DOPT, however, have not proposed 'L' shaped roster for regional recruitment.

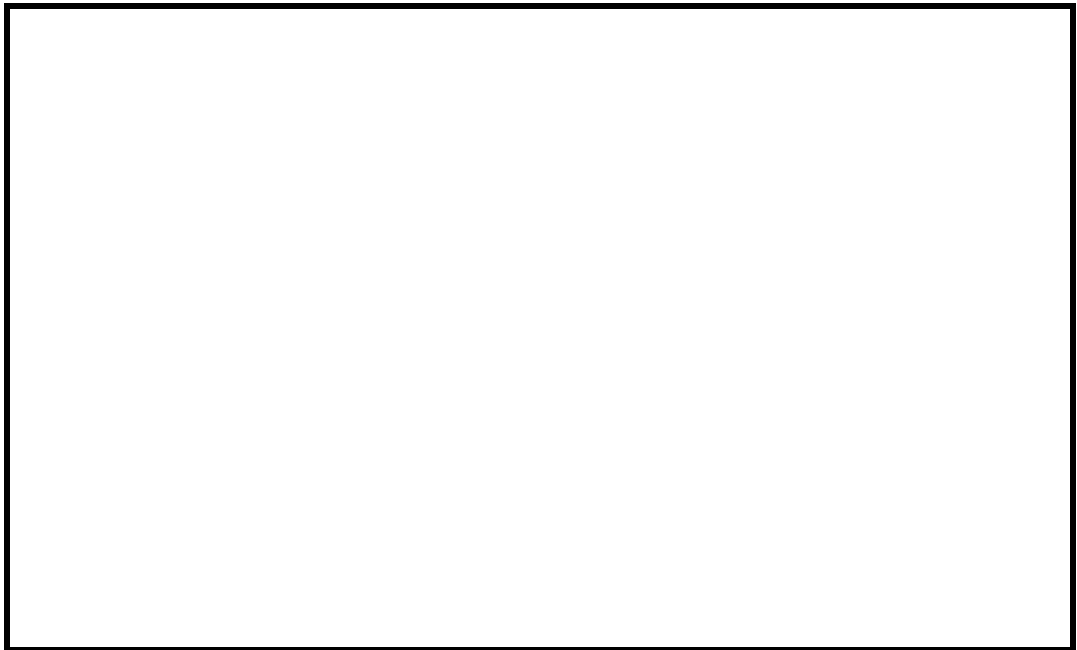
6.5.1- 'L' SHAPED ROSTERS IN THE CASE OF REGIONAL RECRUITMENT.

How do you prepare the L-shaped rosters in the case of regional recruitment? Since no rosters for regional recruitment have been provided by the DOPT, you have to prepare L-shaped rosters, on your own.

You have prepared the model roster of 100 points in the case of regional recruitment in Himachal Pradesh. You must have also noted that the first point in that roster, where all the categories gets at least one reservation is the point number 20. Thus for any cadre having less than 20 posts, the roster will be a 'L' shaped' roster which will be drawn on the same principles as we have already learnt. However, the length of 'L' in the case of L shaped roster of Himachal Pradesh will be 20 and not 14. The reason for the change in length is the changed percentage of reservation. Thus in the case of regional recruitment, the length of 'L' will be different in different States as the percentage of reservation keeps varying from State to State.

Self-Assessment Question

Q.8. In the SAQ-6 (Page 23), you prepared a roster for a cadre of 25 posts. If 6 posts in the cadre are abolished in a particular year, how many points will be there in the roster for Direct Recruitment? Earmark each point of the roster.
(Hint: After 6 posts are abolished only 19 posts will remain. 80% of 19 posts are 16 posts. Thus the roster for direct recruitment will be 16-point roster.)



6.6- Summing UP

In this unit, we have learned the difference between vacancy based & post-based reservation. In the vacancy-based system, which was applicable prior to 2.7.97, the percentage of reservation was applied on the number of 'vacancies' and not on 'posts'. Whereas, in the post-based reservation, the reservation is applied on the total number of posts in a cadre.

The important points while preparing post-based rosters are:-

- ❑ The post-based reservation rosters are implemented from 2-7-97.
- ❑ There should be separate roster for each method of recruitment and also for each mode of promotion.
- ❑ Each of these rosters should contain as many points as the sanctioned posts to be filled by that method/mode.

We learned that the method of earmarking of the posts in the reservation rosters are:

- ❑ Each post is to be multiplied by the percentage prescribed for the SC/ST/OBC.
- ❑ The point at which a particular reserved category obtains or overstep a number, is reserved for that category. In case of a 'clash' at a particular point between two or more categories, the category, which obtains a higher fraction, gets the post. If there are no fractions to compare then the category, which did not get representation immediately earlier, gets the post.

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- 'Squeezing' wherever necessary is to be done at the end of the roster.

We also learned in the section 6.5 about the 'L' shaped rosters, which are applicable in cases where the cadre strength is 13 or less. However in the cases to the regional rosters, L shape rosters will have to be maintained after preparation of the regional rosters as explained in the section 6.5.1. In that section we learned that 14 is not a sacrosanct number and the size of the 'L' will depend on the respective percentage of the SC/ST/OBC for the State.

In next unit, i.e. Unit-7, we will learn how to 'operate' the reservation roster. Operation of the roster means, allocation of the vacancies for SC/ST/OBC with the help of the roster.

6.7-Answers to Self Assessment Questions

Answer to SAQ.1

Name of the post	Number of Rosters/points in the roster	Remarks
Deputy	NIL	❖ Reservation is not applicable in the

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Secretary (Legal)		<p>case of appointment by Deputation</p> <ul style="list-style-type: none"> ❖ No reservation is applicable in promotion (by selection) within group 'A'. In this case both the feeder grade of Under Secretary (Legal) as well as the promotion grade of Deputy Secretary (Legal) belongs to Group A (Class I)
Under Secretary (Legal)	<p>Two Rosters</p> <p>For Direct Recruitment (7 points) and</p> <p>For Promotion (8 points)</p>	<ul style="list-style-type: none"> ❖ The cadre for direct recruitment will comprise of 7 points (and not 8 points). Because, the 15 points will be divided into the ratio of 50:50 starting first with Promotion and then next post to direct recruitment and then again the Promotion and so on. Thus out of 15 posts 8 will be filled by promotion and 7 by direct recruitment. ❖ Reservation for SC/ST is not applicable in the case of promotion within Group 'A'. But reservation is applicable in the case of promotion upto the lowest rung of Group 'A'. In the hierarchy of posts given in the SAQ-1, the post of Under Secretary is the lowest rung of Group 'A'. Therefore, although the promotion is by selection mode, reservation will be applicable and a roster of 8 points will be maintained.
Superintendent (Legal)	<p>One-For promotion (20 points)</p>	<ul style="list-style-type: none"> ❖ The Promotion is taking place from Group B post to the lowest rung of Group A post and hence reservation is applicable.
Assistant (Legal)	<p>Three</p> <ul style="list-style-type: none"> - Direct Rectt. (20 points) - LDCE (10 points) - Promotion (10 points) 	<ul style="list-style-type: none"> ❖ Both the modes of promotion namely (i) LDCE and (ii) Promotion (by non-selection) will have separate rosters of 10 points each.

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Court Messenger	One Direct Recruitment (40 Points)	<ul style="list-style-type: none"> ❖ Direct recruitment is by ALL-India basis by open competition and hence the share will be SC-15%, ST-7.5% and OBC-27%. ❖ No reservation will be applicable in the case of Promotion as the share of direct recruitment exceeds 75% in this case.
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Answer to SAQ – 2:

First compare your answer with the one given below. If there is any mismatch between your answer and the one given below, go back to your answer and try to find out the reasons (Perhaps it could be a silly mistake). Do not deny yourself the satisfaction of achieving what you could have done with a little more diligence. Only after you have failed to find out the reason, read the explanations given after the answer.

SI.No. of the post	Percentage of reservation			Earmarked for
	SC@15%	ST@7.5%	OBC@27%	
21	3.15	1.575	5.67	UR
22	3.30	1.650	5.94	UR
23	3.45	1.725	6.21	OBC-6
24	3.60	1.800	6.48	UR
25	3.75	1.875	6.75	UR
26	3.90	1.950	7.02	OBC-7
27	4.05	2.025	7.29	SC-4
28	4.20	2.100	7.56	ST-2
29	4.35	2.175	7.83	UR
30	4.50	2.250	8.10	OBC-8
31	4.65	2.325	8.37	UR
32	4.80	2.400	8.64	UR
33	4.95	2.475	8.91	UR
34	5.10	2.550	9.18	OBC-9
35	5.25	2.625	9.45	SC-5
36	5.40	2.700	9.72	UR
37	5.55	2.775	9.99	UR
38	5.70	2.850	10.26	OBC-10
39	5.85	2.925	10.53	UR
40	6.00	3.000	10.80	ST-3
41	6.15	3.075	11.07	SC-6
42	6.30	3.150	11.34	OBC-11
43	6.45	3.225	11.61	UR
44	6.60	3.300	11.88	UR
45	6.75	3.375	12.15	OBC-12
46	6.90	3.450	12.42	UR
47	7.05	3.525	12.69	SC-7
48	7.20	3.600	12.96	UR
49	7.35	3.675	13.23	OBC-13
50	7.50	3.750	13.50	UR
51	7.65	3.825	13.77	UR
52	7.80	3.900	14.04	OBC-14
53	7.95	3.975	14.31	UR
54	8.10	4.050	14.58	SC-8

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55	8.25	4.125	14.85	ST-4
56	8.40	4.200	15.12	OBC-15
57	8.55	4.275	15.39	UR
58	8.70	4.350	15.66	UR
59	8.85	4.425	15.93	UR
60	9.00	4.500	16.20	OBC-16
61	9.15	4.575	16.47	SC-9
62	9.30	4.650	16.74	UR
63	9.45	4.725	17.01	OBC-17
64	9.60	4.800	17.28	UR
65	9.75	4.875	17.55	UR
66	9.90	4.950	17.82	UR
67	10.05	5.025	18.09	OBC-18
68	10.20	5.100	18.36	SC-10
69	10.35	5.175	18.63	ST-5
70	10.50	5.250	18.90	UR
71	10.65	5.325	19.17	OBC-19
72	10.80	5.400	19.44	UR
73	10.95	5.475	19.71	UR
74	11.10	5.550	19.98	SC-11
75	11.25	5.625	20.25	OBC-20
76	11.40	5.700	20.52	UR
77	11.55	5.775	20.79	UR
78	11.70	5.850	21.06	OBC-21
79	11.85	5.925	21.33	UR
80	12.00	6.000	21.60	ST-6
81	12.15	6.075	21.87	SC-12
82	12.30	6.150	22.14	OBC-22
83	12.45	6.225	22.41	UR
84	12.60	6.300	22.68	UR
85	12.75	6.375	22.95	UR

Explanation of the points, where there is a clash between one or more categories is as under:-

Point no.27	There is a clash between SC and ST category, but SC has a higher fraction. Hence the post is earmarked for SC-4.
Point no.34	There is a clash between OBC and SC, but OBC has a higher fraction (0.18>0.10)
Point no.40	There is a clash between SC and ST. But ST gets the post because ST did not get a representation immediately prior to point number 40, whereas SC got representation at 35.
Point no.41	There is a clash at this point between SC and OBC. But SC has a higher fraction at 41 and hence it is earmarked for SC. OBC gets the 42 nd point.
Point no.67	All the three categories are entitled at this point. But OBC has the higher fraction and gets the post. The next point 68 goes to SC, because compared with ST, SC has a higher fraction. The next point i.e. 69, goes to ST.
Point no.80	At point number 80 both ST and SC is

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	<p>completing a whole number. Now there are no fractions to compare. Therefore, we allot the posts to the category which has <u>not</u> been represented immediately earlier. ST has got no immediate representation earlier and therefore, the point number 80 is earmarked for ST-6. Next point i.e. 81 is earmarked for SC-12.</p>
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Answer to SAQ-3:

SL.NO. OF POST	SHARE OF ENTITLEMENT			Earmarked for
	SC @ 16.66%	ST @ 7.5%	OBC @ 25.84%	
1	0.166	0.075	0.258	UR
2	0.332	0.150	0.516	UR
3	0.498	0.225	0.774	UR
4	0.664	0.300	1.032	OBC-1
5	0.830	0.375	1.290	UR
6	0.996	0.450	1.548	UR
7	1.162	0.525	1.806	SC-1
8	1.328	0.600	2.064	OBC-2
9	1.494	0.675	2.322	UR
10	1.660	0.750	2.580	UR
11	1.826	0.825	2.838	UR
12	1.992	0.900	3.096	OBC-3
13	2.158	0.975	3.354	SC-2
14	2.324	1.050	3.612	ST-1
15	2.490	1.125	3.870	UR
16	2.656	1.200	4.128	OBC-4
17	2.822	1.275	4.386	UR
18	2.988	1.350	4.644	UR
19	3.154	1.425	4.902	SC-3
20	3.320	1.500	5.160	OBC-5
21	3.486	1.575	5.418	UR
22	3.652	1.650	5.676	UR
23	3.818	1.725	5.934	UR
24	3.984	1.800	6.192	OBC-6
25	4.150	1.875	6.450	SC-4
26	4.316	1.950	6.708	UR
27	4.482	2.025	6.966	ST-2
28	4.648	2.100	7.224	OBC-7
29	4.814	2.175	7.482	UR
30	4.980	2.250	7.740	UR
31	5.146	2.325	7.998	SC-5
32	5.312	2.400	8.256	OBC-8
33	5.478	2.475	8.514	UR
34	5.644	2.550	8.772	UR
35	5.810	2.625	9.030	OBC-9
36	5.976	2.700	9.288	UR
37	6.142	2.775	9.546	SC-6
38	6.308	2.850	9.804	UR
39	6.474	2.925	10.062	OBC-10
40	6.640	3.000	10.320	ST-3

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41	6.806	3.075	10.578	UR
42	6.972	3.150	10.836	UR
43	7.138	3.225	11.094	SC-7
44	7.304	3.300	11.352	OBC-11
45	7.470	3.375	11.610	UR
46	7.636	3.450	11.868	UR
47	7.802	3.525	12.126	OBC-12
48	7.968	3.600	12.384	UR
49	8.134	3.675	12.642	SC-8
50	8.300	3.750	12.900	UR
51	8.466	3.825	13.158	OBC-13
52	8.632	3.900	13.416	UR
53	8.798	3.975	13.674	UR
54	8.964	4.050	13.932	ST-4
55	9.130	4.125	14.190	OBC-14
56	9.296	4.200	14.448	SC-9
57	9.462	4.275	14.706	UR
58	9.628	4.350	14.964	UR
59	9.794	4.425	15.222	OBC-15
60	9.960	4.500	15.480	UR
61	10.126	4.575	15.738	SC-10
62	10.292	4.650	15.996	UR
63	10.458	4.725	16.254	OBC-16
64	10.624	4.800	16.512	UR
65	10.790	4.875	16.770	UR
66	10.956	4.950	17.028	OBC-17
67	11.122	5.025	17.286	SC-11
68	11.288	5.100	17.544	ST-5
69	11.454	5.175	17.802	UR
70	11.620	5.250	18.060	OBC-18
71	11.786	5.325	18.318	UR
72	11.952	5.400	18.576	UR
73	12.118	5.475	18.834	SC-12
74	12.284	5.550	19.092	OBC-19
75	12.450	5.625	19.350	UR
76	12.616	5.700	19.608	UR
77	12.782	5.775	19.866	UR
78	12.948	5.850	20.124	OBC-20
79	13.114	5.925	20.382	SC-13
80	13.280	6.000	20.640	ST-6
81	13.446	6.075	20.898	UR
82	13.612	6.150	21.156	OBC-21
83	13.778	6.225	21.414	UR
84	13.944	6.300	21.672	UR
85	14.110	6.375	21.930	SC-14

Answer to SAQ-4:

SL.NO OF POST	SHARE OF ENTITLEMENT		CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC@ 15%	ST@ 7.5%	
1	0.15	0.075	UR

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2	0.30	0.150	UR
3	0.45	0.225	UR
4	0.60	0.300	UR
5	0.75	0.375	UR
6	0.90	0.450	UR
7	1.05	0.525	SC-1
8	1.20	0.600	UR
9	1.35	0.675	UR
10	1.50	0.750	UR
11	1.65	0.825	UR
12	1.80	0.900	UR
13	1.95	0.975	UR
14	2.10	1.050	ST-1
15	2.25	1.125	SC-2
16	2.40	1.200	UR
17	2.55	1.275	UR
18	2.70	1.350	UR
19	2.85	1.425	UR
20	3.00	1.500	SC-3

Answer to SAQ-5:

The direct recruitment roster for the post of Court Messenger will have 40 points.

Sl.No. of the post	Earmarked for	Sl.No. of the post	Earmarked for
1	UR	21	UR
2	UR	22	UR
3	UR	23	OBC-6
4	OBC-1	24	UR
5	UR	25	UR
6	UR	26	OBC-7
7	SC-1	27	SC-4
8	OBC-2	28	ST-2
9	UR	29	UR
10	UR	30	OBC-8
11	UR	31	UR
12	OBC-3	32	UR
13	UR	33	UR
14	ST-1	34	OBC-9
15	SC-2	35	SC-5
16	OBC-4	36	UR
17	UR	37	UR
18	UR	38	OBC-10
19	UR	39	ST-3*
20	SC-3	40	SC-6*
*squeezing			

Answer to SAQ-6:

80% of 25 is 20. Therefore the roster for direct recruitment will have 20 points as under:-

Category	Sl.Nos of Posts earmarked
SC	4,8,12,16,19*

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ST	18*
OBC	5,10,15,20*

*Please note that at point numbers 18,19,20, squeezing has been resorted. Therefore, the earmarking of these points are different from what you have done in the in-text activity no.5 (Page 21-22)

Answer to SAQ-7

If the number of posts increases from 20 to 22, **there will not be any need for squeezing** the roster and the earmarking of the 22 points will be exactly the same as the first 22 points of the roster you prepared in the in-text activity no.5 (Page 21-22). Hence the 20 points in the roster will be as under:-

Category	Sl.Nos of Posts earmarked
SC	4,8,12,16,21
ST	20
OBC	5,10,15,22

(Compare the last three points of table above with last three points of answer of SAQ-6)

8	R	R	T																	
9	R	T	S																	

In the case of roster given above you can see that the length of the 'L' is 20. The reason is that at the 20th point, ST gets the first earmarking. Therefore, the length of 'L' will vary according to the percentage of reservation applicable in each State. The cadre for 16 posts will have the roster, as outlined with dark borders in the diagram above. Thus the roster will have 16 vertical points and 4 replacement points.

Unit-6-Preperation of Roster
Space for rough work

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Unit-6-Preperation of Roster

6.8-DOPT's O.M. dated 2.7.97

No.36012/2/96-Estt. (Res).
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)
North Block, New Delhi
Dated the 2nd July,1997

OFFICE MEMORANDUM

Sub:- **Reservation roster - Post based - Implementation of the Supreme Court Judgement in the case of R.K.Sabharwal Vs. State of Punjab.**

The undersigned is directed to say that under the existing instructions, vacancy-based rosters have been prescribed in order to implement the Government's policy relating to reservation of jobs for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes. The application of reservation on the basis of these rosters was called into question before Courts. The Constitution Bench of the Supreme Court, in the case of R.K.Sabharwal Vs. State of Punjab as well as J.C. Mallick Vs. Ministry of Railways has held that the reservation of jobs for the backward classes SC/ST/OBC should apply to posts and not to vacancies. The Court further held that the vacancy based rosters can operate only till such time as the representation of persons belonging to the reserved categories in a cadre, reaches the prescribed percentages of reservation. Thereafter, the rosters cannot operate and vacancies released by retirement, resignation, promotion etc., of the persons belonging to the general and the reserved categories are to be filled by appointment of persons from the respective category so that the prescribed percentage of reservation is maintained.

2. The Court also held that persons belonging to the reserved categories, who are appointed on the basis of merit and not on account of reservation are not to be counted towards the quota meant for reservation.

3. With a view to bring the policy of reservation in line with the law laid down by the Supreme Court, it has been decided that the existing 200-point, 40-point, and 120-point vacancy-based rosters shall be replaced by post-based rosters. All Ministries/Departments and concerned Authorities are requested to prepare the respective rosters based on the principles elaborated in the Explanatory Notes given in Annexure-I to this O.M. and illustrated in the Model Rosters annexed to this O.M. as Annexure-II, III and IV. Similarly, the concerned authorities may prepare rosters to replace the existing 100-point rosters in respect of local recruitment to Group C & D posts on the basis of same principles.

4. The principles for preparing the rosters elaborated upon in the Explanatory Notes are briefly recapitulated below:

- a) Since reservation for OBCs does not apply in promotions, there shall be separate rosters for direct recruitment and for promotions;
- b) The number of points in the roster shall be equal to the number of posts in the cadre. In case there is any increase or decrease in

Unit-6-Preparation of Roster

- the cadre strength in future, the rosters shall be expanded/contracted correspondingly;
- c) Cadre, for the purpose of a roster, shall mean a particular grade and shall comprise the number of posts to be filled by a particular mode of recruitment in terms of the applicable recruitment rules. Thus, in a cadre of, say, 200 posts, where the recruitment rules prescribe a ratio of 50:50 for direct recruitment and promotion, two rosters - one for direct recruitment and one for promotion (when reservation in promotion applies) - each comprising 100 points shall be drawn up on the lines of the respective model rosters;
 - d) Since reservation does not apply to transfer on deputation/transfer, where the recruitment rules prescribe a percentage of posts to be filled by this method, such posts shall be excluded while preparing the rosters;
 - e) In small cadres of up to 13 posts, the method prescribed for preparation of rosters does not permit reservation to be made for all the three categories. In such cases, the administrative Ministries/Departments may consider grouping of posts in different cadres as prescribed in this Department's O.M.No.42/21/49-NGS dated 28.1.1952 and subsequent orders reproduced at pages 70 to 74 of the Brochure on Reservation for Scheduled Castes & Scheduled Tribes (Eighth Edition) and prepare common rosters for such groups. In the event, it is not possible to resort to such grouping, the enclosed rosters (Appendices to Annexure-II, III & IV) for cadre strength upto 13 posts may be followed. The principles of operating these rosters are explained in the explanatory notes.

5. At the stage of initial operation of a roster, it will be necessary to adjust the existing appointments in the roster. This will also help in identifying the excesses shortages, if any, in the respective categories in the cadre. This may be done starting from the earliest appointment and making an appropriate remark - "utilized by SC/ST/OBC/Gen.", as the case may be against each point in the rosters as explained in the explanatory notes appended to the model rosters. In making these adjustments, appointments of candidates belong to SCs/STs/OBCs which were made on merit (and not due to reservation) are not to be counted towards reservation so far as direct recruitment is concerned. In other words, they are to be treated as general category appointments.

6. Excess, if any, would be adjusted through future appointments and the existing appointments would not be disturbed.

7. All Ministries/Departments are requested to initiate immediate action to prepare rosters and operate them according to these guidelines.

8. The existing orders on the subject are deemed to have been amended to the extent herein.

9. These orders shall take effect from the date of their issue. However, where selections have already been finalized they need not be disturbed and the necessary adjustments in such cases may be made in future. In other cases,

Unit-6-Preperation of Roster

recruitment may be withheld till the revised rosters are brought into operation and recruitment effected in accordance with these instructions.

SD/-
(Y.G.Parande)
Director

1. All Ministries/Departments of the Government of India.
2. Union Public Service Commission, Dholpur House, New Delhi.
3. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi
4. Department of Economic Affairs (Banking Division), New Delhi.
5. Department of Economic Affairs (Insurance Division), New Delhi
6. Department of Public Enterprises, New Delhi.
7. National Commission for SC & ST, Lok Nayak Bhavan, New Delhi.
8. National Commission for Backward Classes, Trikot-I, Bhikaji-cama-place, R.K.Puram, New Delhi.
9. Ministry of Welfare, Shastri Bhawan, New Delhi.

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ANNEXURE-I TO O.M.No.36012/2/96-Estt.(Res) Dated 02-07-1997

EXPLANATORY NOTES:-

Principles for making & operating post based rosters.

1. As hitherto, these rosters are only an aid to determine the entitlement of different categories with regard to the quota reserved for them. They are not to determine seniority.
2. The model rosters have been drawn up keeping in mind two fundamental principles - the reservation for the entitled categories is to be kept within the prescribed percentage of reservation and the total reservation should in no case exceed 50% of the cadre.
3. There should be separate rosters for direct recruitment and for promotions where reservation in promotion applies.
4. The number of points in each roster shall be equal to the number of posts in a cadre.
5. While cadre is generally to be construed as the number of posts in a particular grade, for the purpose of preparation of roster, it shall comprise posts required to be filled by a particular mode of recruitment in terms of the applicable recruitment rules. To illustrate, in a cadre comprising 200 posts, where the recruitment rules prescribe a ratio of 50:50 for direct recruitment and promotions, the roster for direct recruitment shall have 100 points and that for promotion shall have 100 points - thus making a total of 200.
6. As indicated in the model roster, the method for making a roster is to multiply each post by the prescribed percentages of reservation for the different reserved categories. The point at which the multiple for a community obtains a complete number or oversteps the number is to be reserved for that community - while taking care to evenly space out the different reserved categories. Thus, at point no. 15, in the roster at Annexure-II both OBC and SC get entitled. However, since earlier reserved point has gone to OBC, point no. 15 has been reserved for SC and point NO.16 for OBC.
7. Since reservation does not apply to transfer/transfer on deputation, where rules prescribe a percentage of posts to be filled by this method, the corresponding proportion of posts should be excluded while drawing up the rosters.
8. It would be noted that at the end of the roster, "squeezing" has been done for the reserved categories to reach the number of posts to be reserved for them without violating the 50% limit laid down by the Courts. While drawing up rosters, the cadre controlling authorities should similarly "squeeze" the last points of the roster. Such squeezing may not, however, be done where it would violate the rule of 50%.
9. Whenever there is any increase or decrease in the cadre strength, the roster shall be correspondingly expanded or contracted. The same will also apply

Unit-6-Preperation of Roster

whenever there is a change in recruitment rules, which affects the proportion of posts to be filled by a particular mode of recruitment.

10. The roster is to be operated on the principle of replacement and not as a "running account" as hitherto. In other words, the points at which reservation for different categories applies are fixed as per the roster and vacancies caused by retirement etc. of persons occupying those points shall be filled by appointment of persons of the respective categories.

11. While operating the roster, persons belonging to communities for whom reservation has been made, but who are appointed on merit and not owing to reservation, should not be shown against reserved points. They will occupy the unreserved points.

12. In the case of small cadres (up to 13 posts), all the posts shall be earmarked on the same pattern as in the model post-based rosters. Initial recruitment against these posts shall be by the category for which the post is earmarked. Replacement of incumbents of posts shall be by rotation as shown horizontally against the cadre strength as applicable. While operating the relevant roster, care will have to be taken to ensure that on no occasion the percentage of reserved category candidates exceed 50%. If such a situation occurs at any time, the relevant reserved point occurring as a result of rotation will be skipped.

INITIAL OPERATION

1. At the point of initial operation of the roster, it will be necessary to determine the actual representation of the incumbents belong to different categories in a cadre vis-à-vis the points earmarked for each category viz. SC/ST/OBC and General in the roster. This may be done by plotting the appointments made against each point of roster starting with the earliest appointee. Thus, if the earlier appointee in the cadre happens to be a candidate belong to the Scheduled Castes, against point No.1 of the roster, the remark "utilized by SC" shall be entered. If the next appointee is a general category candidate, the remark "utilized by general category" shall be made against point No.2 and so on and so forth till all appointments are adjusted in the respective rosters. In making these adjustments, SC/ST/OBC candidates on merit, in direct recruitment, shall be treated as general category candidates.

2. After completing the adjustment as indicated above, a tally should be made to determine the actual percentages of representation of appointees belong to the different categories in the cadre. If there is an excess representation of any of the reserved categories, or if the total representation of the reserved categories exceeds 50%, it shall be adjusted in the future recruitment. Vacancies arising from retirement etc. of candidates belonging to such categories shall be filled by appointment of candidates belonging to the categories to which the relevant roster points, against which the excesses occur, belong.

3. Since recruitment is generally vacancy based, it may happen that the actual number of promotees and direct recruits in the cadre does not correspond to the number of posts earmarked in the respective reservation roster. For the purpose of calculations of representation of reserved category in a cadre, total of

Unit-6-Preperation of Roster

promotees and direct recruits may be taken. Rectification of the representation as per prescribed percentage by the prescribed mode of recruitment at the earliest possible should however be the goal.

Unit-6-Preperation of Roster

FOR DIRECT RECRUITMENT

ANNEXURE-I I

OBJECTIVE:- REPRESENTATION OF EACH OF THE RESERVED CATEGORY SHOULD AT NO POINT OF TIME EXCEED THE RESERVATION PRESCRIBED FOR IT. MODEL ROSTER OF RESERVATION WITH REFERENCE TO POSTS FOR DIRECT RECRUITMENT ON ALL INDIA BASIS BY OPEN COMPETITION

SL NO OF POST	SHARE OF ENTITLEMENT			CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC @15%	ST @7.5%	OBC @27%	
1	0.15	0.075	0.27	UR
2	0.30	0.150	0.54	UR
3	0.45	0.225	0.81	UR
4	0.60	0.300	1.08	OBC-1
5	0.75	0.375	1.35	UR
6	0.90	0.450	1.62	UR
7	1.05	0.525	1.89	SC-1
8	1.20	0.600	2.16	OBC-2
9	1.35	0.675	2.43	UR
10	1.50	0.750	2.70	UR
11	1.65	0.825	2.97	UR
12	1.80	0.900	3.24	OBC-3
13	1.95	0.975	3.51	UR
14	2.10	1.050	3.78	ST-1
15	2.25	1.125	4.05	SC-2
16	2.40	1.200	4.32	OBC-4
17	2.55	1.275	4.59	UR
18	2.70	1.350	4.86	UR
19	2.85	1.425	5.13	OBC-5
20	3.00	1.500	5.40	SC-3
21	3.15	1.575	5.67	UR
22	3.30	1.650	5.94	UR
23	3.45	1.725	6.21	OBC-6
24	3.60	1.800	6.48	UR
25	3.75	1.875	6.75	UR
26	3.90	1.950	7.02	OBC-7
27	4.05	2.025	7.29	SC-4
28	4.20	2.100	7.56	ST-2
29	4.35	2.175	7.83	UR
30	4.50	2.250	8.10	OBC-8
31	4.65	2.325	8.37	UR
32	4.80	2.400	8.64	UR
33	4.95	2.475	8.91	UR
34	5.10	2.550	9.18	OBC-9

Unit-6-Preperation of Roster

35	5.25	2.625	9.45	SC-5
36	5.40	2.700	9.72	UR
37	5.55	2.775	9.99	UR
38	5.70	2.850	10.26	OBC-10
39	5.85	2.925	10.53	UR
40	6.00	3.000	10.80	ST-3
41	6.15	3.075	11.07	SC-6
42	6.30	3.150	11.34	OBC-11
43	6.45	3.225	11.61	UR
44	6.60	3.300	11.88	UR
45	6.75	3.375	12.15	OBC-12
46	6.90	3.450	12.42	UR
47	7.05	3.525	12.69	SC-7
48	7.20	3.600	12.96	UR
49	7.35	3.675	13.23	OBC-13
50	7.50	3.750	13.50	UR
51	7.65	3.825	13.77	UR
52	7.80	3.900	14.04	OBC-14
53	7.95	3.975	14.31	UR
54	8.10	4.050	14.58	SC-8
55	8.25	4.125	14.85	ST-4
56	8.40	4.200	15.12	OBC-15
57	8.55	4.275	15.39	UR
58	8.70	4.350	15.66	UR
59	8.85	4.425	15.93	UR
60	9.00	4.500	16.20	OBC-16
61	9.15	4.575	16.47	SC-9
62	9.30	4.650	16.74	UR
63	9.45	4.725	17.01	OBC-17
64	9.60	4.800	17.28	UR
65	9.75	4.875	17.55	UR
66	9.90	4.950	17.82	UR
67	10.05	5.025	18.09	OBC-18
68	10.20	5.100	18.36	SC-10
69	10.35	5.175	18.63	ST-5
70	10.50	5.250	18.90	UR
71	10.65	5.325	19.17	OBC-19
72	10.80	5.400	19.44	UR
73	10.95	5.475	19.71	UR
74	11.10	5.550	19.98	SC-11
75	11.25	5.625	20.25	OBC-20
76	11.40	5.700	20.52	UR
77	11.55	5.775	20.79	UR
78	11.70	5.850	21.06	OBC-21
79	11.85	5.925	21.33	UR
80	12.00	6.000	21.60	ST-6
81	12.15	6.075	21.87	SC-12
82	12.30	6.150	22.14	OBC-22

Unit-6-Preperation of Roster

83	12.45	6.225	22.41	UR
84	12.60	6.300	22.68	UR
85	12.75	6.375	22.95	UR
86	12.90	6.450	23.22	OBC-23
87	13.05	6.525	23.49	SC-13
88	13.20	6.600	23.76	UR
89	13.35	6.675	24.03	OBC-24
90	13.50	6.750	24.30	UR
91	13.65	6.825	24.57	UR
92	13.80	6.900	24.84	UR
93	13.95	6.975	25.11	OBC-25
94	14.10	7.050	25.38	SC-14
95	14.25	7.125	25.65	ST-7
96	14.40	7.200	25.92	UR
97	14.55	7.275	26.19	OBC-26
98	14.70	7.350	26.46	UR
99	14.85	7.425	26.73	SC-15*
100	15.00	7.500	27.00	OBC-27*
101	15.15	7.575	27.27	UR
102	15.30	7.650	27.54	UR
103	15.45	7.725	27.81	UR
104	15.60	7.800	28.08	OBC-28
105	15.75	7.875	28.35	UR
106	15.90	7.950	28.62	UR
107	16.05	8.025	28.89	SC-16
108	16.20	8.100	29.16	ST-8
109	16.35	8.175	29.43	OBC-29
110	16.50	8.250	29.70	UR
111	16.65	8.325	29.97	UR
112	16.80	8.400	30.24	OBC-30
113	16.95	8.475	30.51	UR
114	17.10	8.550	30.78	SC-17
115	17.25	8.625	31.05	OBC-31
116	17.40	8.700	31.32	UR
117	17.55	8.775	31.59	UR
118	17.70	8.850	31.86	UR
119	17.85	8.925	32.13	OBC-32
120	18.00	9.000	32.40	ST-9
121	18.15	9.075	32.67	SC-18
122	18.30	9.150	32.94	UR
123	18.45	9.225	33.21	OBC-32
124	18.60	9.300	33.48	UR
125	18.75	9.375	33.75	UR
126	18.90	9.450	34.02	OBC-34
127	19.05	9.525	34.29	SC-19
128	19.20	9.600	34.56	UR
129	19.35	9.675	34.83	UR
130	19.50	9.750	35.10	OBC-35

Unit-6-Preperation of Roster

131	19.65	9.825	35.37	UR
132	19.80	9.900	35.64	UR
133	19.95	9.975	35.91	UR
134	20.10	10.050	36.18	OBC-36
135	20.25	10.125	36.45	SC-20
136	20.40	10.200	36.72	ST-10
137	20.55	10.275	36.99	UR
138	20.70	10.350	37.26	OBC-37
139	20.85	10.425	37.53	UR
140	21.00	10.500	37.80	SC-21
141	21.15	10.575	38.07	OBC-38
142	21.30	10.650	38.34	UR
143	21.45	10.725	38.61	UR
144	21.60	10.800	38.88	UR
145	21.75	10.875	39.15	OBC-39
146	21.90	10.950	39.42	UR
147	22.05	11.025	39.69	SC-22
148	22.20	11.100	39.96	ST-11
149	22.35	11.175	40.23	OBC-40
150	22.50	11.250	40.50	UR
151	22.65	11.325	40.77	UR
152	22.80	11.400	41.04	OBC-41
153	22.95	11.475	41.31	UR
154	23.10	11.550	41.58	SC-23
155	23.25	11.625	41.85	UR
156	23.40	11.700	42.12	OBC-42
157	23.55	11.775	42.39	UR
158	23.70	11.850	42.66	UR
159	23.85	11.925	42.93	UR
160	24.00	12.000	43.20	ST-12
161	24.15	12.075	43.47	OBC-43
162	24.30	12.150	43.74	SC-24
163	24.45	12.225	44.01	OBC-44
164	24.60	12.300	44.28	UR
165	24.75	12.375	44.55	UR
166	24.90	12.450	44.82	UR
167	25.05	12.525	45.09	OBC-45
168	25.20	12.600	45.36	SC-25
169	25.35	12.675	45.63	UR
170	25.50	12.750	45.90	UR
171	25.65	12.825	46.17	OBC-46
172	25.80	12.900	46.44	UR
173	25.95	12.975	46.71	UR
174	26.10	13.050	46.98	SC-26
175	26.25	13.125	47.25	ST-13
176	26.40	13.200	47.52	OBC-47
177	26.55	13.275	47.79	UR
178	26.70	13.350	48.06	OBC-48

Unit-6-Preperation of Roster

179	26.85	13.425	48.33	UR
180	27.00	13.500	48.60	SC-27
181	27.15	13.575	48.87	UR
182	27.30	13.650	49.14	OBC-49
183	27.45	13.725	49.41	UR
184	27.60	13.800	49.68	UR
185	27.75	13.875	49.95	UR
186	27.90	13.950	50.22	OBC-50
187	28.05	14.025	50.49	SC-28
188	28.20	14.100	50.76	ST-14
189	28.35	14.175	51.03	OBC-51
190	28.50	14.250	51.30	UR
191	28.65	14.325	51.57	UR
192	28.80	14.400	51.84	UR
193	28.95	14.475	52.11	OBC-52
194	29.10	14.550	52.38	SC-29
195	29.25	14.625	52.65	UR
196	29.40	14.700	52.92	UR
197	29.55	14.775	53.19	OBC-53
198	29.70	14.850	53.46	ST-15*
199	29.85	14.925	53.73	SC-30*
200	30.00	15.000	54.00	OBC-54*

*** TO ALLOT REQUISITE NUMBER OF POSTS WITHOUT VIOLATING RULE OF 50%.**

Unit-6-Preparation of Roster

APPENDIX TO ANNEXURE-II

MODEL ROSTER FOR DIRECT RECRUITMENT ON ALL INDIA BASIS BY OPEN COMPETITION FOR CADRE STRENGTH UPTO THIRTEEN POSTS.

CADRE STRENGTH	INITIAL RECRUITMENT	REPLACEMENT NUMBER												
		1 ST	2 ND	3 RD	4 TH	5 TH	6 TH	7 TH	8 TH	9 TH	10 TH	11 TH	12 TH	13 TH
1.	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	UR	UR	OBC	UR	ST
2.	UR	UR	OBC	UR	UR	SC	OBC	UR	UR	UR	OBC	UR	ST	
3.	UR	OBC	UR	UR	SC	OBC	UR	UR	UR	OBC	UR	ST		
4.	OBC	UR	UR	SC	OBC	UR	UR	UR	OBC	UR	ST			
5.	UR	UR	SC	OBC	UR	UR	UR	OBC	UR	ST				
6.	UR	SC	OBC	UR	UR	UR	OBC	UR	ST					
7.	SC	OBC	UR	UR	UR	OBC	UR	ST						
8.	OBC	UR	UR	UR	OBC	UR	ST							
9.	UR	UR	UR	OBC	UR	ST								
10.	UR	UR	OBC	UR	ST									
11.	UR	OBC	UR	ST										
12.	OBC	UR	ST											
13.	UR	ST												

- NOTE:**
1. FOR CADRES OF 2 TO 13 POSTS THE ROSTER IS TO BE READ FROM ENTRY 1 UNDER COLUMN CADRE STRENGTH TILL THE LAST POST AND THEN HORIZONTALLY TILL THE LAST ENTRY IN THE HORIZONTAL ROW I.E. LIKE "L"
 2. ALL THE POSTS OF A CADRE ARE TO BE EARMARKED FOR THE CATEGORIES SHOWN UNDER COLUMN INITIAL APPOINTMENT. WHILE INTIAL FILLING UP WILL BE BY THE EARMARKED CATEGORY, THE REPLACEMENT AGAINST ANY OF THE POST IN THE CADRE SHALL BE BY ROTATION AS SHOWN HORIZONTALLY AGAINST THE LAST POST OF THE CADRE.
 3. THE RELEVANT ROTATION BY THE INDICATED RESERVED CATEGORY COULD BE SKIPPED OVER IF IT LEADS TO MORE THAN 50% REPRESENTATION OF RESERVED CATEGORY.

ANNEXURE-III

FOR PROMOTION

OBJECTIVE:- REPRESENTATION OF EACH OF THE RESERVED CATEGORY SHOULD AT NO POINT OF TIME EXCEED THE RESERVATION PRESCRIBED FOR IT.

MODEL ROSTER OF RESERVATION WITH REFERENCE TO POST - PROMOTION

SL.NO OF POST	SHARE OF ENTITLEMENT		CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC @ 15%	ST @ 7.5%	
1	0.15	0.075	UR
2	0.30	0.150	UR
3	0.45	0.225	UR
4	0.60	0.300	UR
5	0.75	0.375	UR
6	0.90	0.450	UR
7	1.05	0.525	SC-1
8	1.20	0.600	UR
9	1.35	0.675	UR
10	1.50	0.750	UR
11	1.65	0.825	UR
12	1.80	0.900	UR
13	1.95	0.975	UR
14	2.10	1.050	ST-1
15	2.25	1.125	SC-2
16	2.40	1.200	UR
17	2.55	1.275	UR
18	2.70	1.350	UR
19	2.85	1.425	UR
20	3.00	1.500	SC-3
21	3.15	1.575	UR
22	3.30	1.650	UR
23	3.45	1.725	UR
24	3.60	1.800	UR
25	3.75	1.875	UR
26	3.90	1.950	UR
27	4.05	2.025	SC-4
28	4.20	2.100	ST-2
29	4.35	2.175	UR
30	4.50	2.250	UR
31	4.65	2.325	UR
32	4.80	2.400	UR
33	4.95	2.475	UR
34	5.10	2.550	UR
35	5.25	2.625	SC-5
36	5.40	2.700	UR

Unit-6-Preperation of Roster

37	5.55	2.775	UR
38	5.70	2.850	UR
39	5.85	2.925	UR
40	6.00	3.000	ST-3
41	6.15	3.075	SC-6
42	6.30	3.150	UR
43	6.45	3.225	UR
44	6.60	3.300	UR
45	6.75	3.375	UR
46	6.90	3.450	UR
47	7.05	3.525	SC-7
48	7.20	3.600	UR
49	7.35	3.675	UR
50	7.50	3.750	UR
51	7.65	3.825	UR
52	7.80	3.900	UR
53	7.95	3.975	UR
54	8.10	4.050	SC-8
55	8.25	4.125	ST-4
56	8.40	4.200	UR
57	8.55	4.275	UR
58	8.70	4.350	UR
59	8.85	4.425	UR
60	9.00	4.500	UR
61	9.15	4.575	SC-9
62	9.30	4.650	UR
63	9.45	4.725	UR
64	9.60	4.800	UR
65	9.75	4.875	UR
66	9.90	4.950	UR
67	10.05	5.025	UR
68	10.20	5.100	SC-10
69	10.35	5.175	ST-5
70	10.50	5.250	UR
71	10.65	5.325	UR
72	10.80	5.400	UR
73	10.95	5.475	UR
74	11.10	5.550	SC-11
75	11.25	5.625	UR
76	11.40	5.700	UR
77	11.55	5.775	UR
78	11.70	5.850	UR
79	11.85	5.925	UR
80	12.00	6.000	ST-6
81	12.15	6.075	SC-12
82	12.30	6.150	UR
83	12.45	6.225	UR
84	12.60	6.300	UR
85	12.75	6.375	UR
86	12.90	6.450	UR
87	13.05	6.525	SC-13
88	13.20	6.600	UR
89	13.35	6.675	UR
90	13.50	6.750	UR
91	13.65	6.825	UR
92	13.80	6.900	UR
93	13.95	6.975	UR
94	14.10	7.050	SC-14

Unit-6-Preperation of Roster

95	14.25	7.125	ST-7
96	14.40	7.200	UR
97	14.55	7.275	UR
98	14.70	7.350	UR
99	14.85	7.425	SC-15*
100	15.00	7.500	UR
101	15.15	7.575	UR
102	15.30	7.650	UR
103	15.45	7.725	UR
104	15.60	7.800	UR
105	15.75	7.875	UR
106	15.90	7.950	UR
107	16.05	8.025	SC-16
108	16.20	8.100	ST-8
109	16.35	8.175	UR
110	16.50	8.250	UR
111	16.65	8.325	UR
112	16.80	8.400	UR
113	16.95	8.475	UR
114	17.10	8.550	SC-17
115	17.25	8.625	UR
116	17.40	8.700	UR
117	17.55	8.775	UR
118	17.70	8.850	UR
119	17.85	8.925	UR
120	18.00	9.000	ST-9
121	18.15	9.075	SC-18
122	18.30	9.150	UR
123	18.45	9.225	UR
124	18.60	9.300	UR
125	18.75	9.375	UR
126	18.90	9.450	UR
127	19.05	9.525	SC-19
128	19.20	9.600	UR
129	19.35	9.675	UR
130	19.50	9.750	UR
131	19.65	9.825	UR
132	19.80	9.900	UR
133	19.95	9.975	UR
134	20.10	10.050	UR
135	20.25	10.125	SC-20
136	20.40	10.200	ST-10
137	20.55	10.275	UR
138	20.70	10.350	UR
139	20.85	10.425	UR
140	21.00	10.500	SC-21
141	21.15	10.575	UR
142	21.30	10.650	UR
143	21.45	10.725	UR
144	21.60	10.800	UR
145	21.75	10.875	UR
146	21.90	10.950	UR
147	22.05	11.025	SC-22
148	22.20	11.100	ST-11
149	22.35	11.175	UR
150	22.50	11.250	UR
151	22.65	11.325	UR
152	22.80	11.400	UR

Unit-6-Preperation of Roster

153	22.95	11.475	UR
154	23.10	11.550	SC-23
155	23.25	11.625	UR
156	23.40	11.700	UR
157	23.55	11.775	UR
158	23.70	11.850	UR
159	23.85	11.925	UR
160	24.00	12.000	ST-12
161	24.15	12.075	UR
162	24.30	12.150	SC-24
163	24.45	12.225	UR
164	24.60	12.300	UR
165	24.75	12.375	UR
166	24.90	12.450	UR
167	25.05	12.525	UR
168	25.20	12.600	SC-25
169	25.35	12.675	UR
170	25.50	12.750	UR
171	25.65	12.825	UR
172	25.80	12.900	UR
173	25.95	12.975	UR
174	26.10	13.050	SC-26
175	26.25	13.125	ST-13
176	26.40	13.200	UR
177	26.55	13.275	UR
178	26.70	13.350	UR
179	26.85	13.425	UR
180	27.00	13.500	SC-27
181	27.15	13.575	UR
182	27.30	13.650	UR
183	27.45	13.725	UR
184	27.60	13.800	UR
185	27.75	13.875	UR
186	27.90	13.950	UR
187	28.05	14.025	SC-28
188	28.20	14.100	ST-14
189	28.35	14.175	UR
190	28.50	14.250	UR
191	28.65	14.325	UR
192	28.80	14.400	UR
193	28.95	14.475	UR
194	29.10	14.550	SC-29
195	29.25	14.625	UR
196	29.40	14.700	UR
197	29.55	14.775	UR
198	29.70	14.850	ST-15*
199	29.85	14.925	SC-30*
200	30.00	15.000	UR

Unit-6-Preparation of Roster

APPENDIX TO ANNEXURE-III-C

MODEL ROSTER FOR PROMOTION FOR CADRE STRENGTH UPTO THIRTEEN POSTS.

CADRE STRENGTH	INITIAL RECRUITMENT	REPLACEMENT NUMBER												
		1 ST	2 ND	3 RD	4 TH	5 TH	6 TH	7 TH	8 TH	9 TH	10 TH	11 TH	12 TH	13 TH
1.	UR	UR	UR	UR	UR	UR	SC	UR	UR	UR	UR	UR	UR	ST
2.	UR	UR	UR	UR	UR	SC	UR	UR	UR	UR	UR	UR	ST	
3.	UR	UR	UR	UR	SC	UR	UR	UR	UR	UR	UR	ST		
4.	UR	UR	UR	SC	UR	UR	UR	UR	UR	UR	ST			
5.	UR	UR	SC	UR	UR	UR	UR	UR	UR	ST				
6.	UR	SC	UR	UR	UR	UR	UR	UR	ST					
7.	SC	UR	UR	UR	UR	UR	UR	ST						
8.	UR	UR	UR	UR	UR	UR	ST							
9.	UR	UR	UR	UR	UR	ST								
10.	UR	UR	UR	UR	ST									
11.	UR	UR	UR	ST										
12.	UR	UR	ST											
13.	UR	ST												

- NOTE: 1. FOR CADRES OF 2 TO 13 POSTS THE ROSTER IS TO BE READ FROM ENTRY 1 UNDER COLUMN CADRE STRENGTH TILL THE LAST POST AND THEN HORIZONTALLY TILL THE LAST ENTRY IN THE HORIZONTAL ROW I.E. LIKE "L"
2. ALL THE POSTS OF A CADRE ARE TO BE EARMARKED FOR THE CATEGORIES SHOWN UNDER COLUMN INITIAL APPOINTMENT. WHILE INITIAL FILLING UP WILL BE BY THE EARMARKED CATEGORY, THE REPLACEMENT AGAINST ANY OF THE POST IN THE CADRE SHALL BE BY ROTATION AS SHOWN HORIZONTALLY AGAINST THE LAST POST OF THE CADRE.
4. THE RELEVANT ROTATION BY THE INDICATED RESERVED CATEGORY COULD BE SKIPPED OVER IF IT LEADS TO MORE THAN 50% REPRESENTATION OF RESERVED CATEGORY.

Unit-6-Preparation of Roster

FOR DIRECT RECRUITMENT**ANNEXURE-IV**

OBJECTIVE:- REPRESENTATION OF EACH OF THE RESERVED CATEGORY SHOULD AT NO POINT OF TIME EXCEED THE RESERVATION PRESCRIBED FOR IT.

MODEL ROSTER OF RESERVATION WITH REFERENCE TO POSTS FOR DIRECT RECRUITMENT ON ALL INDIA BASIS OTHERWISE THAN BY OPEN COMPETITION

SL.NO. OF POST	SHARE OF ENTITLEMENT			CATEGORY FOR WHICH THE POST SHOULD BE EARMARKED
	SC @ 16.66%	ST @ 7.5%	OBC @ 25.84%	
1	0.166	0.075	0.258	UR
2	0.332	0.150	0.516	UR
3	0.498	0.225	0.774	UR
4	0.664	0.300	1.032	OBC-1
5	0.830	0.375	1.290	UR
6	0.996	0.450	1.548	UR
7	1.162	0.525	1.806	SC-1
8	1.328	0.600	2.064	OBC-2
9	1.494	0.675	2.322	UR
10	1.660	0.750	2.580	UR
11	1.826	0.825	2.838	UR
12	1.992	0.900	3.096	OBC-3
13	2.158	0.975	3.354	SC-2
14	2.324	1.050	3.612	ST-1
15	2.490	1.125	3.870	UR
16	2.656	1.200	4.128	OBC-4
17	2.822	1.275	4.386	UR
18	2.988	1.350	4.644	UR
19	3.154	1.425	4.902	SC-3
20	3.320	1.500	5.160	OBC-5
21	3.486	1.575	5.418	UR
22	3.652	1.650	5.676	UR
23	3.818	1.725	5.934	UR
24	3.984	1.800	6.192	OBC-6
25	4.150	1.875	6.450	SC-4
26	4.316	1.950	6.708	UR
27	4.482	2.025	6.966	ST-2
28	4.648	2.100	7.224	OBC-7
29	4.814	2.175	7.482	UR
30	4.980	2.250	7.740	UR
31	5.146	2.325	7.998	SC-5
32	5.312	2.400	8.256	OBC-8
33	5.478	2.475	8.514	UR
34	5.644	2.550	8.772	UR
35	5.810	2.625	9.030	OBC-9
36	5.976	2.700	9.288	UR

Unit-6-Preperation of Roster

37	6.142	2.775	9.546	SC-6
38	6.308	2.850	9.804	UR
39	6.474	2.925	10.062	OBC-10
40	6.640	3.000	10.320	ST-3
41	6.806	3.075	10.578	UR
42	6.972	3.150	10.836	UR
43	7.138	3.225	11.094	SC-7
44	7.304	3.300	11.352	OBC-11
45	7.470	3.375	11.610	UR
46	7.636	3.450	11.868	UR
47	7.802	3.525	12.126	OBC-12
48	7.968	3.600	12.384	UR
49	8.134	3.675	12.642	SC-8
50	8.300	3.750	12.900	UR
51	8.466	3.825	13.158	OBC-13
52	8.632	3.900	13.416	UR
53	8.798	3.975	13.674	UR
54	8.964	4.050	13.932	ST-4
55	9.130	4.125	14.190	OBC-14
56	9.296	4.200	14.448	SC-9
57	9.462	4.275	14.706	UR
58	9.628	4.350	14.964	UR
59	9.794	4.425	15.222	OBC-15
60	9.960	4.500	15.480	UR
61	10.126	4.575	15.738	SC-10
62	10.292	4.650	15.996	UR
63	10.458	4.725	16.254	OBC-16
64	10.624	4.800	16.512	UR
65	10.790	4.875	16.770	UR
66	10.956	4.950	17.028	OBC-17
67	11.122	5.025	17.286	SC-11
68	11.288	5.100	17.544	ST-5
69	11.454	5.175	17.802	UR
70	11.620	5.250	18.060	OBC-18
71	11.786	5.325	18.318	UR
72	11.952	5.400	18.576	UR
73	12.118	5.475	18.834	SC-12
74	12.284	5.550	19.092	OBC-19
75	12.450	5.625	19.350	UR
76	12.616	5.700	19.608	UR
77	12.782	5.775	19.866	UR
78	12.948	5.850	20.124	OBC-20
79	13.114	5.925	20.382	SC-13
80	13.280	6.000	20.640	ST-6
81	13.446	6.075	20.898	UR
82	13.612	6.150	21.156	OBC-21
83	13.778	6.225	21.414	UR
84	13.944	6.300	21.672	UR
85	14.110	6.375	21.930	SC-14
86	14.276	6.450	22.188	OBC-22
87	14.442	6.525	22.446	UR
88	14.608	6.600	22.704	UR
89	14.774	6.675	22.962	UR
90	14.940	6.750	23.220	OBC-23
91	15.106	6.825	23.478	SC-15

Unit-6-Preperation of Roster

92	15.272	6.900	23.736	UR
93	15.438	6.975	23.994	UR
94	15.604	7.050	24.252	OBC-24
95	15.770	7.125	24.510	ST-7
96	15.936	7.200	24.768	UR
97	16.102	7.275	25.026	SC-16
98	16.268	7.350	25.284	OBC-25
99	16.434	7.425	25.542	UR
100	16.600	7.500	25.800	UR
101	16.766	7.575	26.058	OBC-26
102	16.932	7.650	26.316	UR
103	17.098	7.725	26.574	SC-17
104	17.264	7.800	26.832	UR
105	17.430	7.875	27.090	OBC-27
106	17.596	7.950	27.348	UR
107	17.762	8.025	27.606	ST-8
108	17.928	8.100	27.864	UR
109	18.094	8.175	28.122	OBC-28
110	18.260	8.250	28.380	SC-18
111	18.426	8.325	28.638	UR
112	18.592	8.400	28.896	UR
113	18.758	8.475	29.154	OBC-29
114	18.924	8.550	29.412	UR
115	19.090	8.625	29.670	SC-19
116	19.256	8.700	29.928	UR
117	19.422	8.775	30.186	OBC-30
118	19.588	8.850	30.444	ST-9
119	19.754	8.925	30.702	SC-20*
120	19.920	9.000	30.960	OBC-31*

*** TO ALLOT REQUISITE NUMBER OF POSTS WITHOUT VIOLATING RULE OF 50%.**

U-7-Operation of Roster

APPENDIX TO ANNEXURE-IV

ROSTER FOR DIRECT RECRUITMENT OTHERWISE THAN THROUGH OPEN COMPETITION FOR CADRE STRENGTH UPTO THIRTEEN POSTS.

CADRE STRENGTH	INITIAL RECRUITMENT	REPLACEMENT NUMBER							
		1 ST	2 ND	3 RD	4 TH	5 TH	6 TH	7 TH	8 TH
1.	UR	UR	UR	OBC	UR	UR	SC	OBC	UR
2.	UR	UR	OBC	UR	UR	SC	OBC	UR	UR
3.	UR	OBC	UR	UR	SC	OBC	UR	UR	UR
4.	OBC	UR	UR	SC	OBC	UR	UR	UR	OBC
5.	UR	UR	SC	OBC	UR	UR	UR	OBC	SC
6.	UR	SC	OBC	UR	UR	UR	OBC	SC	ST
7.	SC	OBC	UR	UR	UR	OBC	SC	ST	
8.	OBC	UR	UR	UR	OBC	SC	ST		
9.	UR	UR	UR	OBC	SC	ST			
10.	UR	UR	OBC	SC	ST				
11.	UR	OBC	SC	ST					
12.	OBC	SC	ST						
13.	SC	ST							

NOTE: 1. FOR CADRES OF 2 TO 13 POSTS THE ROSTER IS TO BE READ FROM ENTRY 1 UNDER COLUMN CADRE STRENGTH TILL THE LAST POST AND THEN HORIZONTALLY TILL THE LAST ENTRY IN THE HORIZONTAL ROW I.E. LIKE "L"

2. ALL THE POSTS OF A CADRE ARE TO BE EARMARKED FOR THE CATEGORIES SHOWN UNDER COLUMN INITIAL APPOINTMENT. WHILE INTIAL FILLING UP WILL BE BY THE EARMARKED CATEGORY, THE REPLACEMENT AGAINST ANY OF THE POST IN THE CADRE SHALL BE BY ROTATION AS SHOWN HORIZONTALLY AGAINST THE LAST POST OF THE CADRE.

3. THE RELEVANT ROTATION BY THE INDICATED RESERVED CATEGORY COULD BE SKIPPED OVER IF IT LEADS TO MORE THAN 50% REPRESENTATION OF RESERVED CATEGORY.

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U-7-Operation of Roster

Unit-7: Operation of Roster

Structure:

1.1-Introduction

1.2-Objectives

1.3-Proforma of reservation roster.

1.4-Initial Operation

1.5-Subsequent Operation (Large Cadre Roster)

1.5-1. Rule of 50% limit

1.6-Subsequent Operation (Small cadre roster)

1.6-1. When to skip the reserved point in small Roster?

1.7-Let us sum up

1.8-Answers to self assessment questions

7.1- INTRODUCTION

In the previous unit you learnt to prepare post-based rosters. In this Unit we shall learn how to operate these rosters. We know that the concept of post-based reservation came into effect on 2.7.97. Obviously therefore, the operation of rosters would constitute two phases:

- a) Plotting in the roster, the details of incumbents available in the cadre on 2.7.97. This has been termed as “**Initial operation**”; and
- b) Making entries in the roster in respect of filling up of posts lying vacant on 2.7.97 as well as those falling vacant after 2.7.97. This we shall term as “**subsequent operation**”.

7.2-OBJECTIVES

After reading this Unit, you will be able to implement:

- (i) **Initial operation of post-based rosters.**
- (ii) **Subsequent operation of post-based rosters for large cadres;**
- (iii) **Subsequent operation of post-based rosters for small cadres; and**
- (iv) **Rule of 50% limit.**

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7.3-Proforma of reservation roster.

Before we learn about 'initial operation' or 'subsequent operation' of the post-based roster, should not we know the **proforma** of the roster, in which to make the entries? What is proforma of the roster that you are using in your office now?

No revised Proforma for post-based reservation has been prescribed by the DOPT after the issuance of reservation orders dated 2.7.97. A suitable proforma to deal with the post-based reservation is under consideration by the DOPT. Till a new proforma is prescribed, the Proforma, which was earlier applicable (before 2.7.97) may be used with little modifications. The existing Proforma of the reservation roster is under: -

Reservation Brought Forward From Previous years		Particulars of recruitment made					Reservation carried forward			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
SC	ST	Rectt. year	cycle no. and Sl.no of the post	UR or Reserved for SCs/STs according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Remarks

With the implementation of orders of 2.7.97, the 'Cycle number' mentioned in the column '4' has lost its meaning and hence the proforma for roster (for Promotion) that may be adopted is as under (only the first 7 points have been shown): -

(Roster for Promotion)

Reservation Brought Forward From Previous years		Particulars of recruitment made					Reservation carried forward			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
SC	ST	Rectt. year	Sl.no of the post	UR or Reserved for SCs/STs according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Remarks
			1	UR						
			2	UR						
			3	UR						
			4	UR						
			5	UR						
			6	UR						
			7	SC						

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Similarly, proforma for roster for Direct Recruitment may be as under (only first 7 points have been shown):-

(Roster for Direct Recruitment)

Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks
SC	ST	OBC		Sl. No. of post	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
				1	UR							
				2	UR							
				3	UR							
				4	OBC-1							
				5	UR							
				6	UR							
				7	SC-1							

The proforma of the L-shaped roster will also be same. However, the replacement points (i.e. the horizontal points) may be shown vertically, after the last point of the roster. For example a direct recruitment cadre of 7 posts, the roster may be made as shown below:-

Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Poi nt no.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-		1	UR							
-	-	-		2	UR							
-	-	-		3	UR							
-	-	-		4	OBC							
-	-	-		5	UR							
-	-	-		6	UR							
-	-	-		7	SC							
				Replacement points								
-	-	-		1 st	OBC							
-	-	-		2 nd	UR							
-	-	-		3 rd	UR							
-	-	-		4 th	UR							
-	-	-		5 th	OBC							
-	-	-		6 th	UR							
-	-	-		7 th	ST							

In the next the section, we will learn to write the names of the incumbents in the roster shown above.

7.4- INITIAL OPERATION

We have to plot the names of persons already in the cadre on 2.7.97, in the post-based roster i.e. 'initial operation'. Please note that the names of incumbents who are not king in the cadre are not to be plotted in the new roster. Thus persons

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who have retired before 2.7.97 are not to be shown in the roster.

For plotting the names of the persons in the cadre on 2.7.97, we will start with the name of the earliest appointee and plot it in col.7 (Col. 6 in the case of promotion) against the first point of the roster. Thereafter, we will pick the name of the next person (by date of joining) and plot that against the second point of our roster. We will repeat this step, till all the names have been plotted in col.no.7 of the new roster. Obviously col.8 will indicate the category of the persons i.e. SC/ST/OBC as the case may be.

If the first person whom we have shown, at post number 01 of the roster, happens to be a candidate belonging to SC community, then in the remarks column against post number 01, we will write, “**utilised by SC**”. Similarly, if the second person is a general category candidate, we will write the remarks “**utilised by general**” against point number 2. Like that we will write these remarks against all the persons who are plotted in the new roster. In the case of roster for direct recruitment as well as promotion, while writing the remarks “**utilised by...**”, it has to be kept in mind, that those SC,ST or OBC candidates who were appointed on their “own merit”, are to be treated as general candidates and against their names the remarks to be entered will be “**utilised by Gen.**”. (For detailed discussion on ‘own merit’ reserved candidate, please see Unit-9 Section 9.4)

Let us do an exercise to understand the procedure. Shall we?

In the Ministry of XYZ, there are 15 posts of Superintendent (Technical) which are filled 100% by Direct Recruitment. On 2.7.97, when the new post based rosters came into effect, all the fifteen posts are filled up on 1.7.97. The details of the employees in position are as shown on next page:-

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Vacancy based roster –Superintendent(Technical)				
Roster Pt. No.	SC or ST or OBC	Name (Date of appointment)	Whether SC/ST/OBC if not say neither	Remarks
1	SC	Ram Ratan(1.8.88)	SC	
2	UR	K.R.Rao(3.4.88)	Neither	
3	ST	L.Bulte (3.8.88)	ST	
4	UR	S.Mukherjee(1.2.90)	Neither	
5	OBC	K.Kumar (3.2.94)	OBC	
6	UR	S.Siji(1.7.94)	Neither	
7	SC	R.Haokip (2.1.94)	ST	Exchange in the 3 rd year of Carry forward.
8	UR	V.P.Lazar (15.6.95)	Neither	
9	OBC	R.Chanda(22.1.95)	OBC	
10	UR	S.Jeevan3.4.96	SC	
11	OBC	P.lal (3.6.96)	OBC	Own merit
12	UR	Yashwant(12.3.96)	Neither	
13	SC	A.Maigain(4.6.96)	SC	
14	Gen	M.Biswas (15.6.96)	OBC	Own merit
15	OBC	L.Bharadwaj(15.6.96)	OBC	

Table-1

These 15 persons have to be plotted in the new post-based roster that came into force w.e.f. 2.7.97.

You have already learnt to prepare the rosters. **How many points will the roster have in this case?** The roster for this cadre will contain 15 points as shown below.

Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No. of post	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-		1	UR							
-	-	-		2	UR							
-	-	-		3	UR							
-	-	-		4	OBC-1							
-	-	-		5	UR							
-	-	-		6	UR							
-	-	-		7	SC-1							
-	-	-		8	OBC-2							
-	-	-		9	UR							
-	-	-		10	UR							
-	-	-		11	UR							
-	-	-		12	OBC-3							
-	-	-		13	ST-1*							
-	-	-		14	SC-2*							
-	-	-		15	OBC-4*							

*squeezing

Table-2

The employees working on 2.7.97 in the cadre of Supdt.(Tech.), have to be plotted in the 15-point roster starting from the earliest appointee. **Who is the first appointee?** Sh. K.R.Rao having

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joined on 3.4.88 i.e. earliest date of appointment will be plotted against the 1st point in the roster and the remarks "**utilised by Gen**" will be made in the remarks column. Similarly against the 2nd point, the name of Shri Ram Ratan will be entered with the remarks "**utilised by SC.**". The 15-point roster will be made as under:

Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-remarks/ Utilised by
SC	ST	OBC		Sl.No. of post	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	88	1	JR	K.R.Rao(3.4.88)	Neither	-	-	-	Sd/-	Gen.
-	-	-	88	2	JR	Ram Ratan(1.8.88)	SC	-	-	-	Sd/-	SC
-	-	-	88	3	JR	L.Bulte(3.8.88)	ST	-	-	-	Sd/-	ST
-	-	-	90	4	OBC-1	S.Mukherjee(1.2.90)	Neither	-	-	-	Sd/-	Gen
-	-	-	94	5	JR	R.Haokip(2.1.94)	ST	-	-	-	Sd/-	ST
-	-	-	94	6	JR	K.Kumar(3.2.94)	OBC	-	-	-	Sd/-	OBC
-	-	-	94	7	SC-1	S.Siji(1.7.94)	Neither	-	-	-	Sd/-	Gen.
-	-	-	95	8	OBC-2	R.Chanda(22.01.95)	OBC	-	-	-	Sd/-	OBC
-	-	-	95	9	JR	V.P.Lazar(15.06.95)	Neither	-	-	-	Sd/-	Gen.
-	-	-	96	10	JR	Yashwant(12.03.96)	Neither	-	-	-	Sd/-	Gen.
-	-	-	96	11	JR	S.Jeevan(3.4.96)	SC	-	-	-	Sd/-	SC
-	-	-	96	12	OBC-3	P.Lal(3.6.96)	OBC	-	-	-	Sd/-	Gen (OBC own merit)
-	-	-	96	13	ST-1*	A.Maimgain(4.6.96)	SC	-	-	-	Sd/-	SC
-	-	-	96	14	SC-2*	M.Biswas(15.6.96)	OBC	-	-	-	Sd/-	Gen.(OBC own merit)
-	-	-	96	15	OBC-4*	L.Bharadwaj(15.6.96)	Neither	-	-	-	Sd/-	Gen

*squeezing

Table-3

After we have made all the entries in the new roster, a tally should be made to determine the excess of reserved categories in the cadre. It should also be remembered that for the purpose of preparation of tally, the category of the person should be checked from the column-13, ("**remarks/utilized by**") and not from col. 8. The reason is, that only the column-13 (or 11 in the case of Promotion) will tell us whether or not to treat a reserved candidate as a reserved for the purpose of counting their representation. It is quite possible, as we have just now discussed, that a reserved candidate may be an 'own merit' candidate. In that case, for the purpose of tally, he will be treated as a general candidate.

A tally of the roster of Supdt. (Tech) after the initial operation is as under:

	SC	ST	OBC
No. of Posts earmarked	2	1	4
No. in position	3	2	2
Excess	+1	+1	-2

From this tally you can see that although under column-8, there are 4 OBCs but the "numbers in position" have been

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shown as 'Two'. This is because, under column-13, there are only 'two' OBCs. The tally also indicates that in the ST and SC category, there is an excess by one. **HOW IS THE EXCESS TO BE ADJUSTED?**

If there is an excess representation of any of the reserved categories, or if the total representation of the reserved categories exceeds 50%, it shall be adjusted in the future recruitment. Vacancies arising from retirement, etc. of candidates belonging to such reserved categories shall be filled by appointment of candidates belonging to the categories to which the relevant roster points, against which the excesses occur, belong.¹⁰

In the next section we will learn in detail how to fill up vacancies existing as on 02.07.97 or arising after 2.7.97 i.e. whether to be filled by SC, ST, OBC or Unreserved. In other words, we will learn how the roster is to be operated for existing and future vacancies.

Self Assessment Question

- Compare your answer with that provided in Section 7.7.

Q.1. State True or False

- (a) DOPT have prescribed a new proforma for the roster vide their O.M. dated 2.7.97. True/False
- (b) The names of only those, who are in the cadre on 2.7.97 are to be considered for plotting in the post-based roster. True/False
- (c) The names have to be plotted in the post-based roster according to their seniority. True/False
- (d) While plotting the names the remarks 'utilised by SC/ST/OBC' will be made against the name of SC/ST/OBC category person, irrespective of the fact whether he is an 'own merit' candidate or not.
- (e) If the caste of a person under Col. 8 of the roster mention "SC", the Col.13 must necessarily mention "utilized by SC".
- (f) Shri Ram Ratan (see table 3) is an 'Own-merit' SC candidate.
- (g) For the purpose of preparation of 'tally' at the end of year, the caste of a person has to be checked from the col.8 of the Roster for Direct Recruitment and 7 in the case of promotion.

¹⁰ . (Para 2 under the heading "initial operation" in Annexure-I of O.M. dated 2.7.97-see Unit-6, section-6.8).

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Q.2. A cadre of Upper Division Clerk comprises of 19 posts. According to the Recruitment Rules, vacancy in the grade of UDC is required to be filled 100% by Promotion from the feeder grade of Lower Division Clerk. On 2.7.97, all the 19 posts are filled. The details of the 19 persons are given next page.

VACANCY BASED ROSTER AS ON 2.7.97 (BEFORE INITIAL OPERATION)					
Roster Point No.	SC or ST Or UR	Name	Whether SC/ST/OBC if not say neither	Date of Appointment	Signature of apptt. authority
17	ST	A	ST	31.3.81	-sd/-
18	UR	B	SC	15.3.81	-sd/-
19	UR	C	Neither	15.7.81	-sd/-
20	UR	D	Neither	30.7.81	-sd/-
21	UR	E	Neither	30.7.81	-sd/-
22	SC	F	SC	30.7.81	-sd/-
23	UR	G	Neither	15.3.82	-sd/-
24	UR	H	Neither	-do-	-sd/-
25	UR	I	Neither	-do-	-sd/-
26	UR	J	Neither	-do-	-sd/-
27	UR	K	Neither	-do-	-sd/-
28	SC	L	SC	28.4.82	-sd/-
29	UR	M	Neither	20.4.82	-sd/-
30	UR	N	Neither	30.6.82	-sd/-
31	ST	O	Neither	30.6.82	-sd/- (Derreservation)
32	UR	P	Neither	31.3.90	-sd/-
33	UR	Q	Neither	31.3.90	-sd/-
34	UR	R	Neither	15.4.92	-sd/-
35	SC	S	SC	30.4.92	-sd/-

Table-5

Task for you are the following:

- Plot the persons in the new reservation roster provided below from 2.7.97
- Make a tally.
- Find out whether any reserved category is in excess or not.

The proforma of the roster is given below use a pencil to fill the names and then compare your answer with the one provided in section 7.8.

Reservation Brought Forward From Previous years			Particulars of recruitment made				Reservation carried forward			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
SC	ST	Rectt. year	Sl.no of the post	UR or Reserved for SCs/STs according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Remarks/ utilised by
			1	UR						
			2	UR						
			3	UR						
			4	UR						
			5	UR						
			6	UR						
			7	SC						
			8	UR						
			9	UR						
			10	UR						
			11	UR						
			12	UR						
			13	UR						

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			14	ST							
			15	SC							
			16	UR							
			17	UR							
			18	UR							
			19	UR							

7.5- Subsequent operation (large cadre rosters)
--

You have learnt the 'initial operation', which helps transition from the old vacancy based roster to the new post-based roster. The important question that now arises is how do we report vacancies that existed on 2.7.97 or will arise after 2.7.97. "Large cadre Rosters" would mean roster for a sanctioned strength of 14 or more posts. As a corollary the "small cadre Rosters" would be applicable for a sanctioned strength of 2-13 posts. In this section we shall deal with only the large cadre rosters.

With the implementation of post-based rosters the job has now become very simple. Now, in both the cases (i.e. large as well as small rosters) we have only to be guided by the earmarked category given under col.5 of the roster. If in the roster, a post is earmarked for SC, then the vacancy will be reported for SC. Therefore, for the vacancies available on 2.7.97 as well as for future vacancies arising after 2.7.97, the procedure to be followed would be same.

You have just finished the SAQ-2. **(Please keep the answer of SAQ-2 before you).** With reference to SAQ-2 we shall do a small exercise to understand the procedure of operation of large cadre rosters. Let us assume that in the year 1998, three vacancies arise on retirement of Mr.A(ST), MR.C(Gen) and Mr.D(Gen). By which category will you fill up the three vacancies?

 <hr/> <hr/> <hr/> <hr/> <hr/>
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Answer: The posts vacated in the roster are 2, 3 and 4. All the three posts are earmarked for UR. Hence all the three vacancies will be filled up by UR.

If instead of Mr.A,C,D, Mr.A,C,**B** vacates their respective post, then also all the three vacancies will be filled up by UR because the roster point number 2,3 and 1 are all earmarked for UR.

Did you notice that by application of this procedure,, the excess representation would automatically get adjusted? Because, when B(SC) vacated his post, the resultant vacancy was filled by 'UR' and the excess in the SC category is automatically adjusted.

Thus, the fundamental rule that we should remember is that the category of the person vacating the point in the roster is of no relevance. Instead, what is relevant is the roster point he is vacating. If an 'UR' candidate retires and the roster point vacated by him is earmarked for 'SC' then the vacancy will be filled by 'SC' category and not by 'UR'. Similarly an OBC point vacated in the roster, has to be filled by OBC only. A ST point vacated in the roster to be filled by ST.

Fundamental Rule: Any vacancy, arising or existing in the cadre, has to be filled according to the earmarking of that vacancy in the reservation roster.

However, this principle is subject to two exceptions and they are:-

1st exception :If the representation of a reserved category in the cadre as a whole is equal to or more than the number of earmarked posts, then, even if the post vacated in the roster, happens to be reserved for that category, it shall **not** be treated as reserved. It shall be treated as 'unreserved' and accordingly filled.

2nd Exception : We will name the second exception as the '**Rule of 50% limit**', which we will learn in the next Section in detail.

Let us now understand the first exception, again with the help of SAQ-2. **(Please keep the answer of SAQ-2 before you.)**

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Suppose in the cadre of UDC, only two vacancies arise in the year 1999, on retirement of Mr.G and H. By which category the two vacancies should be filled?



Answer: Both the vacancies will be filled by 'UR'. How?. According to the fundamental rule, the vacancy by **Mr.G** should be filled by SC category(sl.no.7 is earmarked for SC). Similarly the vacancy by **Mr.H** should be filled by UR (sl.no.8 is earmarked for UR). But by applying the first exception, the vacancy at post no. 07 of the roster, although reserved for SC, will **NOT** be treated as earmarked for SC because there is already an excess in that category. Therefore, the vacancy at sl.no.7 of the roster will be filled by 'UR'.

Please note that, if a reserved post is treated as unreserved because of the reason that the representation of that category is either equal or more than the posts prescribed for it, then the question of reservation being carried forward will not arise.

Also note, that for finding out whether or not, the representation of a reserved category is equal or more than the post prescribed for it, the cadre for promotion as well as direct recruitment is to be taken into consideration.

First, apply the fundamental rule and decide by which category the posts vacated should be filled. After applying fundamental rule, check whether 1st exception will be applicable or not.

Let us apply the principles we have learnt so far in the cadre of Superintendent (Technical). You have plotted the names of the incumbent of the cadre of Superintendent (Technical) in the new roster as on 2.7.97 (see **Table-3, Page 70**).

Let us suppose that in the recruitment year (1998) three vacancies arise as under:-

Sl.No	Name of the person (Category)
1	K.Kumar(OBC)
2	S.Siji (Gen.)
3	S.Mukherjee(Gen.)

By which category, the three vacant posts will be filled up?

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Answer: By applying the fundamental rule, the three vacancies will be filled up by the category, for which the posts are earmarked in the roster.

K.Kumar (OBC) is occupying post-number **06**, which is earmarked for “UR”. Hence the vacancy should be filled by “unreserved”.

Sh.S. Siji (Gen) is occupying post number **07**, which is earmarked for “SC” and hence should be filled up by “SC”.

Sh.Mukherjee is occupying the post-number **04**, which is earmarked for “OBC.” and therefore, should be filled up by “OBC”.

We have applied the fundamental rule. Now we have to check whether the 1st exception will be applicable to OBC and SC reservation?

NO! it **will not** be applicable to OBC reservation in this case because the representation of OBC is less than ‘four’ which is the entitled share of OBC out of 15 posts.

However, 1st exception will be applicable to SC reservation. Let us see how? In the cadre of 15, there are already two persons belonging to SC category, namely **Shri Ram Ratan** and **Shri A. Maimgain**. Since the entitlement of SC category is 2 out of 15 and which is complete, therefore, the vacancy by Shri Siji although earmarked for SC will be treated as unreserved. Hence, after the application of 1st exception we find that of the three vacancies, two vacancies will be filled by UR and one by OBC.

(Please see the table-6 for diagrammatic representation of the above discussion. The names of person who vacated the cadre have been shown by cutting line across that point. The category by which the resultant vacancy was filled up has been shown by an arrow, at the extreme right.)

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Reservation brought forward from previous years			Rectt year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Poi nt no.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OB C if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-		1	UR	K.R.Rao(3.4.88)	Neither	-	-	-		Gen.
-	-	-		2	UR	Ram Ratan(1.8.88)	SC	-	-	-		SC
-	-	-		3	UR	L.Bulte(3.8.88)	ST	-	-	-		ST
-	-	-		4	OBC-1	S.Mukherjee(1.2.90)	Neither	-	-	-		OBC
-	-	-		5	UR	R.Haokip(2.1.94)	ST	-	-	-		ST
-	-	-		6	UR	K.Kumar(3.2.94)	OBC	-	-	-		UR
-	-	-		7	SC-1	S.Siji(1.7.94)	Neither	-	-	-		UR
-	-	-		8	OBC-2	R.Chanda(22.01.95)	OBC	-	-	-		OBC
-	-	-		9	UR	V.P.Lazar(15.06.95)	Neither	-	-	-		Gen.
-	-	-		10	UR	Yashwant(12.03.96)	Neither	-	-	-		Gen.
-	-	-		11	UR	S.Jeevan(3.4.96)	SC	-	-	-		SC
-	-	-		12	OBC-3	P.Lal(3.6.96)	OBC	-	-	-		Gen.
-	-	-		13	ST-1*	A.Maimgain(4.6.96)	SC	-	-	-		SC
-	-	-		14	SC-2*	M.Biswas(15.6.96)	OBC	-	-	-		Gen (OBC own merit)
-	-	-		15	OBC-4*	L.Bharadwaj(15.6.96)	Neither	-	-	-		Gen

*squeezing

Table-6

Assuming that the candidates of respective category join, the tally at the end of the year will be: -

Tally - 1998			
	SC	ST	OBC
No. of posts earmarked	2	1	4
No. in position	3	2	2
Excess	+1	+1	-2

Table-7

The 2 more candidates for the purpose of tally are Shri R. Chanda(OBC) and the OBC person who will join in place of Shri Mukherjee.

Self Assessment Question

- Space is provided for your answer
- Compare your answer with the one provided in section 7.8

Q.3. Please refer to the cadre of Supdt.(Tech.) once again (**Table-3, page 70**). For the vacancies of 1998, you have already applied the principles of operation of roster. Let us suppose that in 1999, no vacancies arise. In the year 2000, Shri L.Bulte and Sh. R.Haokip resigns. By which category the two vacancies will be filled up?. Also prepare the revised tally after the two vacancies are filled.

Name of the person vacating the post	To be filled by
L.Bulte	
R.Haokip	

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Tally - 1999			
	SC	ST	OBC
No. of posts earmarked	2	1	4
No. in position			
Excess			
Table-8			

Let us sum up that we have learnt regarding operation of roster till now. We have learnt that:

- ❖ The fundamental rule of operating the roster is that vacancy in a recruitment year will be filled according to the earmarking of the vacancy in the roster.
- ❖ However, the above rule is subject to the condition that if the representation of a reserved category is equal to or more than the prescribed numbers of post for that category, then the post will not be so reserved and will be filled by 'UR'.

In the next Sub-Section we will learn about the 2nd exception, which is “**the rule of 50% limit**”.

7.5.1- Rule of 50% limit

7.5.1.(a): According to this rule, if more than 50% of the vacancies arising in a particular recruitment year, are for reserved category, then the reservation will be restricted to 50% of the total vacancies and the excess reservation will be carried forward to the next recruitment year. The limit of 50% will be applicable only on the reserved vacancies arising in the current year and **not** on backlog/carry-forward reserved vacancies.

Example-1 : let us take the case of Superintendent (Technical) once again. (**Table-3, page 70**). Suppose in the recruitment year (2001), the following three persons retire as shown below:

Name of the person	Month of
Shri P.Lal (post no.12 earmarked for OBC)	April
Shri Yashwant (post no.10 earmarked for UR)	October
Shri A.Maimgain(post no.13 earmarked for ST)	November

By which category will you fill the 3 vacancies?

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According to the fundamental rule of operation, the vacancies should be filled as under:

P.Lal	By OBC
Yashwant	By UR
A.Maimgain	By ST

Now check whether the first exception will come into play or not. Since the OBC representation is below the entitlement of 'Four', the 1st exception does not apply. 1st exception also does not apply to the ST reservation because the ST representation has not reached the entitled figure of 'one' (remember both the ST candidates namely S/Shri L.Bulte and R.Haokip have left the cadre in the year 2000 and both the result and vacancies were filled up by 'UR'). Therefore, after the application of 1st exception, the 3 vacancies will be filled as shown below:

After applying 1st - exception	
P.Lal	By OBC
Yashwant	By UR
A.Maimgain	By ST

From the above you can see that 2 out of 3 vacancies of the year 2001, are reserved. But this would lead to reservation exceeding 50% limit and, therefore, the 2nd exception i.e. the 'rule of 50% limit' will be applied. Out of the two reserved vacancies, one will be carried forward. Which one?

The reserved vacancy, which occurs at a **later date**, will be carried forward. If two or more reserved vacancies arise on the same date, then the reserved vacancy, which is at a **later point** in the roster, will be carried forward. In this case the ST reservation occurred at a later date(November) and will be carried forward.

Due to application of the "Rule of 50% limit", the post vacated by Sh.Maimgain, although earmarked for ST, will be treated as 'UR'. The 'ST' reservation will be carried forward to the next recruitment year. Therefore, after applying the 2nd exception the 3 vacancies are to be filled as under: -

After applying 2nd - exception	
P.Lal	By OBC
Yashwant	By UR
A.Maimgain	By UR (ST reservation carried forward to next year)

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7.5.1.(b): In the sub-section 7.5.1.(a), you learnt that due to the 'rule of 50% limit', the reserved vacancies in excess of 50% have to be carried forward to the next recruitment year. However, in the subsequent recruitment year, the **SC/ST**(not OBC) carried forward/backlog vacancies will be treated, as a ***distinct and a separate class*** and the rule of 50% will not be applicable to the **SC/ST** carried forward/backlog reservations.

Example-2: In the recruitment year (say 2002) Sh.V.P.Lazar and Sh.L.Bharadwaj vacate their posts. By which categories these two vacancies should be filled?

By the application of fundamental rule the vacancies should be filled by UR(point no.09) and OBC (point no.15) respectively.

Check whether 1st exception will be applicable or not. The 1st exception will **not** be applicable to the OBC reservation as we need 4 OBCs, but on retirement of L.Bharadwaj there will be only three left. Filling up the vacancy by OBC will not lead to OBC representation exceeding '**Four**'.

The 2nd exception also is not applicable, as reservation in the year 2002 does not exceed 50%. Thus, the two vacancies should be filled one by UR and one by OBC. However, due to one carry forward reservation of ST, of the previous year, the UR vacancy will be treated as reserved for 'ST'. Although, this will result in both the vacancies getting reserved i.e. one for ST and one for OBC but the rule of 50% limit will not be applicable now, because the ST carried forward reservation will be treated as a separate class.

In other words, the **"ceiling of 50% on filling up of reserved vacancies would apply only on the reserved vacancies which arise in the current year and the backlog/carried forward reserved vacancies for SCs/STs of earlier years would be treated as a separate and distinct group and would not be subject to any ceiling. However, backlog and/or carried forward reservation will automatically lapse in a cadre as soon as combined representation of a reserved category in direct recruitment as well as promotion is either equal to or more than the prescribed number of reserved posts in the relevant post-based rosters."** [DOPT O.M.No.36012/5/97-Estt.(Res.) Vol.II dated 20.7.2000]

Let us sum up what we have learnt till now. We have learnt that the **3 steps** of operation of roster are: -

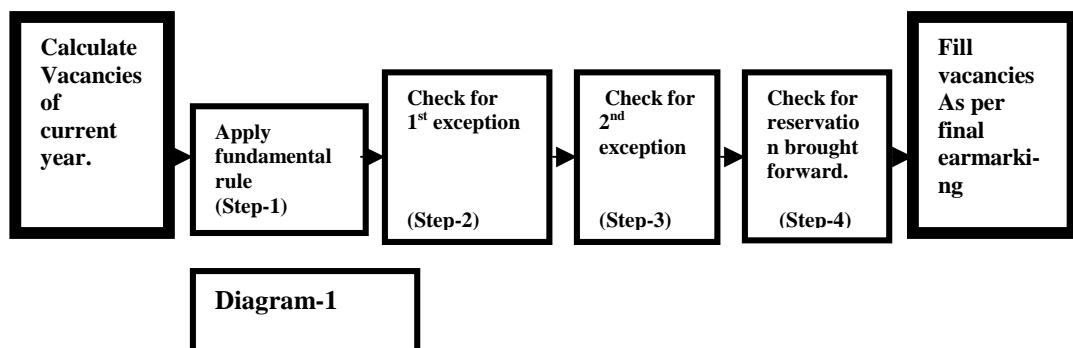
U-7-Operation of Roster

- ❖ **Step-1:** Vacancies to be reserved for the category, as per earmarking in the roster. (The fundamental rule) ;
- ❖ **Step-2:** If in the step-1, some vacancies are reserved, then check if the representation of that reserved category is equal to or more than the prescribed numbers of post for that category. If so, reserved vacancy for that category will be treated and filled by 'UR'. No question of carry forward will arise in this situation as the reserved category already has the prescribed numbers;
- ❖ **Step-3:** Even after the first two steps above, **if** more than 50% of the vacancies of current year are reserved, then limit reservation to 50% of total vacancies of current year.

The 'fundamental rule' along with the 1st & 2nd exception has to be applied one after another and the vacancies to be filled accordingly.

After application of the above three steps consecutively, the **Step-4** would be to check, whether there is any reserved vacancy brought forward from the previous year. If there are any brought forward reserved vacancy, they have to be applied on the vacancies arrived at the end of step-3. Only after the 4 steps are over, the vacancies will be filled up.

The steps of operation of roster can be diagrammatically represented as shown in **diagram-1**: -



U-7-Operation of Roster

SELF-ASSESSMENT QUESTIONS

- ❑ Space is provided for your answer.
- ❑ Compare your answer with the one provided in section 7.8

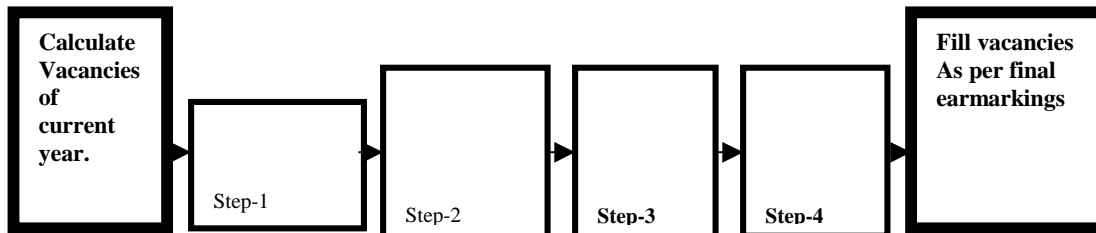
Q.4 State True/False

- (a) According to the fundamental Rule of the operation of roster, the vacancy has to be filled by the category of the person vacating it.
- (b) A vacancy earmarked for a reserved category has to be filled only by that category irrespective of the fact that the reserved category is in excess representation.
- (c) Of the two reserved vacancies, the reserved vacancy, which occurs earlier, will be carried forward.
- (d) In a particular recruitment year, 5 vacancies have arisen of which 4 are reserved. How many posts can be reserved as per 50% rule. **(4/5/2/1)**

Q.5 in the cadre of Superintendent(Technical) the vacancies arose in the year 1998, 2000(SAQ-3), 2002(Example-1) and 2002(Example-2). You have also learnt by which category the vacancies will be filled. In the table below the vacancies arising in each year and the name of the persons vacating the post are given. Please fill in the 3rd column and write by which category the vacancies were filled up. You may refer to the text for recollection.

YEAR	POST VACATED BY	CATEGORY BY WHICH FILLED UP
1998 (P.76)	K.KUMAR	
	S.SIJI	
	S.MUKHERJEE	
2000 (P.77)	L.BULTE	
	HAOKIP	
2001 (P.78)	P.LAL	
	YASHWANT	
	A.MAIMGAIN	
2002 (P.80)	V.P.LAZAR	
	L.BHARADWAJ	

Q.6. FILL UP THE BLANK BOXES WITH THE APPROPRIATE STEPS:



U-7-Operation of Roster

Q.7 There are 30 posts in the grade of Assistant (Technical) in the Department of ABC. According to the recruitment rules, vacancies are filled **100% by direct recruitment**. On 31.12.99 all the posts are filled up. The reservation roster maintained for the post of Assistant (Technical) as on 31.12.1999 and other details to other extent required below: -

Reservation brought forward from previous years			Recrt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No. of post	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	89	1	UR	A (1-6-89)	OBC	-	-	-		Gen /Own merit
-	-	-	89	2	UR	B (1-6-89)	Neither	-	-	-	Sd/-	Gen
-	-	-	88	3	UR	C (30-12-88)	Neither	-	-	-	Sd/-	Gen
-	-	-	89	4	OBC-1	D (16-6-89)	OBC	-	-	-	Sd/-	OBC
-	-	-	89	5	UR	E (16-6-89)	UR	-	-	-	Sd/-	Gen
-	-	-	89	6	UR	F (1-9-89)	UR	-	-	-	Sd/-	Gen
-	-	-	89	7	SC-1	G (1-9-89)	SC	-	-	-	Sd/-	SC
-	-	-	89	8	OBC-2	H (1-9-89)	OBC	-	-	-	Sd/-	OBC
-	-	-	89	9	UR	I (1-9-89)	Neither	-	-	-	Sd/-	Gen
-	-	-	89	10	UR	J (31-8-89)	Neither	-	-	-	Sd/-	Gen
-	-	-	89	11	UR	K (31-8-89)	SC	-	-	-	Sd/-	Gen
-	-	-	89	12	OBC-3	L (31-8-89)	Neither	-	-	-	Sd/-	Gen
-	-	-	89	13	UR	M (15-9-89)	Neither	-	-	-	Sd/-	Gen
-	-	-	90	14	ST-1	N (1-4-90)	ST	-	-	-	Sd/-	ST
-	-	-	90	15	SC-2	O (1-4-90)	SC	-	-	-	Sd/-	SC
-	-	-	90	16	OBC-4	P (1-4-90)	OBC	-	-	-	Sd/-	OBC
-	-	-	90	17	UR	Q (1-4-90)	Neither	-	-	-	Sd/-	Gen
-	-	-	92	18	UR	R (31-7-92)	Neither	-	-	-	Sd/-	Gen
-	-	-	92	19	OBC-5	S (31-7-92)	OBC	-	-	-	Sd/-	OBC
-	-	-	92	20	SC-3	T (31-7-92)	SC	-	-	-	Sd/-	SC
-	-	-	93	21	UR	U (15-3-93)	Neither	-	-	-	Sd/-	Gen
-	-	-	93	22	UR	V (31-7-93)	Neither	-	-	-	Sd/-	Gen
-	-	-	93	23	OBC-6	W (31-7-93)	OBC	-	-	-	Sd/-	OBC
-	-	-	93	24	UR	X (31-7-93)	Neither	-	-	-	Sd/-	Gen
-	-	-	94	25	UR	Y (2-2-94)	Neither	-	-	-	Sd/-	Gen
-	-	-	94	26	OBC-7	Z (15-2-94)	OBC	-	-	-	Sd/-	OBC
-	-	-	96	27	SC-4	AA (1-6-96)	UR	-	-	-	Sd/-	Gen
-	-	-	97	28	ST-2	BB (1-6-96)	ST	-	-	-	Sd/-	ST
-	-	-	97	29	UR	CC (1-2-97)	Neither	-	-	-	Sd/-	Gen
-	-	-	97	30	OBC-8	DD (1-2-97)	OBC	-	-	-	Sd/-	OBC

Table-9

Task: Five independent situations are given below from the same roster. You have to decide by which category will you report the vacancies in the year 2000 and 2001 that arise in each of the following five situations. Prepare a tally at the end of year 2000 and 2001 in each five situations. Please remember all the five situations are independent:

Situation-I		
Year	Who vacates the post	The category by which the vacancies will be reported?
2000	Mr.A,B and D vacates their post	☒
2001	Mr.I,J,S and T and resigns	☒

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Situation-II		
Year	Who vacates the post	The category by which the vacancies will be reported?
2000	Mr.A,B and G vacates their post	☞
2001	Mr.C and D resigns	☞

Situation-III		
Year	Who vacates the post	The category by which the vacancies will be reported?
2000	Mr.K, D and G vacates their post in April, May and June respectively	☞
2001	Mr.C, N resigns	☞

Situation-IV		
Year	Who vacates the post	The category by which the vacancies will be reported?
2000	Mr.A,B,O (June), N, DD (November) and Q, BB,(December)	☞
2001	Mr.I and T	☞

Situation-V		
Year	Who vacates the post	The category by which the vacancies will be reported?
2000	Mr. H	☞
2001	Mr.E, DD	☞

Q.8. There are 34 posts of Assistant (Legal) in the Department of Legislative, Ministry of Law. According to the recruitment rules the method of recruitment of the post is as under: -

- (i) **50% of the posts by Promotion failing which by deputation failing both by Direct Recruitment and**
- (ii) **50% of the posts by direct recruitment.**

The roster position of promotion and direct recruitment (only the relevant columns has been shown) is as under: -

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Roster for promotion-17 points-1997			
Sl.No. of post	Earmarked for	Name	Category to which the person belongs
1	UR	A	UR
2	UR	B	UR
3	UR	C	UR
4	UR	D	SC
5	UR	E	UR
6	UR	F	UR
7	SC-1	G	SC
8	UR	H	UR
9	UR	I	UR
10	UR	J	UR
11	UR	K	UR
12	UR	L	UR
13	UR	M	UR
14	ST-1	N	ST
15	SC-2	O	SC
16	UR	P	UR
17	UR	Q	UR

The roster position in the case of direct recruitment is as under: -

Roster for Direct recruitment-1997			
Sl.No. of post	Earmarked for	Name	Category to which the person belongs
1	UR	R	UR
2	UR	S	SC (Own merit)
3	UR	T	UR
4	OBC-1	U	OBC
5	UR	V	UR
6	UR	W	UR
7	SC-1	X	SC
8	OBC-2	Y	OBC
9	UR	Z	UR
10	UR	AA	UR
11	UR	BB	UR
12	OBC-3	CC	OBC
13	UR	DD	UR
14	ST-1	EE	ST
15	SC-2	FF	SC
16	OBC-4	GG	OBC
17	UR	HH	UR

Vacancy position in the year 1998 and 1999 were as under:

Vacancy position-1998	
Direct Recruitment	Promotion
(i) Sh.V resigns- April	Nil
(ii) Sh.X resigns- December	
(iii) Sh.Y resigns- November	

Vacancy position- 1999	
Direct Recruitment	Promotion
Sh.HH resigns- 15 th July, 1999	NIL

U-7-Operation of Roster

Question to be answered:

- By which category (i.e. SC/ST/OBC) the three vacancies should be reported in the year 1998?
- By which category the vacancy in the year 1999, should be reported for being filled up?

7.6- Subsequent operation (Small Cadre Roster).

You have learnt the operation of large rosters in the preceding sections. In this section we will learn the operation of small cadre rosters, which in the order, dated 2.7.97 have been referred as 'L' shaped rosters. The operation of 'L' shaped rosters is slightly different from that of large rosters.

In small cadres where 'L' shaped rosters have been prepared, **the initial recruitment will be made by the earmarked category in the roster, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.**

To understand how the 'L' shaped rosters are to be operated, let us consider the example of a cadre of UDC comprising **5** posts to be filled 100% by promotion from the feeder grade of LDC. The roster position of the cadre (on 2.7.97), after conversion of the existing vacancy based roster to the post-based roster, is given below.

Reservation brought forward		Recruit metn Year	Sl.no of Post.	SCs/St according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	Reservation carried forward		Signature appointing authority	Re-marks/ Utilised by
SC	ST						SC	ST		
1	2	3	4	5	6	7	8	9	10	11
-	-	1989	1	UR	S.N.Tundu (3.4.89)	SC	-	-	Sd/-	SC
-	-	1989	2	UR	L.K.Kichloo (3.4.89)	UR	-	-	Sd/-	UR
-	-	1991	3	UR	Kanwaljeet Singh (16.6.91)	UR	-	-	Sd/-	UR
-	-	1991	4	UR	A.Arora (16.6.91)	UR	-	-	Sd/-	UR
-	-	1995	5	UR	Smt.Anju Ojha (31.7.95)	ST	-	-	Sd/-	ST
Replacement points										
-	-		1 st	UR						
-	-		2 nd							
-	-		3 rd	UR						
-	-		4 th	UR						
-	-		5 th	UR						
-	-		6 th	UR						
-	-		7 th	UR						
-	-		8 th	UR						
-	-		9 th	ST						

Table-10

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How do we operate the roster, for future vacancies?

Let us suppose that in the year 1998, two vacancies arise on retirement of Shri L.K.Kichloo (UR) and Smt.Anju Ojha (ST) on 31.5.1998. **By which category these two vacancies are to be filled up?**

Whether to be filled by the category earmarked in the roster i.e. both for UR,

OR

Whether to be filled up by earmarking for 1st and 2nd replacements i.e. by 'UR' and 'SC' respectively.

Which of these two choices we accept, will depend, on whether the roster, on 2.7.97 is '**complete initially**' or '**not complete initially**'. If the roster is 'not complete initially' then vacancy(ies) will be filled as per earmarking of the post in the roster. On the other hand, if the roster is '**complete initially**', then the vacancy(ies) will be filled up by the category earmarked in the 'replacement points'.

? Therefore, the question now is, when can we say that the roster is '**complete initially**'?

Answer: If all post in the cadre are filled up by the earmarked category only then, the roster is '**complete initially**' otherwise not.

In the roster that we have referred, whether all the five posts are filled up by the categories of person for which they are earmarked?. The answer is **NO**. Because, the post number 1 earmarked for "UR." is being held by Sh.S.N.Tundu, who belongs to SC community. Similarly, post number 5 which is earmarked for "UR." is occupied by Smt.Ojha who belongs to ST community. THEREFORE, THE ROSTER IS NOT '**COMPLETE INITIALLY**'. Let us discuss this a little more in detail and then we shall revert to the question of filling up of two vacancies in the 'UDC" roster

In the cases, when the roster is not complete initially, any vacancies that arise on or after 2.7.97 have to be filled by the category of the person for which the post is earmarked. Only when persons belonging to the category earmarked in the roster hold all the posts, it can be said to be 'complete initially'. After the roster is

U-7-Operation of Roster

'complete initially', any further vacancies are to be filled by the 'replacement points'.

Accordingly, the subsequent operation of small cadre roster consisting of 2-13 posts, will be as under:-

a) Initial recruitment against the post, shall be made by the category for which the post is earmarked. The roster shall be deemed to have been initially complete only when all the post in the cadre are filled up the earmarked categories:


b) Posts vacant on 2.7.97 are to be filled up by the category for which these are earmarked in the reservation roster;

c) Posts vacated after 2nd July 1997 are to be filled up by the category for which these are earmarked in the reservation roster. However, once the initial recruitment has been completed the posts vacated after 2.7.97 will be filled by the category of the 'replacement points' starting with the 1st replacement point.

d) While implementing (b) and (c) above, care has to be taken that a post earmarked for a reserved category shall not be so reserved if total representation of that category in the cadre (i.e. both direct recruitment & promotion) is equal or more than the number of posts earmarked for that category. (1st exception See page 74-75);

e) While implementing (b) and (c) above, care has also to be taken of the 2nd exception(See page 78) i.e. not more than 50% of the vacancies of the current year can be reserved.

Having understood the operation of small cadre rosters let us revert back to apply these principles, to the question raised earlier regarding filling up of the two vacancies

 By which category the two vacancies, on retirement of Sh.L.K.Kichloo and Smt.Anju Ojha, will be filled? (refer-table-10)

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Since, the roster is “not complete initially”, both the vacancies will be filled by the category for which these are earmarked in the reservation roster. Shri Kichloo is at point number 2 of the roster, which is earmarked for “UR”. Therefore, vacancy vice Shri Kichloo will be filled by “UR”. Similarly, vacancy vice Smt.Ojha (point no.5 of the roster) will be filled by “UR” again.

After the initial operation is over, recruitment will be done as per the earmarking of the replacement points, proceeding from the 1st replacement point to the last replacement point (last replacement point in all cases will be earmarked for ‘ST’).Once the first cycle is over, the second cycle will start and further recruitment will take place again as per initial recruitment followed by the replacement points.

7.6.1- SKIPPING the reserved point in small cadre Rosters

While following the above procedure of filling up the vacancies, it should be ensured that the relevant rotation by the indicated category should be skipped over, if it leads to more than 50% representation of reserved category. (However, after following the procedure explained in the previous sections, such a contingency would rarely arise)

The entire discussion on operation of L-shaped roster may be summed up as under:

- ❖ First question to be decided in the L shaped rosters is whether or not the roster is ‘initially complete’ on 2.7.97.
- ❖ If the roster is not ‘initially complete’, the vacancy will be filled as per earmarking in the roster.
- ❖ Only after the roster is ‘initial complete’, we can go to the ‘replacement points’.
- ❖ While filling up vacancies as per earmarking or as per replacement points, the 1st and 2nd exception we learnt in during the operation of large rosters will have to be applied.
- ❖ It should also be ensured that while filling up the vacant posts by the indicated category, the relevant point would

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be skipped over if it leads to more than 50% reservation in the cadre.

- ❖ After the last replacement point is consumed the first cycle will come to an end and future recruitments will again be done, first by earmarking of the 'initial recruitment' followed by earmarking of 'replacement points'.

Self-Assessment Question

Q.9 The cadre of Staff Car Driver in the Ministry of ABC comprise of 7 posts. Recruitment is made 100% by direct recruitment. The name of the incumbents in the 7-point roster in the year 2002 is given below: -

Reservation brought forward from previous years			Recrtt.year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-remarks/ Utilised by
SC	ST	OBC		Poi nt no.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	79	1	UR	A(1.4.79)	UR				Sd/-	Gen
-	-	-	80	2	UR	B(31.3.80)	UR				Sd/-	Gen
-	-	-	80	3	UR	C(22.2.80)	UR				Sd/-	Gen
-	-	-	84	4	OBC	D(14.5.84)	OBC				Sd/-	OBC
-	-	-	89	5	UR	E(21.4.89)	SC(OWN MERIT)				Sd/-	Gen
-	-	-	91	6	UR	F(12.5.91)	UR				Sd/-	Gen
-	-	-	94	7	SC	G(30.11.94)	SC				Sd/-	SC
				Replacement points								
-	-	-		1 st	OBC							
-	-	-		2 nd	UR							
-	-	-		3 rd	UR							
-	-	-		4 th	UR							
-	-	-		5 th	OBC							
-	-	-		6 th	UR							
-	-	-		7 th	ST							
-	-	-										

- ❖ In the year 2003, Mr.A and Mr.B vacates the post.
 - ❖ In the year 2004, Mr.D vacates the post.
 - ❖ In the year 2005, Mr.F and Mr.C vacate the post.
- By which category the posts should be filled up in the respective years?

7.7-Let us sum up

In this Unit we learnt

- ❖ That the old rosters have to be closed on 2.7.97 and new post-based rosters have to be prepared on 2.7.97.

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- ❖ While plotting the names of the incumbents in the new post-based rosters, the name will be plotted according to the '**date of appointment**'. Against each name we are also required to write "**utilised by.....**". While writing "utilised by...", reserved candidates selected on their own merit will not be treated as SC/ST/OBC and for such persons we have to write "utilised by Gen".
- ❖ Only those persons who are available in the cadre on 2-7-97 are to be plotted in the new post-based rosters. Those who have left the cadre due to retirement/resignation etc. are not to be plotted in the roster.
- ❖ After entering all the names, a tally has to be made to find out excess of each reserved category in the cadre.

To operate the roster subsequently, the steps are:-

- ❖ Vacancies of a year are to be reserved for the category, as per earmarking in the roster (the fundamental rule) then,
- ❖ Check if the representation of a reserved category is equal to or more than the prescribed numbers of post for that category. If so, reserved vacancy will be treated and filled by 'UR'. (1st exception)
- ❖ Even after the first two steps above, **if** more than 50% of the vacancies of current year are reserved, then limit reservation to 50% of total vacancies of current year. (2nd exception)
- ❖ Check for reservation brought forward.
- ❖ Limit of 50% will not apply on backlog/carry forward vacancies in respect of SC/ST. Limit of 50% will however, apply on **current vacancies plus backlog/carry forward** vacancies in respect of OBC.
- ❖ All the above steps may be referred to in diagram-1.
- ❖ While carrying forward reserved vacancy because of the 'rule of 50% limit', the reserved vacancy occurring later will be carried forward. If the reserved vacancies have occurred on the same date, then the

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one, which is at later point in the roster, will be carried forward.

L-Shaped rosters.

- ❖ In the case of 'L' shaped rosters, go to the replacement points only when the roster is '**initially complete**'. If the roster is not 'initially complete' the vacancies have to be filled according to the earmarking under 'initial recruitment'
- ❖ '**Initially complete**' means, that against each post of the roster, person of only that category is occupying the post.
- ❖ Replacement points will be skipped if it leads to more than 50% representation of reserved category.
- ❖ Once the first cycle is over (which means that we have consumed all the 'replacement points' after the roster is 'initially complete'), the second cycle will commence. Recruitments will be done by earmarking of the 'initial recruitment' followed by earmarking of 'replacement points'.

<h2>7.8-ANSWERS TO SELF-ASSESSMENT QUESTIONS</h2>
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Answer to SAQ-1:

- (a) False. No revised proforma has been prescribed. See section 1.3.
- (b) True.
- (c) False. Names have to be plotted according to the date of appointment and not according to seniority.
- (d) False. (see section 7.4. 3rd para, page 68)
- (e) False. If the SC candidate is an 'Own merit' candidate, then under column 13 '*utilised by general*' has to be written.
- (f) False. Under col-13 against Ram Rattan's name is written '*Utilised by SC*' which means that he is not an 'Own merit' candidate.
- (g) See first para page 61.

Answer to SAQ.2

The names have to be plotted as under: -

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Reservation Brought Forward From Previous years		Particulars of recruitment made					Reservation carried forward			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
SC	ST	Rectt. year	Sl.no of the post	UR or Reserved for SCs/STs according to the roster applicable	Name and date of appointme-nt	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Remarks/ utilised by
		1981	1	UR	B(15.3.81)	SC			Sd/-	Utilised by SC
		1981	2	UR	A(31.3.81)	ST			Sd/-	Utilised by ST
		1981	3	UR	C(15.7.81)	Neither			Sd/-	Utilised by UR
		1981	4	UR	D(30.7.81)	Neither			Sd/-	Utilised by UR
		1981	5	UR	E(30.7.81)	Neither			Sd/-	Utilised by UR
		1981	6	UR	F(30.7.81)	Neither			Sd/-	Utilised by UR
		1982	7	SC	G(15.3.82)	Neither			Sd/-	Utilised by UR
		1982	8	UR	H(15.3.82)	Neither			Sd/-	Utilised by UR
		1982	9	UR	I(15.3.82)	Neither			Sd/-	Utilised by UR
		1982	10	UR	J (15.3.82)	Neither			Sd/-	Utilised by UR
		1982	11	UR	K(15.3.82)	Neither			Sd/-	Utilised by UR
		1982	12	UR	M(20.4.82)	Neither			Sd/-	
		1982	13	UR	L(28.4.82)	SC			Sd/-	Utilised by SC
		1982	14	ST-1	N(30.6.82)	Neither			Sd/-	Utilised by UR
		1982	15	SC-2	O(30.6.82)	Neither			Sd/-	Utilised by UR
		1990	16	UR	P(31.3.90)	Neither			Sd/-	Utilised by UR
		1990	17	UR	Q(31.3.90)	Neither			Sd/-	Utilised by UR
		1992	18	UR	R(15.4.92)	Neither			Sd/-	Utilised by UR
		1992	19	UR	S(30.4.92)	SC			Sd/-	Utilised by SC

Tally		
	SC	ST
Posts prescribed	2	1
In position	3	1
Excess	+1	0

From the tally you can see that there is excess by 1 in the SC category.

Answer to SAQ.3:

Both vacancies will be filled by UR.

Shri L.Bulte is occupying the post no.3 earmarked for 'UR'. Hence, the vacancy will be filled by UR.

Similarly, Sh.R.Haokip is occupying the post no.05 earmarked for UR and should be filled by UR' as per the fundamental rule of operation. For the convenience of understanding the pictorial representation is as under: -

U-7-Operation of Roster

Reservation brought forward from previous years			Rectt year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Poi nt no.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	88	1	UR	K.R.Rao(3.4.88)	Neither	-	-	-	Sd/-	Gen.
-	-	-	88	2	UR	Ram Ratan(1.8.88)	SC	-	-	-	Sd/-	SC
-	-	-	88	3	UR	L.Dutta(3.8.88)	ST	-	-	-	Sd/-	UR
-	-	-	90	4	OBC-1	S.Mukherjee(1.2.90)	Neither	-	-	-	Sd/-	Gen
-	-	-	94	5	UR	R.Haakip(2.1.94)	ST	-	-	-	Sd/-	UR
-	-	-	94	6	UR	K.Kumar(3.2.94)	OBC	-	-	-	Sd/-	OBC
-	-	-	94	7	SC-1	S.Sij(1.7.94)	Neither	-	-	-	Sd/-	Gen
-	-	-	96	8	OBC-2	R.Chanda(22.01.95)	OBC	-	-	-	Sd/-	OBC
-	-	-	96	9	UR	V.P.Lazar(15.06.95)	Neither	-	-	-	Sd/-	Gen.
-	-	-	96	10	UR	Yashwant(12.03.96)	Neither	-	-	-	Sd/-	Gen.
-	-	-	96	11	UR	S.Jeevan(3.4.96)	SC	-	-	-	Sd/-	SC
-	-	-	96	12	OBC-3	P.Lal(3.6.96)	OBC	-	-	-	Sd/-	Gen.(OBC own merit)
-	-	-	96	13	ST-1*	A.Maimgain(4.6.96)	SC	-	-	-	Sd/-	SC
-	-	-	96	14	SC-2*	M.Biswas(15.6.96)	OBC	-	-	-	Sd/-	Gen.(OBC own merit)
-	-	-	96	15	OBC-4*	L.Bharadwaj(15.6.96)	Neither	-	-	-	Sd/-	Gen.

Tally

	SC	ST	OBC
No. of posts earmarked	2	1	4
No. in position	3	0	3
Excess	+1	-1	-1

Please note that representation of ST has gone down from 2 to zero.

Answer to SAQ-4:

- (a) False. According to the fundamental rule, the earmarking of the roster point vacated, and not the category of the person, decides how the vacancy is to be filled.
- (b) False; see 1st exception
- (c) False. The reserved vacancy arising later has to be carried forward.
- (d) Two.

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Answer to SAQ-5: The names of the persons who vacates the roster points and the category by which filled up in the year 1998, 2000, 2001 and 2002 are as under:-

year	Post vacated by	Category by which filled up.
1998	K.Kumar	UR
	S.Siji	UR
	S.Mukherjee	OBC
2000	L.Bulte	UR
	Haokip	UR
2001	P.Lal	OBC
	Yashwant	UR
	A.Maimgain	UR(ST reservation carried forward)
2002	V.P.Lazar	ST(ST reservation brought forward from the previous year i.e.2001)
	L.Bharadwaj	OBC

Answer to SAQ-6:

- a) **False.** (See section 7.4)
- b) **False.** Out of 5 vacancies not more than 2 vacancies can be reserved. (see section 7.4.1)
- c) **False.** See section 7.4 (1st exception)
- d) **False.** The ST vacancy will be carried forward because between the two, the ST vacancy is at a later point in the roster.

Answer to SAQ-7:

The tally for the roster at the end of year 2000 is as under:

	Tally		
	SC	ST	OBC
No. of posts earmarked	4	2	8
No. in position	4	2	7
Excess	0	0	-1

Situation-I

Year 2000:

Step-1:By the application of Fundamental Rule, the three vacancies are earmarked as under:

A	UR
B	UR

U-7-Operation of Roster

D	OBC
---	-----

Step-2: Since the OBC representation is less than the post prescribed for it, the 1st exception will not be applicable.

Step-3: The 2nd exception will **not** be applicable, because the reserved vacancy **does not** exceed 50% of the total vacancies of 2000 year.

Step-4: There is no brought-forward reservation.

Thus the three vacancies of 2000 will be filled as under

A	UR
B	UR
D	OBC

Year 2001:

- ◆ Step:1 By application of the Fundamental Rule the vacancies are earmarked as under:

I	UR
J	UR
S	OBC C
T	SC

- ◆ **Step-2:** The representation of OBC is already less than the 8 prescribed posts for it. Hence the 1st exception will not be applicable. In the case of SC reservation also it will not be applicable because on **Mr.T** (SC) vacating the post the representation comes down from prescribed four to three. Hence both the OBC and SC vacancy will be filled accordingly. Thus at the end of step-2 the 4 vacancies are earmarked for UR, UR, OBC and SC.
- ◆ **Step-3:** Since the number of reserved vacancies at the end of step-2 does not exceed 50% of the total vacancies of 2001, the 2nd exception (rule of 50% limit) will not be applicable.

Thus the four vacancies of 2001 will be filled as under:-

I	UR
J	UR
S	OBC
T	SC

Situation-II

Year 2000:

Step-1: By the application of Fundamental Rule, the three vacancies are earmarked as under:

A	UR
B	UR
G	SC

Step-2: The step-2 involves checking for the equal or excess representation of the reserved category. The SC representation is neither equal nor excess because on **Mr.G** vacating his post the representation of SC comes down from 4 to 3. Thus the 1st exception will not be applicable. The three vacancies at the end of step-2 still remain for UR, UR, SC.

Step-3: The 2nd exception i.e. rule of 50% limit will not be applicable as the reservation after the step-2 does not exceed 50% of total vacancies of the year 2000.

Step-4: No reservation has been brought forward.

Thus the three vacancies of 2000 will be filled as under:-

A	UR
B	UR
G	SC

Year 2001

Step-1: According to the fundamental Rule the two vacancies are earmarked as under: -

C	UR
D	OBC

Step-2: Since the representation of OBC is already less than prescribed 8 posts the 1st exception will not be applicable. The two vacancies remains for UR and OBC

Step-3: The number of reserved vacancies at the end of step-2 does not exceed 50% and therefore, the 2nd exception is not applicable.

Step-4: No reservation has been brought forward from the previous year.

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Thus the two vacancies of 2001 will be filled as under:-

C	UR
D	OBC

Situation-III

Year 2000:

Step-1: The three vacancy by **K, D** and **G** are earmarked as under:-

K	UR
D	OBC
G	SC

Step-2: The 1st exception will not be applicable to SC reservation. The reasons is that on Mr.K(SC) and G(SC) vacating the post, the representation of SC goes down from 4 to 3. The 1st exception is also not applicable to the OBC reservation for same reasons as in situation1 and situation-2. Therefore, at the end of step-2 the three vacancies are reserved for UR, SC & OBC.

Step-3: 2nd exception i.e. the 'rule of 50% limit' will be applicable as two out of three vacancies are reserved. The SC vacancy, which occurred later (in June) compared to OBC (in May), will be treated as unreserved and the 1-SC reservation will be carried forward to the next recruitment year.

Step-4: No reservation has been bought forward from the previous year.

Thus, after the four steps, we find that the three vacancies of the year 2000, are to be filled as under:-

K	UR
D	OBC
G	UR(SC reservation carried forward to the next year)

Year 2001

Step-1: By the application of fundamental rule the vacancies by C & N are to be filled as under: -

C	UR
N	ST

Step-2: In the step-2, we will check whether the representation of ST is equal or more. If not, the ST reservation will remain intact. When **Mr.N** vacates the post, the representation of ST goes down from 2 to 1. Therefore,

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the 1st exception will not be applicable. Thus, at the end of step-2 the two vacancies are UR & ST.

Step-3: 2nd Exception i.e. 'rule of 50% limit' will not be applicable. Thus at the end of step-3 the two vacancies are reserved for UR and ST.

Step-4: One SC reservation has been brought forward from the year 2000. Therefore, the UR vacancy will be treated as reserved for SC.

Thus after application of the four steps, we find that the two vacancies will be filled as under: -

C	SC (UR vacancy treated as 'SC')
N	ST

Since the 'rule of 50% limit' does not apply to carry forward/backlog SC/ST vacancies, both the vacancies of the year 2001 will be reserved.

Situation-IV

Year 2000:

Step-1: By the application of the fundamental rule, the seven vacancies are earmarked as under:

A	UR
B	UR
O	SC
Q	UR
BB	ST
N	ST
DD	OBC

Step-2: Since none of the reserved category is in excess of the prescribed post of it, the 1st-exception will not be applicable to any of the reserved vacancies in step-1.

Step-3: 4 out of 7 vacancies of 2000, are reserved, therefore, the 2nd exception **will be** applicable. The ST vacancy (occurring later i.e. December) will be treated as 'unreserved' and one reservation for ST carried forward to the next year i.e. 2001.

Step-4: There is no brought forward reservation of the previous year.

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Thus after application of the four steps, we find that the seven vacancies will be reserved as under:

A	UR
B	UR
O	SC
Q	UR
BB	UR (ST reservation carried forward to the next year)
N	ST
DD	OBC

Year 2001:

Step-1: By the application of the fundamental rule, the vacancy of Mr.I & T will be filled as under:-

I	UR
T	SC

Step-2: 1st exception' will **not** be applicable because representation of SC will not exceed 'Four'.

Step-3: 2nd Exception is **not** applicable.

Step-4: However, there is one 'ST' brought forward reservation of the previous year. Therefore, the UR vacancy will be filled by ST.

Thus, after the application of the four steps, we find that, the two vacancies of 2001 will be filled by ST and SC and the limited of 50% is not applicable to carry forward reservation as you already know.

Situation-V

Year 2000:

Step-1: According to fundamental rule, the post vacated by H is earmarked for OBC.

Step-2: In the category of OBC the representation has not reached the prescribed 8, therefore 1st exception is not applicable.

Step-3: The reservation exceeds 50% limit and hence the 2nd exception i.e. "rule of 50% limit" will apply. Therefore, the OBC vacancy will be treated, as 'unreserved' and the OBC reservation will be carried forward to the next year.

Step-4: There is no brought forward reservation of the previous year.

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The post vacated by H will be filled by UR for the year 2000

Year 2001.

Step-1: According to the fundamental rule the vacancy of Mr.E and Mr.DD are earmarked for UR, and OBC.

E	UR
DD	OBC

Step-2: 1st exception will not be applicable.

Step-3: only one vacancy of the two is reserved; therefore, 2nd exception will also not be applicable.

Step-4: However, we have a carry forward vacancy of OBC from the previous year i.e. 2000. Thus both the vacancies will be reserved for OBC. That will lead to reservation exceeding 50%. Hence the OBC vacancy of the year 2001 will be carried forward to the next recruitment year. Thus after application of the four steps, we find that the two vacancies are to be filled as under: -

E	OBC
DD	UR(OBC reservation carried forward to the next year.

Please remember, that for the 'rule of 50% limit', carry forward/backlog Reservation of OBC shall **not** be treated as a separate class of category.

Answer to SAQ-8:

The three vacancies in the year 1998 will be filled by UR,OBC and UR.

The vacancy in the year 1999 will be filled by 'UR'.

The explanation is as under:-

The tally prepared at the end of year 1997 is

Tally-(Direct Recruitment)			
	SC	ST	OBC
No. of posts earmarked	2	1	4
No. in position	2	1	4
Excess	0	0	0

Tally-(Promotion)		
	SC	ST

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Required	2	1
No. of posts earmarked	3	1
No. in position	+1	0

From the above tally you can see that in the cadre of Assistant (Legal) total number of posts earmarked for SC in both the cadre is 4 (2 in DR and 2 in Promotion). We find that there are already 4 persons in the cadre from SC category (excluding X who vacates the post). Thus after the post is vacated by X, the vacancy although earmarked in the roster for 'SC' **will not** be treated as reserved for SC but as 'UR'.

In the year 1998, Shri V, X and Y are vacating their posts. The posts vacated by these persons are earmarked respectively for UR, SC and OBC. Now we check for the 1st exception i.e. whether 'SC' category is already excess or equal to the prescribed representation. For finding out the representation, we have to check the representation in both the cadre i.e. direct recruitment as well as promotion.

Answer to SAQ.9

The roster is "complete initially" because against each point of the roster, persons from earmarked category are available. Any further vacancy will be filled up by the earmarked category of the "replacement points"

2003: On Mr.A and Mr.B vacating the post, you will report the two vacancies as per earmarking of 1st and 2nd replacement points, which are respectively earmarked for OBC and UR. However, one OBC candidate is already available in the cadre, therefore, the 1st exception will be applicable. In view of this, the OBC reservation will be treated as unreserved. Therefore, both the vacancies of 2003 will be filled by UR.

2004: On Mr.D vacating the posts, the vacancy will be filled as per earmarking of the 3rd replacement points which is earmarked for "unreserved".

2005: On Mr.F and C vacating the posts, the vacancies should be filled as per earmarking of 4th and 5th replacement point, which are earmarked respectively for UR and OBC. The 1st exception will not be applicable as the only OBC candidate (Mr.D) vacated the post in the year 2004.

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Therefore, the two vacancies of the year 2005 will be filled by UR and OBC.

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UNIT-8: MAINTENANCE OF ROSTERS

Structure of the Unit:

- 1.1 -Introduction.**
- 1.2 -Objectives.**
- 1.3 -Plotting in the roster.**
- 1.4 -General Instructions of maintenance of Roster.**
- 1.5 -Let us sum up.**
- 1.6 -Answers to self-assessment questions.**

8.1:INTRODUCTION.

In the Unit-6 of this module you learnt to prepare the post-based rosters i.e. how to earmark each post in the roster for SC, ST and OBC. In the Unit-7, you learned how to 'operate' the roster, which included 'initial operation' and also 'subsequent operation'. In the initial operation, we learned to plot the names of the incumbents in the new roster. While learning the 'subsequent operation', although we talked about how to earmark vacancies, we did not specifically discuss the issue regarding plotting the names of the incumbents recruited in the reservation roster. That is what we will learn in this Unit. i.e.

- How to plot the names and other particulars of the incumbents joining the cadre against vacancies arising after 2.7.97; and
- The various guidelines issued by the Department of Personnel & Training regarding maintenance of roster.

8.2: OBJECTIVES

After reading this Unit, you will be able to:

- a) Plot the names of incumbents and their particulars in the various columns of reservation roster.**
- b) Explain the general instructions on maintenance of roster.**

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8.3-Plotting in the roster

To learn as to how the entries will be made, we will take the example of the 15-post cadre of the Superintendent (Technical) that we discussed in Unit-7 (page 68). If you recall, while operating the roster, in the cadre of **Supdt. (Technical)**, vacancies arose in the year 1998, 2000, 2001 and 2002 and were filled as per the principles explained in Unit-7.

The vacancies which arose each year and the category by which they were filled up is reproduced again for quick referencing (Please see answer to SAQ-5, Unit-7 at page 96)

year	Post vacated by (roster point)	Category by which filled up
1998	K.Kumar(06)	UR
	S.Siji(07)	UR
	S.Mukherjee(04)	OBC
2000	L.Bulte(03)	UR
	Haokip(05)	UR
2001	P.Lal(12)	OBC
	Yashwant(10)	UR
	A.Maimgain(13)	UR(ST reservation carried forward)
2002	V.P.Lazar(09)	ST(UR vacancy treated as ST due to one ST reservation brought forward)
	L.Bharadwaj(15)	OBC

Table-1

The persons who were recruited against these vacancies have to be plotted in the roster.

We now give you the names of the persons who were appointed against these vacancies and also their date of appointment:

Rect year	Roster point vacated	Person appointed	Date of appointment
(1)	(2)	(3)	(4)
1999	K.Kumar(06)	L.R.Khurana(gen)	20.08.2000
	S.Siji(07)	Smt.Sharda Jain(gen)	01.07.2000
	S.Mukherjee(04)	P.Ram(OBC)	01.12.2000
2000	L.Bulte(03)	M.Chagal(gen.)	15.03.2001
	Haokip(05)	E.Potto(gen.)	21.09.2001
2001	P.Lal(12)	K.Biswal(OBC)	15.12.2002
	Yashwant(10)	Smt.Anita(gen.)	15.07.2002
	A.Maimgain(13)	Ms.Shubha(gen.)	22.09.2002
2002	V.P.Lazar(09)	R.L.Meena(ST)	29.10.2004
	L.Bharadwaj(15)	Raj Singh(OBC)	01.02.2005


Table-2

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The names and other particulars of the persons, joining the cadre (as indicated in table-2) have to be entered in the roster according to the general instructions on roster maintenance.

In the vacancy-based rosters, the names of the new incumbents used to be shown in a 'running' form. But the new post-based rosters have definite number of points. So the question is, **where the names of the new incumbents who join the grade/posts, are to be shown?** Are these names to be shown one after the other, i.e. after the last point of the roster in running form, as we used to do in the case of vacancy based roster?

That could be one way of making entries in the roster. For example, the name of Smt.Sharda Jain, the first person to join in the year 2000, could be written after the 15th point. Shri L.R.Khurana, immediately after Smt.Jain and so on. But a little thought will convince you that such a mechanism will lead to confusion. Take 2-3 minutes and write down any problem that you anticipate or are facing if the above mechanism is followed:

 :

The difficulty with the above mechanism is, that it will not be easy to understand as to who has joined against which point in the roster. For example, if the name of Smt.Sharda Jain is written after the point no.15 of the roster, then it will be difficult to find out that Smt.Sharda Jain has been recruited against post number 07 (vacated by S.Siji) unless you make some entries in the remark column. Resultantly, it will also be difficult to verify whether the reservation was correctly applied while filling the vacancy. The procedure outlined above may lead to lot of inconvenience if the cadre is very large or if large number of vacancies occurs in that cadre every year.

It is suggested, that a better procedure will be to write only two or three points on each page keeping enough space between each point of the roster. For example, in the 15-point

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roster for the post of Superintendent (Technical) each page of the roster may contain only three points. Thus we will have total five pages, first page containing point number 1 to 3, second page containing point number 04 to 06 and so on till all the 15 points of the roster are complete. All the five pages of the roster have been reproduced in the next two pages.

MINISTRY/DEPARTMENT/OFFICE
 OF...ABC.....
 GRADE OR 4 GROUP OR POSTS...**SUPERINTENDENT(TECHNICAL)**
(SANCTIONED POSTS 15)

 PERMANENT AND LONG TERM TEMPORARY/PURELY TEMPORARY

Page-1												
Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No of the post.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1988	1	JR	K.R.Rao(3.4.88)	Neither	-	-	-	Sd/-	Gen.
			1988	2	JR	Ram Ratan	SC	-	-	-	Sd/-	Sc
			1988	3	JR	L.Bulte	ST					

Page-2												
Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No of the post.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1990	4	OBC-1	S.Mukherjee	Neither	-	-	-	Sd/-	Gen.
			1994	5	JR	R.Haokip	SC	-	-	-	Sd/-	Sc
			1994	6	JR	K.Kumar	OBC	-	-	-	Sd/-	OBC

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page-3												
Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No of the post.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1994	7	SC-1	S.Siji	Neither	-	-	-	Sd/-	Gen
-	-	-	1995	8	UR	R.Chanda	OBC	-	-	-	Sd/-	OBC
-	-	-	1996	9	UR	V.P.Lazar	Neither	-	-	-	Sd/-	Gen
Page-4												
Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No of the post.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1996	10	UR	Yashwant(13.3.96)	Neither	-	-	-	Sd/-	Gen.
-	-	-	1996	11	UR	S.Jeevan(3.4.96)	SC	-	-	-	Sd/-	SC
-	-	-	1996	12	OBC-3	P.Lal(3.6.96)	OBC	-	-	-	-	Gen(own merit)

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Page-5												
Reservation brought forward from previous years			Rect .year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Sl.No of the post.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1996	13	ST-1	A.Maimgain(4.6.96)	SC	-	-	-	Sd/-	SC
-	-	-	1996	14	SC-2	M.Biswas(15.6.96)	OBC	-	-	-	Sd/-	Gen (OBC Own merit)
-	-	-	1996	15	OBC-4	L.Bharadwaj(15.6.96)	Neither	-	-	-	Sd/-	Gen.

If you leave a gap of three or four lines between each point, as shown in the above roster, then whenever the incumbent vacates a particular point of the roster, the name of the next incumbent against that point can be shown in the space just below the earlier incumbent. Such a procedure will enable any person maintaining the roster to check very quickly whether or not correct reservation has been applied while filling up the vacancy.

Let us now try to make the entries in the roster for the post of Superintendent (Technical), to appreciate the advantage of this procedure.

In-text activity

All the persons who vacated their posts in the cadre of Superintendent (Technical) have been given in the **Table-1**. The names of the persons who joined against each vacant post has also been provided to you (**Table-2, page 106**). Please plot the names of the incumbents, along with other details. Use the roster that has already been provided to you in previous pages. Please compare your answer with that given in the next page, but only after you have made an attempt to plot the names

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ANSWER TO IN-TEXT ACTIVITY:

Page-1												
Reservation brought forward from previous years			Rectt.year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Point no.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1988	1	JR	K.R.Rao(3.4.88)	Neither	-	-	-	Sd/-	Gen.
-	-	-	1988	2	JR	Ram Ratan(1.8.88)	SC	-	-	-	Sd/-	SC
-	-	-	1988	3	JR	L.Bulte(3.8.88)	ST	-	-	-	Sd/-	ST
-	-	-	2001	3	JR	M.Chagal(15.3.2001)	Neither	-	-	-	Sd/-	Gen

Page-2												
Reservation brought forward from previous years			Rectt.year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Point no.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1990	4	OBC-1	S.Mukherjee(1.2.90)	Neither	-	-	-	Sd/-	Gen.
-	-	-	2000	4	OBC-1	P.Ram(1.12.2000)	OBC	-	-	-	Sd/-	OBC
-	-	-	1994	5	JR	R.Haakip((2.1.94)	ST	-	-	-	Sd/-	ST
-	-	-	2001	5	JR	E.Potto(21.9.2001)	Neither	-	-	-	Sd/-	Gen
-	-	-	1994	6	JR	K.Kumar(3.2.94)	OBC	-	-	-	Sd/-	OBC
-	-	-	2000	6	JR	L.R.Khurana(20.8.00)	Neither	-	-	-	Sd/-	gen

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Page-3												
Reservation brought forward from previous years			Rect .year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-remarks/ Utilised by
SC	ST	OBC		Sl.Noof the post.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1994	7	SC-4	S.Siji(1.7.94)	Neither	-	-	-	Sd/-	Gen
-	-	-	2000	7	SC-1	Smt.Sharda Jain (1.7.2000)	Neither	-	-	-	Sd/-	Gen
-	-	-	1995	8	OBC	R.Chanda(22.1.95)	OBC	-	-	-	Sd/-	OBC
-	-	-	1996	9	JR	V.P.Lazar(15.6.95)	Neither	-	-	-	Sd/-	Gen
-	1	-	2004	9	JR	R.L.Meena(29.10.2004)	ST	-	-	-	Sd/-	ST. 1-ST reservation brought forward from pt.no.13.

Page-4												
Reservation brought forward from previous years			Rect .year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Utilised by/Remarks
SC	ST	OBC		Sl.No of the post.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1996	10	JR	Yashwant(13.3.96)	Neither	-	-	-	Sd/-	Gen.
-	-	-	2002	10	JR	Smt.Anita(15.7.02)	Neither	-	-	-	Sd/-	gen
-	-	-	1996	11	JR	S.Jeevan(3.4.96)	SC	-	-	-	Sd/-	SC
-	-	-	1996	12	OBC-3	P.Lal(3.6.96)	OBC	-	-	-	Sd/-	Gen(OBC own merit)
-	-	-	2002	12	OBC-3	K.Biswal(15.12.2002)	OBC	-	-	-	Sd/-	OBC

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Page-5												
Reservation brought forward from previous years			Rectt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-remarks/ Utilised by
SC	ST	OBC		Sl.No of the post.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1996	13	ST-1	A.Maimgain(4.6.96)	SC	-	-	-	Sd/-	SC
-	-	-	2002	13	ST-1	Ms.Shubha(22.9.2002)	UR	-	1	-	Sd/-	Gen. (ST reservation carried forward due to 50% limit)
-	-	-	1996	14	SC-2	M.Biswas(15.6.96)	OBC	-	-	-	Sd/-	Gen (OBC-Own merit)
-	-	-	1996	15	OBC-4	L.Bharadwaj(15.6.96)	Neither	-	-	-	Sd/-	Gen.
-	-	-	2005	15	OBC-4	Raj Singh(1.2.05)	OBC	-	-	-	Sd/-	OBC

While comparing your answer you must have noted the benefits of maintaining the Rosters, this way. Since, names of all the future incumbents who are recruited against a particular roster point, are written below that roster point only, it becomes very easy to monitor, whether or not, each point in the roster, is occupied by a persons who belongs to the earmarked category of that point.

For example if you see point number 12(earmarked for OBC), P.Lal an OBC candidate was occupying the point. On Mr.Lal vacating the post, another OBC candidate namely Sh.K.Biswal has occupied the point. This reveals that the reservation was correctly applied.

If the incumbent occupying a roster point does not belong to the category earmarked for the roster point, then the reasons must get reflected in the relevant column.

For example, see point no.13. Although, the point is earmarked for ST, but is occupied by a general candidate (Ms.Shubha). The reason for this mismatch becomes clear, if one reads the column-13 and also column-10 against the name of Ms.Shubha.

Form the above discussion you can appreciate, that these monitoring would be difficult to do, if the names are not written

U-7-Operation of Roster

immediately below the point getting vacated, but instead are written in a running form.

In the case of “L-Shaped” roster also, the same procedure may be followed. In “L-Shaped” rosters you learnt that recruitment as per the replacement points would arise only when the roster is “initially complete”. Thus in the case of “L-Shaped” rosters also each point in the initial recruitment may be separated by a space of three to four lines. Once the roster is complete initially, the names will be entered against the replacement points.

If the roster is ‘initially complete’ then there is no need to keep space between each point, because the names of the incumbent can be written against the replacement points.

Self Assessment Question			
<p>Q.1 In the Unit-7 you learnt to operate the ‘L-Shaped’ roster in the SAQ-9 (Page 91). In that question we operated the roster for the Staff Car Driver. (Please refer to Unit-7 to recall the details). The persons who vacated the cadre were Mr.A,B,D,F and Mr.C. The persons who joined against these vacancies and their date of appointment is given below:-</p>			
Rectt.Year	Post vacated by	Name of new incumbent	Date of appointment
2003	Mr.A	Mr.M	1.6.04
	Mr.B	Mr.N (Gen)	1.6.04
2004	Mr.D	Mr.O (Gen)	1.8.05
2005	Mr.F	Mr.P	1.8.06
	Mr.C	Mr.Q (OBC)	11.2.06
<p>(a)The five-post roster is given in the next page. (b) Make the entries of the new incumbents. (c) Compare your answer with that given at the end of unit.</p>			

U-8: maintenance of Roster

Reservation brought forward from previous years			Rectt.yea r	Particulars of recruitment made				Reservation carried forward			Signature appointin g authority	Re-marks/ Utilised by
SC	ST	OBC		Po int no.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1979	1	UR	A(1.4.79)	UR	-	-	-	Sd/-	Gen
-	-	-	1980	2	UR	B(31.3.80)	UR	-	-	-	Sd/-	Gen
-	-	-	1980	3	UR	C(22.2.80)	UR	-	-	-	Sd/-	Gen
-	-	-	1984	4	<u>OBC</u>	D(14.5.84)	OBC	-	-	-	Sd/-	OBC
-	-	-	1989	5	UR	E(21.4.89)	SC(OWN MERIT)	-	-	-	Sd/-	Gen
-	-	-	1991	6	UR	F(12.5.91)	UR	-	-	-	Sd/-	Gen
-	-	-	1994	7	<u>SC</u>	G(30.11.94)	SC	-	-	-	Sd/-	SC
				Replacement points								
-	-	-		1 st	<u>OBC</u>							
-	-	-		2 nd	UR							
-	-	-		3 rd	UR							
-	-	-		4 th	UR							
-	-	-		5 th	<u>OBC</u>							
-	-	-		6 th	UR							
-	-	-		7 th	ST							
-	-	-										

8.4-General Instructions on roster maintenance.

In the previous section you have learned to make entries of the names and other particulars in the roster. In this section we will learn about the general instructions on maintenance of reservation roster. Although some of the earlier instructions on maintenance of rosters have lost its meaning with the implementation of post-based rosters but the instructions which are still relevant are as under:-

- a) A common roster for all the post in a cadre will be maintained. Temporary posts of 45 days or more may also be included.
- b) Roster must be in a register from and not in loose sheets¹¹. The roster will be maintained in a register in the form/proforma that we have already discussed.
- c) Immediately after an appointment is made the particulars of the person shall be entered in the roster in the appropriate

¹¹ DP&AR O.M.NO.36011/46(8)-ESTT(SCT) DT:4-2-82

U-8: maintenance of Roster

columns and the entry signed by the appointing authority or by an officer authorized to do so¹².

- d) Rosters are to be closed at the end of the calendar year which means that at the end of the year, the roster is to be inspected by the liaison officer.
- e) The liaison officers in the Ministries/Departments will conduct annual inspection of the roster in the offices under their charge in the proforma prescribed¹³. The liaison officer shall give a report in the form.
- f) If any Government servant/recognized Service Association wants to see the roster there can be no objection for the roster being shown if need be through the Liaison Officer¹⁴.
- g) Roster are intended to be an aid to determine the number of vacancies to be reserved and are not meant to be used for determining the order of appointment or seniority¹⁵.

Let us briefly discuss the point (g). This instruction means that the order of the name in the roster will not determine the seniority of the persons. For example the name of an SC employee may be on top in the reservation roster than a general candidate but that does not mean that he will be senior also.

Similarly, in the case of promotion, once the panel has been prepared, the promotion from the panel will take place according to the name in the panel and not according to the occurrence of vacancy in the reservation roster. Assume that in the panel for promotion there are two names and the name of the general candidate is on the top followed by a SC candidate. In that case, the general candidate will be promoted first, even if the vacancy which arise first is reserved. The SC candidate will be promoted when the next vacancy is available. This point will be discussed in detail in the Module-4(Unit-10-Reservation in Promotion).

Self Assessment Question

Q.2 State True/False

- a) Rosters are confidential documents. **True/False**
- b) Rosters are required to be closed at the end of each financial year. **True/False**
- c) Only the appointing authority can sign the roster against the name of each incumbent after his or her appointment. **True/False**
- d) Rosters are required to be inspected by the liaison officer and a report submitted thereon. **True/False**

¹² DPAR O.M.NO.36011/11/75-ESTT.(SCT) DT:30-5-77

¹³ APPENDIX-7 OF THE BROCHURE ON RESERVATION FOR SC&ST IN SERVICES, 8TH EDITION, 1993

¹⁴ DOPT O.M.NO.10/52/73-ESTT.(SCT) DT:24-5-1974

¹⁵ 5DOPT O.M.NO.43038/2/92-ESTT.(SCT) DT:31-12-92

U-8: maintenance of Roster

Q.3 Please refer to the Module-3 (Unit-7). Refer to SAQ-7 (Situation-3, page 83). In this question, you determined the category by which the vacancies of the year 2000 and 2001 in the cadre of Assistant (Technical) would be filled. When the candidate, against these vacancies join the post of Assistant (Technical) their names will have to be plotted in the reservation roster. The names of the persons who joined against the vacancies of the year 2000 and 2001 are given below. Please plot the names and other details of the incumbents in the relevant columns of the reservation roster. **(Before you read on, I suggest that you may take 5 to 10 minutes and read once again the SAQ-7 (Situation-3, page 84) and also its answer (page 99), to get the facts clear in your mind).**

2000			
Name of the person	By which category filled	Name of the person appointed & Category	Date of appointment
Mr. K	UR	Hari Om (UR)	1-7-2001
Mr.D	OBC	Shri N.K. Singh (OBC)	1-7-2001
Mr.G	UR(SC reservation carried forward due to 50% rule)	N.K. Murthy(UR)	1-7-2001

2001			
Name of the person	By which category filled	Name of the person appointed & Category	Date of appointment
Mr. C	SC(due carry forward reservation from the previous year)	R.Narain(SC)	31-10-2003
Mr.N.	ST	T.Luikham(ST)	31-10-2003

The reservation roster for the post of Assistant (Technical) is given below (only the first 15 points which are relevant for attempting this question have been reproduced)

Reservation brought forward from previous years			Recrt. year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-remarks/ Utilised by
SC	ST	OBC		Sl.no. Of post.	SCs/STs/ OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	89	1	UR	A (1-6-89)	OBC(Own merit)	-	-	-	Sd/-	UR
-	-	-	89	2	UR	B (1-6-89)	Neither	-	-	-	Sd/-	
-	-	-	89	3	UR	C (30-12-89)	Neither	-	-	-	Sd/-	UR
-	-	-	89	4	OBC-1	D (16-6-89)	OBC	-	-	-	Sd/-	OBC
-	-	-	89	5	UR	E (16-6-89)	UR	-	-	-	Sd/-	UR
-	-	-	87	6	UR	F (1-9-87)	UR	-	-	-	Sd/-	UR

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-	-	-	87	7	SC-1	G (1-9-97)	SC	-	-	-	Sd/-	SC
-	-	-	89	8	OBC-1	H (1-9-89)	OBC	-	-	-	Sd/-	UR
-	-	-	89	9	UR	I (1-9-89)	Neither	-	-	-	Sd/-	UR
-	-	-	89	10	UR	J (31-8-89)	Neither	-	-	-	Sd/-	UR
-	-	-	89	11	UR	K (31-8-89)	SC	-	-	-	Sd/-	SC
-	-	-	89	12	OBC-3	L (31-8-89)	Neither	-	-	-	Sd/-	UR
-	-	-	89	13	UR	M (15-9-89)	Neither	-	-	-	Sd/-	UR
-	-	-	90	14	ST-1	N (1-4-90)	ST	-	-	-	Sd/-	ST
-	-	-	90	15	SC-2	O (1-4-90)	SC	-	-	-	Sd/-	SC

8.5-Let us sum up

The discussion in this unit may be summed up as under:

- A common roster for all the posts in a cadre will be maintained. Temporary posts of 45 days or more may also be included.
- As you have learned in detail that the roster must be in a register form and not in loose sheets. The proforma for the roster may be in the form as you have already learned.
- Although, DOPT have not provided any new proforma for maintenance of the Roster, but the authors have experienced that maintaining the roster in the running form, as used to be done earlier, will cause lot of confusion. It is, therefore, suggested that one way of maintenance of roster is to write three or four points in each page and keeping a space of three to four lines between each page. This will help in making entries of the names of the new incumbents who will join in future against that particular post. This, in turn, will help us monitor whether or not the category of the person occupying a post in the roster is same as the

U-8: maintenance of Roster

earmarking of the post. If not the reasons should be available in the remarks column or other relevant column.

- Recruitment or promotion made on or after 2.7.97 has to be based on post-based rosters. Or in other words the vacancy-based rosters have to be closed on 2.7.97.
- The liaison Officer in the Ministry/Department will conduct annual inspection of the roster in the offices under their charge. The liaison officer shall give a report in the prescribed form. A record of the inspections made and of the inspection report should be properly kept.
- Roster is not a secret document. If any government servant/recognized service Association wants to see the roster there can be no objection for the roster being shown if need be through the liaison officer.

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8.6- Answers to self Assessment Questions

ANSWER TO SAQ1:

Reservation brought forward from previous years			Recruitment year	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/Utilised by
SC	ST	OBC		Post	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	79	1	UR	A(1.4.79)	Neither	-	-	-	Sd/-	Gen
-	-	-	80	2	UR	B(31.3.80)	Neither	-	-	-	Sd/-	Gen
-	-	-	80	3	UR	C(22.2.80)	Neither	-	-	-	Sd/-	Gen
-	-	-	84	4	<u>OBC</u>	D(14.5.84)	OBC	-	-	-	Sd/-	OBC
-	-	-	89	5	UR	E(21.4.89)	SC	-	-	-	Sd/-	Gen(SC Own merit)
-	-	-	91	6	UR	F(12.5.91)	Neither	-	-	-	Sd/-	Gen
-	-	-	94	7	<u>SC</u>	G(30.11.94)	SC	-	-	-	Sd/-	SC
				Replacement points								
-	-	-	2004	1 st	<u>OBC</u>	M(1.6.04)	OBC	-	-	-	Sd/	Gen. (OBC vacancy treated as 'gen.' Due to 1 st exception)
-	-	-	2004	2 nd	UR	N(1.6.04)	Neither	-	-	-	Sd/	Gen
-	-	-	2005	3 rd	UR	O(1.8.05)	Neither	-	-	-	Sd/	Gen
-	-	-	2006	4 th	UR	P(1.8.06)	Neither	-	-	-	Sd/	Gen
-	-	-	2006	5 th	<u>OBC</u>	Q(11.2.06)	OBC	-	-	-	Sd/-	OBC
-	-	-		6 th	UR							
-	-	-		7 th	ST							

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Please note that although the 1st 'replacement point' is earmarked for OBC but treated as 'UR' because of 1st exception, i.e. one OBC candidate (**Mr.D**) is already available in the cadre

Answer SAQ-2

- a) False. See section 8.4
- b) False. Any other officer may also sign the roster if powers have been delegated to him/her.
- c) False. See section 8.4 (Para 'f')
- d) True. It is necessary that the roster is inspected each year and the liaison officer thereof submits report.

Answer SAQ-3:

Reservation brought forward from previous years			Rectt.ye ar	Particulars of recruitment made				Reservation carried forward			Signature appointing authority	Re-marks/ Utilised by
SC	ST	OBC		Point no.	SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
1	2	3	4	5	6	7	8	9	10	11	12	13
-	-	-	1989	1	UR	A (1-6-89)	OBC	-	-	-	Sd/-	Gen.(OBC-Own merit)
-	-	-	1989	2	UR	B (1-6-89)	Neither	-	-	-	Sd/-	
-	-	-	1988	3	UR	C (30-12-88)	Neither	-	-	-	Sd/-	Gen.
1	-	-	2003	3	UR	Ram Narain (31-10-2003)	SC	-	-	-	Sd/-	SC
-	-	-	1989	4	OBC-1	D (16-6-89)	OBC	-	-	-	Sd/-	OBC
-	-	-	2001	4	OBC-1	N.Singh (1-7-2001)	OBC	-	-	-	Sd/-	-do-
-	-	-	1989	5	UR	E (16-6-89)	Neither	-	-	-	Sd/-	Gen.
-	-	-	1989	6	UR	F (1-9-89)	Neither	-	-	-	Sd/-	Gen.
-	-	-	1989	7	SC-1	G (1-9-89)	SC	-	-	-	Sd/-	SC
-	-	-	2001	7	SC-1	N.Murthy (1.7.2001)	Neither	1	-	-	Sd/-	UR(SC reservation carried forward due to rule of 50% limit)

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-	-	-	1989	8	OBC-2	H (1-9-89)	OBC	-	-	-	Sd/-	Gen.
-	-	-	1989	9	UR	I (1-9-89)	Neither	-	-	-	Sd/-	Gen.
-	-	-	1989	10	UR	J (31-8-89)	Neither	-	-	-	Sd/-	Gen.
-	-	-	1989	11	UR	K (31-8-89)	SC	-	-	-	Sd/-	SC
-	-	-	2001	11	UR	Hari Om (1.7.2001)	UR	-	-	-	Sd/-	UR
-	-	-	1989	12	OBC-3	L (31-8-89)	Neither	-	-	-	Sd/-	UR
-	-	-	1989	13	UR	M (15-9-89)	Neither	-	-	-	Sd/-	UR
-	-	-	1989	14	ST-1	N (1-4-90)	ST	-	-	-	Sd/-	ST
-	-	-	2003	14	ST-1	T.Luikham (31.10.03)	ST	-	-	-	Sd/-	ST
-	-	-	1990	15	SC-2	O (1-4-90)	SC	-	-	-	Sd/-	SC

From the above roster you can see that the point number-7, although earmarked for 'SC' is occupied by N.Murthy who is a general candidate. The reasons is, the reservation for SC was carried forward to the next year

Similarly, point no.3, although earmarked for 'UR' is occupied by Ram Narain who belongs to SC community. The reason can be seen in the column-1 i.e. there is one brought forward reservation of SC.

UNIT-9: RESERVATION IN DIRECT RECRUITMENT
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Structure of the Unit

9.1 Introduction

9.2 Objectives

9.3 Filling up of reserved vacancies by direct Recruitment

9.3.1 Through UPSC

9.3.2 Other than through UPSC

9.4 “Own merit” reserved candidates

9.5 Preparation of merit list

9.6 De-reservation.

9.6.1 ‘Carry forward’ & ‘Backlog’-the difference

9.7 Answers to self-assessment questions

9.8 Let us sum up

9.9 Points for further discussion.

9.1 : INTRODUCTION

In the module-3, you learned to ‘prepare’, ‘operate and finally ‘maintain’ the reservation roster. The purpose of roster is to decide whether the vacancy is to be treated as reserved for SC, ST, OBC or to be treated as unreserved. Once that action is over, we have to report the vacancy to the Departmental Promotion Committee, in case the vacancy is to be filled up by promotion. On the other hand if it is a case of direct recruitment then we report the vacancy to the recruiting agency viz. UPSC, SSC etc. which conducts the Written Exam/interview and recommends the candidates for appointment.

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In this Unit, will learn in detail, the reservation orders applicable in the case of direct recruitment. In the next Unit (Unit-10), we will learn about the applicability of reservation orders in the case of promotion.

9.2 :OBJECTIVES

At the end of this Unit you will be able to:

- 1. Explain the procedure for filling up of reserved vacancies by direct recruitment through**
 - 1.1-UPSC and**
 - 1.2-Other than UPSC**
- 2. Distinguish between 'backlog' and 'carry forward'**
- 3. Explain, who is an 'own merit' reserved candidate.**
- 4. Prepare a merit list, in a given situation in the case of direct recruitment.**

9.3:FILLING UP OF RESERVED VACANCIES by DIRECT RECRUITMENT

In module-2, you learned, that reservation for SC, ST and OBC is applicable to all level of posts in the case of Direct recruitment, unless exempted by any specific orders of the Government.

In the case of Group 'A' posts, UPSC is the recruiting agency both in the case of direct recruitment and promotion. For Group 'B' posts maximum of which does not exceed Rs.10500 (revised scales), there is no need to consult UPSC in the case of direct recruitment. For Group B posts (maximum of which is below Rs.10500) and Group C posts, SSC/ Department/Ministry is the recruiting agency.

In the next sub-section we will learn about the procedure of filling up posts through UPSC

9.3.1-Through UPSC

Procedure for filling Reserved Vacancies either through UPSC or by open advertisement as the primary source of recruitment is the following: -

U-9: Reservation in Direct Recruitment

The first step in all cases of direct recruitment to fill up reserved vacancies in posts/services in Groups A and B will be:

- (a) **FIRST ADVERTISEMENT:** Advertisement on the first occasion will be issued inviting applications only from candidates belonging to the SCs, and or the STs, as the case may be.
- (b) **SECOND ADVERTISEMENT:** If, after the first advertisement, required number of SC and/or ST candidates, as the case may be, are not found for the reserved vacancies, the remaining vacancies will be re-advertised in the same recruitment year or as early as possible before the next recruitment. (DOPT OM No. 36012/6/88-Estt. (SCT) dated 25-4-89).

If required numbers of SC/ST are not available, even after the second advertisement then the reserved vacancies will remain unfilled in that particular year and will be carried forward to the next recruitment year as '**backlog vacancies**'. In other words, the reserved vacancies will not be de-reserved (in fact de-reservation in direct recruitment is banned w.e.f. 1.4.89 except in rare and exceptional circumstances in Group 'A' post). Hence no general category candidate can be selected against a reserved vacancy in the case of Direct Recruitment. Similar action is required to be taken if suitable candidates belonging to OBCs are not available. (DOPT OM No. 36012/22/93-Estt.(SCT) dated 30-12-93).

Exchange of Reserved Vacancies between Scheduled Castes and Scheduled Tribes

While following the procedure outlined in paras above, if vacancies reserved for SC/ST cannot be filled up and are carried forward as "backlog" vacancies and remain unfilled for three successive recruitment years, due to non-availability of reserved candidates, the vacancies earmarked for SC could be filled by ST candidates (or vice versa) in all subsequent attempts. In such cases applications should be invited both from SC & ST candidates. However, it should be made clear in the advertisement that ST candidates would be considered against "backlog" vacancies reserved for SCs only in the event of non-availability of suitable SC candidates and vice-versa.

9.3.2- Procedure in the case of recruitment through Other than UPSC

Steps to be taken for filling up Reserved Vacancies by Direct Recruitment (other than post filled through UPSC or through advertisement as the primary source of recruitment)

(1) The following essential steps should be taken to fill up the vacancies reserved for SCs and STs:

(i) Employment Exchange

(a) All vacancies should be notified to the local or the Regional Employment Exchange as per prescribed requisition form at Annexure XIV, (available in the Brochure) clearly indicating the reserved vacancies giving at least 15 days notice to Employment Exchange for sponsoring candidates.

It should be specifically mentioned in the requisition that if sufficient number of SC/ST candidates are not available with the local Employment Exchange, then suitable SC/ST candidates from other Employment Exchange may be sponsored.

(b) The All India Radio should also be notified for announcing the reserved vacancies.

(No specific instructions have yet been issued in respect of the OBC candidates by the Government of India. However, keeping in view the requirement of filling up reserved vacancies by candidates belonging to the communities for which they are reserved, there should not be any objection to adopt similar procedure in respect of OBC candidates also.)

(ii) When the local Employment Exchange is unable to sponsor any suitable candidate it will refer the vacancy or vacancies to the Central Employment Exchange, Directorate General of Employment and Training, New Delhi.

(iii) Vacancies of scientific and technical nature carrying a pay scale with a minimum of Rs. 425 (pre-revised) or more are notified to the Central Employment Exchange and circulated to all Employment Exchanges. Consolidated advertisements are also issued by the Directorate General of Employment and Training on all India basis including in the Employment News.

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(2) Following steps are to be taken on Non-sponsorship of candidates by Employment Exchange

(i) **Advertisement:**

Vacancies (if not already advertised by the Directorate General of Employment and Training) should be advertised by the appointing authorities through the Directorate of Advertising and Visual Publicity with copy to Regional/local Employment Exchange.

(ii) **Associations and Organisations of SC and ST**

Simultaneously with the issue of advertisement the vacancies should be brought to the notice of SCs and STs organisations recognised for the purpose (List of SC/ST organisation are available in the Brochure)

(No specific instructions have yet been issued in respect of the OBC candidates by the Government of India. However, keeping in view the requirement of filling up reserved vacancies by candidates belonging to the communities for which they are reserved, there should be not be any objection to adopt similar procedure in respect of OBC candidates also.)

(iii) Announcement of reserved vacancies on Stations of All India Radio: -

Simultaneously with the issue of advertisement the vacancies should again be notified to one or more stations of All India Radio to announce such vacancies

(iv) Intimation of Reserved Vacancies to Directors of SC/ST Welfare or Social Welfare in States/Union Territories.

- (a) The appointing authority should also intimate the Reserved Vacancies to Directors of SC/ST Welfare or Social Welfare in States/Union Territories.
- (b) Results of the nominations made by the Employment Exchange of SC/ST candidates should be intimated to the Employment Exchange within a period of one month. Specific reason should be communicated to the Employment Exchange, if any of the vacancies reserved and intimated, are not filled by candidates of the respective category sponsored by the Employment Exchange.

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These instructions, which are in respect of SC/ST, only may also be applied in respect of vacancies reserved for OBC, as the Government has issued no separate instructions for OBC.

The procedure prescribed for notifying the reserve vacancies to employment exchanges came under the judicial scrutiny of the Supreme Court in the case of **Excise superintendent Malkapatanam, Krishna District, Andhra Pradesh Vs K.B.N. Visweshara Rao & others**. The Supreme Court directed that:

“ It should be mandatory for the requisitioning authority/ establishment to intimate the employment exchanges and the employment exchange should sponsor the names of the candidates to the requisitioning department for selection strictly according to seniority and reservation as per requisition. In addition the appropriate department or undertaking or establishment should call for the name by publication in the newspapers having wider circulation and also display on their office notice boards or announce on radio, television and employment news bulletins and then consider the cases of all the candidates who have applied.”

Accordingly, instructions have been by issued Government of India, Department of Personnel and Training vide their order **No. 14024/2/96-Estt. (D) Dated 18-5-98**, clarifying that in addition to notifying the vacancies for the relevant categories (excluding those filled through UPSC/SSC) to employment exchange, the requisitioning authority/establishment may, keeping in view the administrative and budgetary constraints, arrange for publication of recruitment notice for such categories in the “Employment news/*Rozgar Samachar*” published by Publication Division of the Ministry of Information and Broadcasting and then consider cases of all those candidates who have applied. In addition, such recruitment notice should be displayed on the notice board also for wider publicity.

(v) If “backlog” vacancies remain unfilled for three successive recruitment years the vacancies earmarked for SC could be filled by ST candidates or vice versa. This should be clearly brought out in the requisition to the Employment Exchanges or while notifying through other agencies, stressing that interchange will be considered only if candidate of category for which the post was originally reserved is not available.

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- (vi) Even after following the above steps, if vacancies reserved for SC/ST are not available then the vacancies will remain unfilled and carried forward as 'backlog vacancies' and attempts made again in subsequent recruitment years to fill up the vacancies by SC/ST as the case may be. Reserved vacancies in the case of direct recruitment do not lapse. In the case of vacancies reserved for OBC candidates, the unfilled reserved vacancies are carried forward for three years, or till OBC candidates fill the vacancies, whichever is earlier¹⁶.

9.4-“Own Merit” reserved candidates

You are aware that certain concessions and relaxation are available to the SC/ST/OBC candidates. In the case of direct recruitment, some of the relaxations/concessions that are available include age relaxations, extra number of attempts in an examination, lower qualifying marks etc. The interesting question, which arises at this stage, is whether a SC/ST/OBC candidate, who has **not** availed any concession/relaxation, be adjusted against reserved quota.

According to the instructions issued on this subject “In cases of direct recruitment against vacancies in posts under the Government of India, SC/ST/OBC candidates who are selected on their own merit without relaxed standards along with candidates belonging to the other communities will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible SC and ST candidates which will thus comprise SC, ST candidates who are lower in merit than the last candidate on the merit list but otherwise found suitable for appointment even by relaxed standards, if necessary.” [DOPT's O,M.No.36012/13/88-Estt(Res) dated 22.5.89]

A further clarification was issued by the DOPT on 1/7/98 and it was clarified that “ when a relaxed standards is applied in selecting a SC/ST/OBC candidates, for example in the age-limit, experience, qualification, permitted number of chances in written examination, extended zone of consideration larger than what is provided for general category candidates etc., the SC/ST/OBC candidates are to be counted against reserved vacancies. **Such candidates**

¹⁶ DOPT O.M.No.36012/6/88-Estt.(SCT) dt.25/4/89

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would be deemed unavailable for consideration against unreserved vacancies". [DOPT O.M.No.36011/1/98-Estt(Res.) dated 1/7/98.]

To implement these instructions, we need to keep two points in mind: -

- a) Whether the candidate has obtained sufficiently high marks to be regarded as having secured a merit position; and
- b) Whether he/she has availed of any relaxation/concession

For the first it is obvious that the open positions (and not reserved positions) would constitute merit. So the merit position would mean the number indicated by total number of vacancies minus the number of reserved vacancies. For example, if there are ten vacancies out of which 2 reserved for SC and 1 each for ST and OBC, then the merit position would comprise of 10 minus 4 equal to 6.

For the second if a SC/ST/OBC candidate has not availed himself of any concession/relaxation then for the purpose of adjustment against reserved quota, the reserved candidate will be treated as a 'general candidate'. On the contrary, if the SC/ST/OBC candidate has availed himself of any concession/relaxation then he/she will be adjusted against the reserved quota only. In such situation the reserved candidate is "deemed unavailable" against unreserved post.

Let us apply the instructions that we have learned in a given situation. Read the case given below and write the answer that you think is right after applying the instructions you have learned.

CASE STUDY: Two vacancies of Steno-typist in the Ministry of XYZ are to be filled by direct recruitment. One post is reserved for OBC and one post is unreserved. Six candidates apply for the post and a written examination of 100 marks is conducted. The marks obtained by the candidates are as under:

Sl.No	Name	Caste	Concession availed	Marks out of 100
1	S.Kumar	OBC	None	74/100
2	P.Raj	Gen	None	73/100
3	N.Rekhi	Gen	None	65/100
4	D.Gundappa	Gen	None	60/100
5	M.Rajappa	OBC	age relaxation	59/100
6	R.Kapoor	OBC	-do-	58/100

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The final result announced by the Ministry XYZ declared Sh.S.Kumar and Sh.P.Raj as successful.

Shri Rajappa challenges the result and contends that he should have been selected in place of P.Raj. Ministry ABC is of the opinion that only one post is reserved for OBC and one person belonging to OBC caste (Sh.S.Kumar) has already been selected. Therefore, Shri Rajappa cannot be selected. **Who is correct? Mr.Rajappa or the Ministry of ABC.**

Write down your comments in the box and then proceed with the rest of the Unit.


 _____ _____ _____ _____ _____

The action taken by the Ministry is not correct. Let us see why. You have already seen that if the SC/ST/OBC candidates get selected on his own merit, without availing any concession, then he will not be adjusted against reserved vacancy. In this case the merit position is 2 minus 1 i.e. one. Shri Kumar has secured the merit position because he has scored the maximum marks and also he has not availed any concession/relaxation. Thus, Shri Kumar cannot be adjusted against the reserved vacancy for OBC. **In short, Shri Kumar is a candidate on “Own merit” and for the purpose of reservation will not be adjusted against the OBC quota.**

To fill up the reserved post of OBC we will have to now select another OBC candidate who is lower in the merit. For that Shri Rajappa will be selected as he has more marks than the other OBC candidate. Thus the two persons who should have been selected are:

Sl.No	Name	Caste	Marks	Remarks
1	S.Kumar	OBC	74/100	Selected on own merit
2	M.Rajappa	OBC	59/100	Selected against reserved post

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 Would the answer be same if Shri Kumar had availed of age relaxation? Write your views before proceeding further.

If Shri Kumar avails any concession/relaxation he would be “**deemed unavailable**” for the unreserved post i.e. would have to be adjusted against the OBC reserved vacancy and therefore, Shri P.Raj would be selected for the unreserved vacancy. Hence Shri Rajappa would not find place amongst the successful candidates.

9.5-Preparation of merit list in the case of direct recruitment.

In the previous section (9.4) you learned about the instructions on ‘own merit’ in the case of direct recruitment. For the purpose of preparation of merit list in the case of direct recruitment, the task can be broken down into the following steps:

- a) Arrange the result of the candidates, in terms of marks, along with the names and their caste. Also write, if they have availed of any relaxation/concession;
- b) Then determine the merit. (Total vacancies minus reserved vacancies). Remember that no SC/ST/OBC candidate who has availed any concession/relaxation shall figure in this list);
- c) SC/ST/OBC candidate who figure in this list is a candidate on “own merit” and will be treated as a general candidate.

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- d) After the selection against merit position is over, the candidates belonging to SC/ST/OBC category will now be included in the list.

Let us now apply these principles in a given situation.

In a Ministry, 15 posts of XYZ have been created for the first time in the year 2001 and are to be filled by direct recruitment (All India basis by open competition). The performance of the candidates who appeared in the selection test is given at next page.

Please prepare a list of the 15 candidates who will be selected for appointment.

Performance of the candidates.

S. No.	ROLL NO	NAME	CATEGORY	MARK S	REMARKS
1	1	A	GEN	45	
2	2	B	GEN	56	
3	3	C	GEN	76.5	
4	4	D	OBC	90	
5	5	E	GEN	97	
6	6	F	GEN	46	
7	7	G	OBC	78	Availed age relaxation
8	8	H	GEN	96	
9	9	I	GEN	68	
10	10	J	SC	85	Availed fee concessions
11	11	K	GEN	48	
12	12	L	OBC	92	Availed age relaxation
13	13	M	GEN	67	
14	14	N	GEN	57	
15	15	O	ST	89	
16	16	P	GEN	51	
17	17	Q	SC	40	
18	18	R	GEN	69	
19	19	S	GEN	77	
20	20	T	OBC	74	
21	21	U	GEN	75	
22	22	V	SC	55	
23	23	W	OBC	83	Availed age relaxation
24	24	X	GEN	87.5	
25	25	Y	SC	88	Availed age relaxation
26	26	Z	GEN	87	
27	27	AA	OBC	65	
28	28	BB	ST	52.5	
29	29	CC	SC	49.5	
30	30	DD	GEN	67	

Table-1

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While selecting candidates, we will proceed step by step as explained above.

STEP (a) is to arrange the names in order of marks. We have done that for you. The names in the descending order of marks are given in table-2.

Sl.No.	Roll.No	Name	Category	Marks out of 100	Concession if any
1	5	E	GEN	97	
2	8	H	GEN	96	
3	12	L	OBC	92	Availed age relaxation
4	4	D	OBC	90	
5	15	O	ST	89	
6	25	Y	SC	88	Availed age relaxation
7	24	X	GEN	87.5	
8	26	Z	GEN	87	
9	10	J	SC	85	
10	23	W	OBC	83	Availed age relaxation
11	7	G	OBC	78	Availed age relaxation
12	19	S	GEN	77	
13	3	C	GEN	76.5	
14	21	U	GEN	75	
15	20	T	OBC	74	
16	18	R	GEN	69	
17	9	I	GEN	68	
18	13	M	GEN	67	
19	30	DD	GEN	67	
20	27	AA	OBC	65	
21	14	N	GEN	57	
22	2	B	GEN	56	
23	22	V	SC	55	
24	28	BB	ST	52.5	
25	16	P	GEN	51	
26	29	CC	SC	49.5	
27	11	K	GEN	48	
28	6	F	GEN	46	
29	1	A	GEN	45	
30	17	Q	SC	40	

TABLE-2


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STEP-(b) & (C). Determine the merit. For this you need to know the total vacancies and also the reserved vacancies. The total vacancies are 15. How many of these are reserved?


You have already prepared the 15-post roster in **Unit-6** and you know that out of 15 posts, 4 will be reserved for OBC, 2 for SC and 1 for ST. Therefore the merit position would comprise of 15 minus 7 i.e. 8. Thus we will have to select 8 candidates in the merit list. While selecting the 8 candidates, a candidate belonging to reserved category, who has availed any relaxation (**age, permitted number of chances, experience, qualification etc.**) will not be included in the list.

Step (d): After selecting 8 candidates, select 4 OBC, 2 SC and one ST candidate.

In Text Activity-1

: Write down the names of the 15 candidates, along with their marks who will be selected in the four columns in the table below. Start first with the column (1) and then column (2) and so on.

list of 8 candidates securing merit position	OBC list Of 4 candidates	SC list of 2 candidates	ST list of 1 candidate
(1)	(2)	(3)	(4)

: Write the names of the reserved candidates who are 'own merit' candidates.

Compare your answer given on the next page.

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Answer to the In-text activity:

List of 8 candidates	OBC list- of 4 candidates	SC list- of 2 candidates	ST list- of 1 candidate
(a)	(b)	(c)	(d)
E-97	L-92	Y-88	BB-52.5
H-96	W-83	V-55	
D-90(OBC)*	G-78		
O-89(ST)*	T-74		
X-87.5			
Z-87			
J-85(SC)*			
S-77			
Table-3			

* own merit candidates are D(OBC), O(ST) and J(SC).

While working on In-text-Activity-1, you must have noticed that, after selecting Mr.E(97 marks) & Mr.H(96 marks), Mr.L was not selected in the list of 8 candidates. Mr.L did not find place in that list, because he has availed of age relaxation and, therefore, is deemed unavailable against an unreserved post. He has, therefore, been selected against the reserved post of OBC. Similarly Mr. W and G (both OBCs) and Y(SC) did not find place in the merit list. Although their marks were higher than the last candidate of the merit list namely Mr.S (77).

By now you must have understood the 'concept of 'own merit' in the case of Direct recruitment. To ensure that you have understood the concepts clearly, assume the following situation and attempt to solve the following problem which has arisen.

A week before the results are to be declared, the dealing Assistant of the Examination Branch has pointed out a mistake. He informed, that there was a mistake in calculating the age of Mr.L (OBC). It was found that Mr.L(OBC) was well within the upper age limit (for general candidates) on the

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closing date and therefore, did not avail himself of any age relaxation available to OBCs.

In that case what changes would you have made in the result?
Write down the result in the blank table provided below:

Merit list of 8 candidates	OBC list Of 4 candidates	SC list of 2 candidates	ST list of 1 candidate
(1)	(2)	(3)	(4)

If Mr.L(92) has not availed any concession than two changes will take place in the result shown at table-3 and they are:-

- i) Mr.L(92) will now secure the 3rd position in the merit. Consequently Mr.S(with 77 marks) **will not** find place in the merit list and consequently in the list of successful candidates.
- ii) Since Mr.L has now moved from the OBC list to the merit list you will have to select one more OBC candidate. Mr.AA(with 65 marks) who was not earlier selected, will now find his place in the list of successful OBC candidates. The final result can be shown as under:-

Final list of successful candidates			
Merit list of 8 candidates	OBC list Of 2 candidates	SC list of 2 candidates	ST list of 1 candidate.
(1)	(2)	(3)	(4)
E-97	W-83	Y-88	BB-52
H-96	G-78	V-55	
L-92(OBC)	T-74		
D-90(OBC)	AA-65		
O-89			
X-87.5			
Z-87			
J-85 (SC)			
Table-4			

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Congratulations, if your results matched the one shown above. You can surely realize the importance of applying the instructions on 'own merit' carefully. One small mistake could be fatal.

Before we wind up this topic, it is important to mention that the *inter-se* ranking (which is also the *inter-se* seniority) of the candidates will be determined by their marks and marks alone, irrespective of the fact whether any candidate has availed relaxation/concession. Thus, E(97) has secured the 1st position in the examination, H(96) has secured the 2nd position, L(92) has secured the 3rd position and so on.

9.6-Dereservation

De-reservation is an enabling mechanism for filling up of a reserved vacancy by a non-reserved category candidate. However, in the case of direct recruitment, de-reservation has been **banned** w.e.f. 1.4.89 (except for Group 'A' posts in rare and exceptional cases in public interest)¹⁷. Thus, w.e.f. 1.4.89, a reserved vacancy, for direct recruitment, can only be filled up by the category for which it is reserved. In the event of non-availability of SC/ST candidates the reserved vacancy will remain unfilled and carried forward as '**backlog vacancies**'. In other words, the reserved vacancy cannot be filled up by a general category candidate and will have to remain unfilled, till a candidate belonging to that reserved category is available.

The obvious question that must be coming to your mind at this stage is whether the orders regarding the post lying vacant for more than a year being treated as lapsed, will come into play or not. The orders regarding 'deemed abolition' of posts if lying vacant for more than a year are not applicable to posts reserved for SC/ST¹⁸.

Since de-reservation in the case of direct recruitment can take place only in rare and exceptional cases, the procedure for de-reservation has not been discussed in this book. The detailed procedure for de-reservation in promotion has been discussed in the next Unit(Unit-10).

¹⁷ DOPT O.M.No.36012/6/88-Estt(SCT) dated 25/4/89 (Page 227-Brochure)

¹⁸ M/O Finance O.M.No.7(7)-E(Coord)/93, dated.6.4.94 & DOPT O.M.No.36027/67/95-Estt(Res.) dt.12.3.1996.

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Before we move on to the next topic i.e. "carry forward", we would like to ask you a question. Whether "backlog" and "carried forward" are one and the same thing or are they different? If different how are they different? Take a few minutes and in the space provided below write down the difference.

:

9.6.1-Carry forward & BACKLOG- The difference

Carry forward is the modality for safeguarding the interest of SCs, STs and OBCs when a reserved vacancy, is filled up by appointment of non-reserved category candidate on account of:

- (a) Dereservation (in rare and exceptional cases); or
- (b) Being surplus of 50% of total reservation

In the aforesaid two situations only the reservation [**and not the vacancy**] will be carried forward to subsequent recruitment years till a reserved candidate is available. The vacancy is filled up by a general candidate.

Backlog vacancy on the other hand means a reserved vacancy of the previous year which could not be filled because of non-availability of suitable candidates.

Illustration of 'BACKLOG VACANCY' : 2 vacancies arise in the year 2000. Out of which one vacancy is reserved for SC. Both the vacancies are advertised. Although the general candidate is selected but since no suitable SC candidate is found, the reserved vacancy will be carried forward to the next year as '**backlog vacancy**'. In 2001, the earlier unfilled vacancy will be advertised as "Backlog vacancy" reserved for SC along with any other vacancies that may arise in 2001.

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Illustration of 'CARRIED FORWARD' reserved vacancy: 2 vacancies arise in the year 2000. Both the vacancies happen to fall at SC points in the roster. Because of the 'rule of 50% limit', only one vacancy will be treated as reserved for SC and other will be treated as unreserved. Therefore, in the year 2000, one SC candidate and one general category candidate will be appointed.

The reservation for SC of the year 2000 will be carried forward to the next recruitment year. Let us now suppose that in the year 2001 and 2002 no recruitment takes place due to non-availability of vacancy. In that case, the reservation for SC, which was brought forward from the year 2000 will remain **dormant**.

Let us assume that in the year 2003, a vacancy arise which according to the roster falls at 'unreserved point'. The moment a vacancy is available it will be treated as 'reserved for SC' due to the carried forward reservation from the year 2000. Please also note that 2003 will be the 1st year of carry forward.

From the illustration given above, you can see that the fundamental difference between backlog and carry forward is that in the 'backlog vacancies' the reservation as well as the vacancy, are carried forward to the next year. On the other hand in the case of 'carry forward' **only the reservation** (and not the vacancy) is carried forward to the next recruitment year.

To clarify further, the 'backlog vacancy' is to be advertised in the subsequent year, irrespective of the fact whether any other vacancy is available or not. But this is not the case, with 'carry forward reservation'. In the case of 'carry forward reservation, only the reservation (and not the vacancy) is carried forward. The reservation, which is carried forward, must therefore, find a vacancy in the subsequent years. Therefore, if no vacancy arises in the cadre in subsequent years, the carry-forward reservation remains dormant. The moment a vacancy is available in subsequent years, the reservation which was carried forward from previous years become active and the vacancy, which has arisen, is will be treated as 'reserved' because of the reservation carried forward from previous year.

Please note that prior to DOPT's O.M.No.36012/17/2002-Estt.(Res.) dated 6-11-2003 vacancies reserved for SC/ST couldn't be filled up and were carried forward as 'backlog' vacancies and remained unfilled for three successive recruitment years, then the

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vacancy earmarked for SC could be filled by ST candidate or vice versa, in all subsequent attempts, if a suitable candidate belonging to the category for which the vacancy was reserved was not available. These instructions have been done away with. Now, exchange between SC & ST is not permissible. In other words a 'backlog vacancy' for a particular category will be carried forward till a suitable candidate belonging to the category for which it is reserved becomes available¹⁹.

Finally to remind you once again, the limit of 50% does not apply to the backlog/carry forward reservation for SC/ST (only SC/ST and not OBC), as they have to be treated as a separate class. [Recall the discussion in Unit-6, Module-3].

SELF-ASSESSMENT QUESTIONS

- a) Space has been provided for your answer.
- b) Some of the questions are connected to the subsequent questions and hence it is requested that attempt the questions serially and do not skip any question.
- c) Check your answer with the one provided at the end of the Unit.

Q.1

- a) In the case of direct recruitment reservation for SC, ST and OBC is applicable only upto the lowest rung of Group A. [T/F]
- b) A reserved vacancy is required to be advertised in the same year again if on the first attempt no candidate was found. [T/F]
- c) In addition to intimate the Employment Exchange the requisitioning authority is also required to advertise the vacancies in the newspapers having wider circulation.[T/F]

Q.2. Three posts of Assistant(Technical) fall vacant in the year 2001 in the Department of ABC. One of the three 3 vacancy happens to fall at SC point in the roster. All the three vacancies are advertised. No suitable SC candidate is found by the selection committee despite relaxing the selection criteria. Hence only two unreserved candidates are recommended by the Selection Committee. The department advertises the vacancy again in the same year without success. For filling up the reserved vacancy in the subsequent year (2002), which of the following action lie on the part of Department of ABC (Tick the correct one):

- (i) Fill up the reserved vacancy by a general candidate after de-reservation and then carry forward the reservation to the subsequent recruitment year.
- (ii) Appoint a ST candidate if available.
- (iii) Since de-reservation is banned in the case of Direct recruitment, advertise the vacancy in that year(2002) as "Backlog vacancy".

Q.3 A post of Proof Reader in the department of ABC, reserved for SC, is advertised in the 1998 twice. Since no suitable candidate was found it was advertised as 'backlog' vacancy in the year 1999 and once again in the year 2000. No suitable SC candidate was

¹⁹ DOPT's O.M.No.36012/17/2002-Estt.(Res) dated 6/11/03

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found in the year 2000 also. In 2001 the vacancy is advertised again as “backlog vacancy reserved for SC. If no suitable SC is found ST candidate may be considered”. Is the action of the Department correct.

Q.4. On page 8 you attempted the case study. Suppose, Shri S.Kumar has scored 72 marks instead of 74 marks. In that case which two candidates will you select?

Q.5. You have selected 15 candidates for XYZ grade (Please see table-4, page 16). Obviously all the candidates will not join on the same date. Normally their date of appointment will be spread over four to six months. You have also learned that the names and other particulars of the candidates who are appointed have to be plotted in the roster as soon as they join. The date of appointment of the 15 candidates, in chronological order, is given below.

- Make the entries in the roster.
- Prepare a tally of excess/shortfall

Compare your answer with the one given at the end of Unit

Sl.No	Name	Date of apptt.	Sl.No	Name	Date of apptt.
1	D(OBC)*	1.1.2002.	10	Z(UR)	15.3.2002
2	E(UR)	1.1.2002	11	AA(OBC)	31.3.2002
3	BB(ST)	21.1.2002	12	O(ST)*	2.4.2002
4	Y(SC)	1.2.2002	13	W(OBC)	4.6.2002
5	T(OBC)	1.2.2002	14	V(SC)	5.6.2002
6	X(UR)	14.2.2002	15	J(SC)*	31.7.2002
7	G(OBC)	25.2.2002			
8	H(UR)	14.3.2002			
9	L(OBC)*	14.3.2002			

* Own merit candidate.

The 15-point roster of the XYZ grade has been given on the next page. Only to save space all the 15 points have been shown without a gap of 2-4 lines.

Q.6. You have made the entries in the roster in the SAQ-5. Let us assume that in the year 2004, 3 persons namely Shri Z, Shri D and Shri J resign from the post. By which category the three posts will be filled.


Unit-9-Reservation in Direct Recruitment

Reservation brought forward From previous Years			Rectt year	Particulars of recruitment made				Reservations being carried forward			Signature of appointing authority	Utilised by & Re-marks
SC	OBC	ST		Sl.no Of post	UR or Reserved for SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC		
				1	UR							
				2	UR							
				3	UR							
				4	OBC-1							
				5	UR							
				6	UR							
				7	SC-1							
				8	OBC-2							
				9	UR							
				10	UR							
				11	UR							
				12	OBC-3							
				13	ST-1*							
				14	SC-2*							
				15	OBC-4*							

* Squeezing

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Space for rough work



Space for rough work

9.7: LET US SUM UP

In this Unit we learnt about the procedure for filling up of reserved posts by direct recruitment.

- We learnt that reserved vacancies are to be advertised twice in a year in case suitable numbers of reserved candidates are not found in the first attempt.
- In the case of recruitment other than through UPSC/SSC, besides reporting them to Employment Exchanges advertisement in the National Dailies is also mandatory. If required the reserved vacancies may also be notified through All India Radio and may also be intimated to SC/ST Association.
- An 'own merit' reserved candidate is one who secures sufficiently high marks to get a merit position. Merit means the number indicated by Total vacancies minus reserved vacancies.
- SC/ST/OBC person who is selected on his own merit is not to be adjusted against reserved posts. Similarly if the SC/ST/OBC person has availed of the concession mentioned in the sections, then those persons are deemed unavailable for unreserved posts. This also means that if none of the posts advertised is for SC/ST/OBC then no concession/relaxations as mentioned in the order dated 22/5/89 can be availed of by the persons belonging to that community.
- If the vacancies reserved for SC/ST/OBC remain unfilled then they are carried forward as "backlog" vacancies to the subsequent recruitment years.
- The difference between backlog and carry forward is that in the backlog both the vacancy and reservation are carried forward to the subsequent recruitment years. Whereas in the case of carry forward, only the reservation (and not the vacancy) is carried forward to the subsequent years. Backlog therefore can only arise in the case of Direct Recruitment and not in promotion. OBC vacancy, which remains, unfilled for three subsequent recruitment years lapse.
- The SC/ST vacancies do not lapse even after three subsequent recruitment years. The earlier instructions of exchange of SC vacancy by ST and ST vacancy by SC after three subsequent recruitment year has been done away with.

9.8-Answers to Self-Assessment Questions

Answer to Q.1: False. In the case of direct recruitment reservation for SC, ST and OBC is applicable to all levels of post. Only in the case of Scientific or Technical posts only. Reservation in direct recruitment is not applicable beyond lowest level of Group 'A'.

Answer to Q.2: (iii) Is the correct option. De-reservation is banned in the case of Direct recruitment (except in the case of Group 'A' and that too in rare and exceptional circumstances). Hence if no SC candidate is available in the first year then it has to advertised as 'Backlog Vacancies'.

Option (i) is incorrect as de-reservation is banned in direct recruitment.

Option (ii) is also incorrect because exchange between SC and ST (or vice-versa) can take only in the third subsequent year.

Answer to Q.3: The vacancy being advertised in this question(SAQ-3) is in the year 2001 i.e. in the third subsequent year. From the third subsequent year the vacancy is to be advertised as **“reserved for SC but to be treated as reserved for ST if no suitable SC candidate is found.”**

Answer to Q-4:

Shri Ram Singh who belongs to SC community will be selected despite the fact that Sh.P.Haokip has scored the maximum marks. This is because you will select a ST candidate only when a SC candidate is not available. Since a SC candidate has also qualified the written test, he will be selected.

Space for notes

ANSWER TO SAQ-5

MINISTRY/DEPARTMENT/OFFICE OF ABC

GRADE OF GROUP OR POSTS...XYZ

PERMANENT AND LONG-TERM TEMPORARY/PURELY TEMPORARY

Reservation brought forward from previous years			Particulars of recruitment made					Reservations being carried forward				
SC	OBC	ST	Recrt. year	Sl. No. of Post	UR or Reserved or SCs/STs/OBCs according to the roster applicable	Name and date of appointment	Whether he is SC/ST/OBC if not, say neither	SC	ST	OBC	Signature of appointing authority	Re-marks/Utilised by
-	-	-	2002	1	UR	E(1.1.2002)	OBC	-	-	-	sd/-	UR.(OBC Own merit candidate.
-	-	-	2002	2	UR	D(1.1.2002)	Neither	-	-	-	sd/-	UR
-	-	-	2002	3	UR	X(14.2.2002)	OBC	-	-	-	sd/-	UR.(OBC-Own merit candidate)
-	-	-	2002	4	OBC-1	T(1.2.2002)	OBC	-	-	-	sd/-	OBC
-	-	-	2002	5	UR	H(14.3.2002)	Neither	-	-	-	sd/-	UR
-	-	-	2002	6	UR	L(14.3.2002)	Neither	-	-	-	sd/-	UR
-	-	-	2002	7	SC-1	Y(1.2.2002)	SC	-	-	-	sd/-	SC
-	-	-	2002	8	OBC-2	G(25.2.2002)	OBC	-	-	-	sd/-	OBC
-	-	-	2002	9	UR	Z(15.3.2002)	Neither	-	-	-	sd/-	UR
-	-	-	2002	10	UR	O(2.4.2002)	ST	-	-	-	sd/-	UR.(ST- Own merit candidate)
-	-	-	2002	11	UR	J(31.7.2002)	SC	-	-	-	sd/-	UR. (SC-Own merit candidate)
-	-	-	2002	12	OBC-3	AA(31.3.2003)	OBC	-	-	-	sd/-	OBC
-	-	-	2002	13	ST-1*	BB(21.1.2002)	ST	-	-	-	sd/-	ST
-	-	-	2002	14	SC-2*	V(31.7.2002)	SC	-	-	-	sd/-	SC
-	-	-	2002	15	OBC-4*	W(4.6..2002)	OBC	-	-	-	sd/-	OBC

Tally:

	SC	ST
No of posts earmarked	2	1
No. of person	2	1
Excess	0	0

Please note that this roster does not contain few blank lines between each point as we have advocated in the Module-8. This has been done only to save space.

Answer to SAQ-6

Shri Z is holding the post number 06 earmarked for UR. Shri D is holding the post number 04 earmarked for OBC. J is holding the post number 11 earmarked for UR. Hence on their vacating the post the vacancies will be filled respectively by UR, OBC and UR. The 1st and 2nd exception are not applicable.

If you have any query or suggestion regarding this reading material, please write to Sandeep Mukherjee, Assistant Director, ISTM at the following e-mail address:-

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Unit-10: Reservation in Promotion:

Structure:

10.1. Introduction

10.2. Objectives

10.3. 'Own merit' in Promotion.

10.4. Reservation in LDCE (limited Departmental Competitive Examination)

10.5. Reservation in Promotion by Seniority-cum-fitness mode.

10.5.1. Preparation of panel

10.5.2. Operation of panel

10.5.3. Entries in the roster

10.6. Promotion by selection mode (in Group C and D)

10.7. Promotion by Selection mode from Group C to Group B, within Group B and from Group B to the lowest rung of Group 'A'.

10.8. De-reservation in promotion.

10.8.1. Temporary Diversion

10.9. Let us sum up

10.10. Answers to self-assessment questions

10.1-Introduction

In the module 2 you learnt about the following three modes:-

- Limited Departmental Competitive Examination (LDCE)
- Seniority-cum-fitness (S-C-F)
- Selection

In Module-2 (Unit-3) you also learned to prepare the panel, in the case of promotion by selection mode and Seniority-cum-fitness mode. In this Unit, we will learn how to prepare the select list/panel, if some of the vacancies are reserved.

For proper understanding of this Unit, it is necessary to be very clear about the difference between the two modes of promotion i.e. **Selection** and **Seniority-cum-fitness**. It would be a good idea to refresh your knowledge on this, by quickly reading **Unit-3** once again, if you have forgotten about the distinction between the two.

10.2-Objectives

After reading this Unit you will be able to:

- a) Explain 'own-merit' in promotion.
- b) Prepare a panel for promotion in the case of
 - i) Seniority-cum-fitness
 - ii) Selection
- c) Explain the procedure for de-reservation and Carry forward of reserved vacancies.

10.3- Own- merit in Promotion

To prepare the panel in the case of promotion which we will shortly learn, we will have to apply the concept of 'own merit' in promotion also. So, let us first learn about it.

In the case of promotion, SC/ST candidates who are promoted by virtue of their own seniority and not by virtue of reservation or any relaxation in qualification, are '**own merit**' candidates. They will not be adjusted against reserved quota. Do you remember that in Unit-9, we learned that SC/ST/OBC candidates selected by direct recruitment on their "own merit" **will not** be adjusted against reserved points in the roster. The same concept is applicable in the case of promotion also. Thus, in the case of promotion, those SC/ST officers who are promoted on 'own merit' and not by any relaxation in the qualifications will not be adjusted against reserved post. [DOPT OM 36028/17/2001-Estt(Res)] dt. 11th July, 2002]

Illustration of 'own merit' in promotion

Question:DPC meets for considering promotion for 2 vacancies in the grade of Upper Division Clerk(UDC). One vacancy is reserved for SC and one unreserved. In the feeder grade of Lower Division Clerk (LDC) the 1st and the 18th candidates belong to SC category. The 2nd and 8th belong to ST category. Remaining candidates are general. **Which two LDCs will be promoted?**

Answer: The 1st and the 18th LDCs will be promoted, provided they have been adjudged 'Fit' for promotion by DPC. The 1st candidate

will **not** be adjusted against reserved quota because he is promoted by virtue of his seniority. We will now have to find one more SC candidate and hence, the 18th candidate in seniority list will be promoted.

The illustration was a very simple case of only two vacancies. If the number of vacancies are more, let us say 30, and out of which 5 are reserved for SC and 3 for ST, then how do we decide which SC/ST candidate promoted is a 'own merit candidate'?

In the Unit-9, we learned that in case of Direct Recruitment we first select number of candidates equal to total vacancies **minus** Reserve Vacancies. All the SC/ST/OBC candidates who were selected in this list (**total – reserved**) were 'own merit candidates' and were **not** adjusted against reserved points. After we had selected the merit candidates, we further selected reserved candidates equal to the vacancies respectively reserved for them. This same procedure will be followed in the case of promotion also. The only difference will be that in the case of promotion (both in selection and Seniority-cum-fitness) the persons will be selected as per their seniority (subject to DPC declaring them as 'Fit') and not by marks. In the case of promotion by L.D.C.E persons will be selected as per their marks just as we did in the case of direct recruitment.

We will now learn the detailed instructions on application of reservation orders in the ensuing sections.

10.4-Reservation in L.D.C.E.

In LDCE, the minimum eligibility conditions, are not relaxable in the case of SC/ST candidates. Thus if eight years have been prescribed as the requisite service in the feeder grade then only those who have rendered eight years of service are eligible for the LDCE.

In the Unit-5 (Section 5.5) you learned that the authorities are required to fix a general qualifying standard. SC/ST candidates who have not acquired the general qualifying standard should also be considered provided they are not found unfit for such promotion. In other words, qualifying standards in such examination should be relaxed in favour of the SC/ST candidates.

In the event of non-availability of required number of SC/ST candidates even by relaxed standards other community candidates are to be recommended for appointment who will be appointed after de-reservation of the reserved vacancies. In such an eventuality the reservation will be carried forward to subsequent recruitment year. More about de-reservation and carry forward later.

10.5– Reservation in promotion by seniority-cum-fitness mode.

The second mode of promotion is Seniority-cum-fitness. While referring the proposal to DPC for promotion, the following procedure should be followed²⁰: -

- i) Three separate select list have to be drawn up. One for SC, one for ST and the third for 'other community'.
- ii) In so far as SC/ST candidates are concerned:-
 - a. The SC/ST candidates will be arranged in order of their inter-se seniority in the feeder cadre.
 - b. DPC will also adjudge the SC/ST candidates **separately** in regard to their fitness
- iii) Thereafter, all the three lists are to be merged to form a combined select list without disturbing their inter-se seniority of the feeder grade.
- iv) While making promotions the panel is to be operated irrespective of the roster points. This means, that once all the three lists have been merged and the panel prepared, the persons will be promoted from the panel, strictly according to their position in the panel and not according to the occurrence of the reserved points in the roster.²¹ **(We will learn about this point, in detail in sub-section 10.5.2)**
- v) If the number of eligible candidates belonging to SCs/STs found fit for promotion fall short of the number of vacancies reserved for them during the year, action for de-reservation should be taken as per instructions in this regard. And in such eventuality the reserved vacancies will be carried forward to subsequent recruitment years (earlier instructions that reservation will be carried forward for 3 recruitment years stands cancelled and now it will be carried forward till a reserved candidate is available, without any time limit).

²⁰ O.M.No.27/2/71-Estt.(SCT) dt.27.11.1972(Page 179 Nabhi)

²¹ DPAR, O.M.No.10/52/73-Estt.(SCT) dated 24/5/74

We will learn to apply these instructions while preparing the panel for promotion, in the next section.

10.5.1-Preperation of panel

In the year 2002, there are 20 posts of Upper Division Clerk (UDC) in the Ministry of ABC. The posts are filled 100% by promotion (Seniority-cum-fitness) from the feeder grade of Lower Division Clerk (LDC) who have completed 8 years service. The reservation roster for the post of UDC is given at Page 37 (table-2). In the next calendar year i.e. 2003, five vacancies will arise from retirement of five persons in the grade of UDC. The persons who will be retiring and their date of retirement are as under: -

Sl.No.	Name	Date of vacancy
1	Gyan Singh	31.03 2003
2	M.Ratan	30.04.2003
3	S.Singh	15.09.2003(Voluntary retirement)
4	R.Gurung	30.10.2003
5	D.Kumbhare	30.10.2003

Table-1

We have to prepare a panel for promotion to these five vacancies. Obviously, at this stage we have to decide how many vacancies are reserved. You have already learned how to work out the break up of vacancies, in the module-3, Unit-7 (**operation of roster**). Therefore, to decide how many vacancies, out of five, are reserved for SC and ST, you need to refer to the reservation roster for the grade of UDC.

The reservation roster as on 31.12.2002 for grade of UDC is given in the next page (**Table-2**). Refer to the roster and divide the category by which each of the five vacancies will be filled. Thereafter, write down the break up of the five vacancies, in the space provided below (All the points in the roster have been shown without any gap to save space and easy reference)

	Name	Sl.no of the post in the roster vacated	Category for which earmarked	TO BE FILLED BY SC/ST OR UR
1	Gyan Singh			
2	M.Ratan			
3	S.Singh			
4	R.Gurung			
5	D.Kumbhare			

-

Space

for

rough

work

Roster as on 31/12/2002										
Reservation Brought Forward From Previous years		Particulars of recruitment made					Reservation carried forward			
1	2	3	4	5	6	7	8	9	10	11
SC	ST	Recdt. year	Sl.no of the post.	UR or Reserved or SCs/STs according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Utilised by UR/SC/ST/Remarks
1	2	3	4	5	6	7	8	9	10	11
-	-		1	UR	N.Ram	Neither	-	-	Sd/-	Utilised by UR
-	-		2	UR	S.Kumar	Neither	-	-	Sd/-	Utilised by UR
-	-		3	UR	G.Suresh	SC	-	-	Sd/-	Utilised by SC
-	-		4	UR	M.Ratan	Neither	-	-	Sd/-	Utilised by UR
-	-		5	UR	S.Singh	Neither	-	-	Sd/-	Utilised by UR
-	-		6	UR	C.Ballabh	Neither	-	-	Sd/-	Utilised by UR
-	-		7	SC-1	Gyan Singh	SC	-	-	Sd/-	Utilised by SC
-	-		8	UR	M.Kutti	Neither	-	-	Sd/-	Utilised by UR
-	-		9	UR	Rakesh Singh	Neither	-	-	Sd/-	Utilised by UR
-	-		10	UR	R.Gurung	ST	-	-	Sd/-	Utilised by ST
-	-		11	UR	Smt.Manju	Neither	-	-	Sd/-	Utilised by UR
-	-		12	UR	Babloo Srivastava	Neither	-	-	Sd/-	Utilised by UR
-	-		13	UR	L.Lavakare	Neither	-	-	Sd/-	Utilised by UR
-	-		14	ST-1	D.Kumbhare	ST	-	-	Sd/-	Utilised by ST
-	-		15	SC-2	Sandeepan Mukherjee	Neither	-	-	Sd/-	Utilised by UR
-	-		16	UR	Amjad Ali	Neither	-	-	Sd/-	Utilised by UR
-	-		17	UR	K.Joshi	Neither	-	-	Sd/-	Utilised by UR
-	-		18	UR	T.John	Neither	-	-	Sd/-	Utilised by UR
-	-		19	UR	Mrs. Mayawati	SC	-	-	Sd/-	Utilised by SC
-	-		20	SC-3	P.Advani	Neither	-	-	Sd/-	Utilised by UR

Table-2

By applying the knowledge of “operation of roster, you can calculate the break-up of the vacancies. By referring to the roster for the grade of UDC, you can find out, for which category the posts being held by the five persons are earmarked. Accordingly, they will be reported to the DPC. The vacancies that will occur on retirement of the five persons will be reported to the DPC, as under: -

	Name	Sl.no of the post in the roster	Category for which earmarked	TO BE REPORTED FOR-
1	Gyan Singh	7	SC	SC
2	M.Ratan	4	UR	UR
3	S.Singh	5	UR	UR
4	R.Gurung	10	UR	UR
5	D.Kumbhare	14	ST	ST

Table-3

Thus, out of five vacancies, one will be reserved for ‘SC’, one for ‘ST’ and remaining three for ‘unreserved’.

The Seniority list of employees in the grade of LDC is given below. All the LDCs have completed the 8 years of regular service. The DPC will prepare three separate lists. One for SC, second for ST and third for ‘other categories’.

Sl.No	Name	Category-SC/ST/Neither	Sl.No	Name	Category-SC/ST/Neither
1	Sandeepan Mukherjee	Neither	14	Neeti Bagga	Neither
2	Babu Lal	SC	15	Om Singh	Neither
3	Chote lal	Neither	16	Peeyali Nag	Neither
4	Daya Shankar	Neither	17	Qasim Baksh	Neither
5	J.Kumar	Neither	18	Rahul Dev	Neither
6	V.P.Lazar	Neither	19	D.P.Vasave	ST
7	R.Bhatt	Neither	20	Tinu Aanand	Neither
8	Smt.Kamla	Neither	21	Umesh	Neither
9	P.John	Neither	22	Vasant Rueben	Neither
10	R.Mathew	Neither	23	Sarat Ram	SC
11	D.Kutty	Neither	24	Xing Kai	Neither
12	Sampat	Neither	25	Yashwant Raj	Neither
13	M.Mohan	Neither	26	Zile Singh	Neither

SC/ST employees have to be adjudged separately and not together with the unreserved candidates. The assessment made by the DPC in respect of the three categories is given in table-4.

DPC assessment					
Other categories		SC		ST	
Name	Assessment	Name	Assessment	Name	Assessment
Sandeepan Mukherjee	Fit	Babu Lal	Fit	D.P.Vasave	Fit
Babul Lal	Fit	Sarat Ram	Fit		
Chote Lal	Fit				
Daya Shankar	Unfit				
J.Kumar	Fit				


Table-4

From the above, five persons can be promoted because there are only five vacancies. The list of these five persons will be prepared after merging the three separate lists into one. The combined select list will be prepared, keeping the inter-se seniority intact.

The question is, which five persons will be promoted? For deciding the question, we have to apply the principles explained in the section 10.3. We have to first select the 'own merit' candidates and only thereafter, we select required numbers of SC and ST candidates.

In the example that we are working, first we select the merit candidates, which is equal to total vacancies minus reserved vacancies. While selecting, we go strictly according to their seniority in the feeder grade. (*provided they have been assessed 'FIT' by the DPC*). The total numbers of vacancies are 5 and reserved vacancies are 2. Therefore, we will have to select **three** (5 minus 2) candidates. Any SC/ST candidate, who figure in the list of three, will be '**own merit**' candidate.

Which 3 candidates will you select?

	<p style="text-align: center;"><u>Own merit candidates.</u></p> <ol style="list-style-type: none">1.2.3.
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The three "Fit" candidates according to their seniority: -

- a) Sandeepan Mukherjee (UR)
- b) Babu Lal (SC)
- c) Chhote Lal (UR)

Although Shri Babu Lal belongs to SC community but he is an 'Own merit' candidate and will not be adjusted against reserved quota. Therefore, we will have to select, 1 more SC candidate to consume the SC reservation. The next SC candidate in the panel, as per seniority is **Shri Sarat Ram** who will be selected. Similarly, the ST candidate who will be selected is **Mr.D.P.Vasave**. Thus the panel of 5 persons, arranged strictly according to their seniority in the grade of LDC will be as under:

Panel for promotion	
1.Sandeepan Mukherjee (UR)	
2.Babu Lal (SC)	← Own merit candidate
3.Chhote Lal (UR)	
4.D.P.Vasave (ST)	
5.Sarat Ram (SC)	
Table-5	

Please note that in the final select list/panel to be used for promotion, the inter-se seniority of the five persons in the feeder grade i.e. LDC has been preserved.

10.5.2- operation of the panel

From the aforesaid panel (Table-5), persons will be promoted, strictly in order of their names in the panel as and when the vacancies will arise in the year 2003. In other words **Shri Sandeepan Mukherjee** will be promoted against the first vacancy that will arise in year 2003, irrespective of the category of the roster point getting vacated.

In the box provided below write down the names of the persons who will be promoted to the post of UDC as and when the vacancies become available in the year 2003.

Date of vacancy	Roster point no.	Name of the person to be promoted.
1.4.2003	7(SC)	
1.5.2003	4(UR)	
16.09.2003	5(UR)	
1.11.2003	10(UR)	
1.11.2003	14(ST)	

1.4.2003:The first vacancy in the year 2003 will arise on 1.4.2003 (on superannuation of Shri Gyan Singh-**see table-1**). The post occupied by Gyan Singh is earmarked for SC but Shri Sandeepan Mukherjee (a general candidate) will be promoted, as his name figures on top, in the panel. Thus, Shri Sandeepan Mukherjee will be promoted on 1.4.2003.

1.5.2003: The second vacancy will arise on 1.5.2003 (on retirement of M.Ratan on 30.4.2003). Against this vacancy Shri Babu Lal (SC) will be promoted.

16.09.2003:Third vacancy will arise on 16.09.2003. Shri Chote lal (ST) will be promoted against this vacancy.

1.11.2003:The remaining two persons, namely Shri Sarat Ram (SC) and D.P.Vasave(ST) will be promoted on 1.11.2003.

The five persons who will be promoted chronologically are:

Date of vacancy	Roster point no.	Name of the person to be promoted. And whether belongs to SC/ST/UR
1.4.2003	7(SC)	Sandeepan Mukherjee(UR)
1.5.2003	4(UR)	Babu Lal(SC)- although Babu lal is a SC candidate but will be treated as 'UR' because he has come on his 'Own merit'
16.09.2003	5(UR)	Chote Lal(UR)
1.11.2003	10(UR)	Sarat Ram(SC)
1.11.2003	14(ST)	D.P.Vasave(ST)

Table-6

From the above discussion, we have learned that the order of promotion will be strictly in the order of the names in the panel and the roster will **not** be referred to decide who will be promoted first. **Roster are intended to be an aid to determine the number of vacancies to**

be reserved and are not meant to be used for determining the order of appointment or seniority²².

10.5.3-Entries in the Roster

Our job is not yet over. We have to plot the names along with other particulars of the persons who are promoted to the grade of UDC in the roster for the UDC cadre. You have already acquired the skill of maintenance of roster in the Unit-7. There we learned, that one way of maintaining roster is by writing three to four points in each page, leaving a gap 3-4 line between each point to write the names of future incumbents. Let us plot the names of the five LDCs promoted to the post of UDC (see table-6).

The roster for the post of UDC has been provided on page 43 (Table-7). However, to save space, only the five relevant roster points against which the vacancies have arisen have been shown. Please plot the names of five promoted UDCs in the roster.

²² DOPT O.M.No.43038/2/92-Estt(SCT) dated 31.12.92

Unit-10: Reservation in Promotion

Reservation brought forward from previous years		PARTICULARS OF RECRUITMENT MADE					Reservations being carried forward			
SC	ST	Rec't. year	Sl.No. of the post	UR or Reserved for SCs/STs according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Re-marks
1	2	3	4	5	6	7	8	9	10	11
-	-		4	UR	M.Ratan	Neither			Sd/-	Utilised by UR
-	-									
-	-		5	UR	S.Singh.	Neither			Sd-	Utilised by UR
-	-									
-	-		7	SC-1	Gyan Singh	SC			Sd/-	Utilised by SC
-	-									
-	-		10	UR	R.Gurung	ST			Sd/-	Utilised by ST
-	-									
-	-		14	ST-1	D.Kumbhare	Neither			Sd/-	Utilised by UR
-	-									

Table-7

Compare your answer with the one provided on next page.

The entries of the names of the five persons should be made as under:-

Reservation brought forward from previous years		PARTICULARS OF RECRUITMENT MADE					Reservations being carried forward			
SC	ST	Rectt.yea r	Sl.No. of post	UR or Reserved for SCs/STs according to the roster applicable	Name and date of appointment	Whether he is SC/ST if not, say neither	SC	ST	Signature appointing authority	Utilised by/ Remarks
1	2	3	4	5	6	7	8	9	10	11
		1998	4	UR	M.Ratan	Neither			Sd/-	gen
		2003	4	UR	Sandeepan Mukherjee(1.4.03)	Neither			Sd/-	Gen
		1998	5	UR	S.Singh	Neither			Sd/-	Gen
		2003	-do-	UR	Babu Lal(1.5.03)	SC				Gen(SC-Own merit)
		1997	7	SC 1	Gyan Singh	SC			Sd/-	SC
		2003	7	-do-	Sarat Ram(1.11.03)	SC			Sd/-	SC
		1998	10	UR	R.Gurung	ST			Sd/-	ST
		2003	20	UR	Chote lal(16.9.03)	Neither			Sd/-	Gen
		1997	14	ST 1	D.Kumbhare	Neither			Sd/-	ST
		2003	14	ST-1	D.P.Vasave(1.11.03)	ST			Sd/-	ST

Table-8

Space for notes

CONGRATULATIONS! if you have correctly entered the names against appropriate points in the roster as shown on page 44 (Table-8).

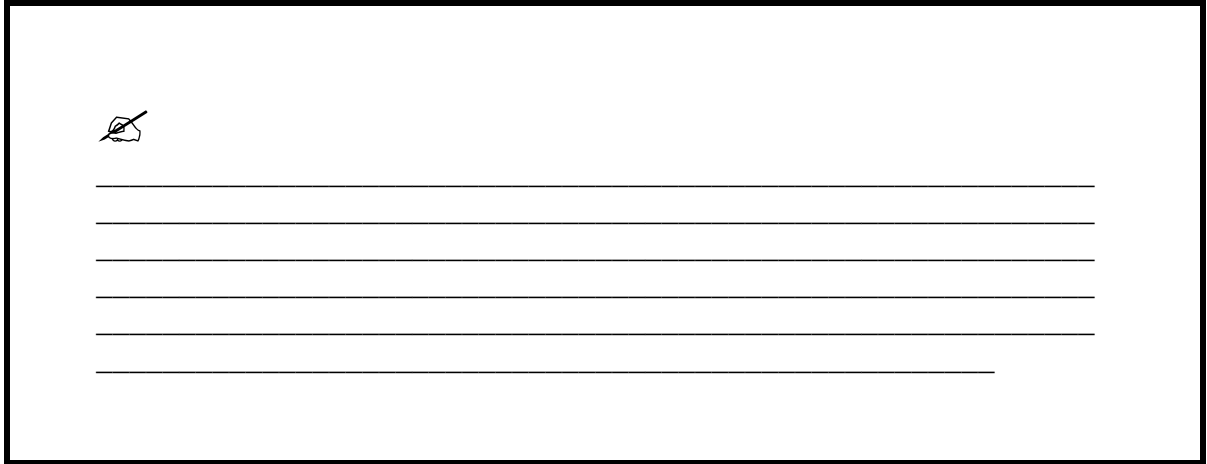
You must have noticed, while plotting the names, that Sh.**Sandeepan Mukherjee** was promoted on 1.4.2003 on superannuation of Shri **Gyan Singh** but has not been plotted below Gyan Singh (i.e. post no.7 earmarked for 'SC'). He has been shown against point number 04 earmarked for 'unreserved'. This is because, only a person who belongs to the category for which the post is earmarked should occupy the post in the roster. Shri Sandeepan Mukherjee is a general candidate and cannot be plotted against a SC point.

Second person who will be promoted is Shri **Babu Lal**. Although, Babu Lal belongs to SC category, but he will be treated as 'General', being an '**Own merit**' candidate. Therefore, Shri Babu Lal has been shown against point no.05 earmarked for 'UR'.

Before we move on to the next section, let us recapitulate what we have learned so far, regarding preparation of panel in the case of seniority-cum-fitness.

- We have learned that, after the vacancies in the promotion grade have been calculated, the reservation position has to be worked out from the reservation roster;
- The eligible candidates in the feeder grade will be adjudged 'FIT' or 'UNFIT' by the DPC;
- SC/ST candidates will be adjudged separately;
- Only those candidates who are adjudged 'FIT' will be included in the panel;
- In the panel, the inter-se seniority of the candidates will be same as in the feeder grade and finally
- Promotion from the panel will take place, strictly in order of their names in the panel and **not** according to the earmarking of the roster point being vacated.

Before we conclude this topic, let us raise one more question. Suppose, **Shri D.P.Vasave**, the lone ST candidate in the feeder grade is adjudged as “UNFIT” by the DPC. In that case, can the DPC recommend **Sh.V.P.Lazar** in place of **Shri Vasave**? Write down your comments in the box below. We will discuss this point in the section 10.8.



Self Assessment Questions

- Space has been provided for the answer immediately after each question.
- Compare your answers with that provided in section 10.11

Q.1(a). In the case of Seniority-cum-fitness promotion, the SC/ST candidates have to be adjudged separately in regard to their fitness. [True/False]

(b) The promotion from the panel has to take place according to the roster point vacated. Thus if the roster point vacated is ST, then the ST candidate has to be promoted first, even if his name in the panel is not at the top. (True/False)

Q.2. The assessment of DPC in respect of 10 LDCs for promotion to the grade of UDC is as under: -

Seniority list of LDC

Name	Fit or Not yet Fit
A(ST)	FIT
B(SC)	FIT
C	FIT
D	FIT
E	FIT
F(ST)	FIT
G(SC)	FIT
H	FIT
I	FIT
J	FIT

Unit-10: Reservation in Promotion

- a) If there are 3 vacancies in the grade of UDC out of which one is reserved for SC and remaining two are unreserved. The three LDCs to be promoted will be:

1.
2.
3.

- b) If out of 3 vacancies, 1 is reserved for SC and 1 for ST then the 3 LDCs to be promoted will be: (The ST reservation has been carried forward from the previous year)

1
2
3

- c) If none of the vacancies are reserved then the 3 LDCs to be promoted will be:

1
2
3

- d) If there are four vacancies in UDC grade. Out of 4 one vacancy is reserved for SC and 1 for ST and the remaining two for 'UR' then the 4 LDCs to be promoted will be:

1.
2.
3.
4.

10.6-PROMOTION BY SELECTION (IN GROUP C AND D)

Do you recall that in Unit-3, we learnt that in promotion by 'selection' mode, the candidates would be adjudged either 'fit' or 'unfit' with reference to the Bench-Mark. Only those adjudged 'fit', will be placed in the panel strictly according to their seniority in the feeder grade. In this section we will learn about the instructions on promotion, in the case of Group C and D and in the next section we learn about promotion above group 'C'.

- (a) In the case of promotion by selection in Group C and D, all candidates i.e. 'other community' as well as SC/ST who are within the normal zone of consideration are to be assessed and adjudged for

promotion on the same basis as others and will be included in the general select list²³.

(b) Notwithstanding the general select list, separate select lists for SC/ST officers should be drawn up to fill up the reserved vacancies. In the separate select list, the SCs/STs will be adjudged separately amongst themselves and if they are not considered unfit they should be included in the concerned separate list, **irrespective of their merit and the bench mark**²⁴.

Illustration: There are five vacancies in the grade of *Despatch Rider* (Group C post) in the Ministry of ABC. Of the five vacancies, two are reserved for SC and the remaining three are unreserved. The seniority list of feeder grade is as under:-

Sl.no	Name(SC/ST/Gen)	Sl.no	Name(SC/ST/Gen)
1	Ram Ratan	17	Misbahuddin Siddiqui
2	Hari Singh(SC)	18	Faquir Chand
3	L.Modi	19	O.P.Gupta
4	M.Gavai	20	M.P.Saini
5	L.Shetty	21	P.Tundu(ST)
6	Raghu Rai	22	L.Govind
7	Dinesh	23	P.Lal(SC)
8	P.John	24	Tindu Anand
9	Smt.Rama Devi	25	Subhash Chopra
10	L.Dhulia	26	Sanjay Ghansali
11	Mango Ram(SC)	27	Smt.Rituporna Ghosh
12	R.Dutta	28	Ritwik Ghatak
13	Shukhomoy Das	29	Satyajit Dey
14	Rahgubir Singh	30	Kanwaljeet Singh
15	Laxman Prasad	31	Mandeep Singh
16	Gagan Deep	32	R.Raut

General Select list: As per para (a) on the previous page, the persons in the normal zone of consideration i.e. $5 \times 2 + 4 = 14$ will be considered. SC/ST will be considered on the “same basis” as others. The DPC finds all employees upto 14 ‘fit’ except L.Modi and Hari Singh (SC). Thus, in the general select list there is only one SC employee, namely Shri Mango Ram who has been found ‘fit’?

Separate select list: In spite of the general select list, a separate select list of SC/ST employee will be prepared in which SC/ST will be included **irrespective of their merit and the benchmark**. Shri Hari Singh (SC) who was not found fit on the same basis as others has now been

²³ DOPT O.M.No.22011/5/86-Esst.(D), dated 10/4/89.[para 6.3.2(iii)]

²⁴ DOPT O.M.No.22011/5/86-Esst.(D), dated 10/4/89

assessed 'fit' by the DPC and included in the separate select list. Shri P.Lal(SC) is also included in the separate select list.

The final select list of 5 persons will be: -

Ram Ratan	
Hari Singh (SC)	
M.Gavai	
L.Shetty	
Mango Ram(SC)	

© SC/ST employees included in the select list, irrespective of their merit and benchmark will not be treated as 'Own merit' candidates. In the illustration above, Shri Hari Singh (SC) will **not** be treated as an 'Own merit' candidate and therefore, will be adjusted against the reserved point in the roster.

(d) If sufficient numbers of SC/ST are not available then the reserved vacancy may be dereserved and carried forward to subsequent recruitment years till a reserved candidate belonging to that category is found. A carried forward reservation will never lapse (except in case of L-shaped roster) nor can it be exchanged.²⁵

However, in L-shaped rosters such carrying forward is possible only for 3 subsequent recruitment years. If at the 3rd subsequent recruitment year also, reserved candidate of the concerned category is not available then the reservation will lapse and it will be filled as an unreserved vacancy.

(e) If adequate number of SC/ST are not available, or if available are found unsuitable, in that event the DPC will not recommend a general candidate unless the reserved vacancy has been dereserved. Only after dereservation has been done, a fresh DPC may be held for filling up that vacancy by a general candidate.²⁶

(f) If sufficient number of SC/ST candidates fit for promotion against reserved vacancies are not available and such vacancies can also not be dereserved for reasons like non-availability of candidates of other categories to fill up the posts etc., the vacancies shall not be filled and will remain unfilled until the next recruitment year. These vacancies will be treated as "**backlog vacancies**"²⁷.

²⁵ DOPT O.M.No.36012/17/2002-Estt.(res) dated 6/11/2003

²⁶ DPAR O.M.No.10/52/73-Estt(SCT) dated 24/5/1974

²⁷ DOPT O.M.No.36012/17/2002-Estt.(res) dated 6/11/2003(para B-ii)

(g) In the subsequent recruitment year when recruitment is made for the vacancies of that year (called the current year), the backlog vacancies of SCs & STs will also be filled up along with the current vacancies. However, the backlog vacancies for SCs & STs will be form a distinct group and the limit of 50% will not apply on it, as you have already learned.

(h) If backlog vacancies reserved for SCs/STs cannot be filled up by reservation and can also not be dereserved in the subsequent recruitment year as well, such vacancies will be carried forward as '**backlog**' reserved vacancies for subsequent year(s) as long as these are not filled by candidates of the category for which these are reserved or by candidates of other communities after dereservation.

(i) While making promotions, the panel is to be operated irrespective of the roster points, i.e. SCs/STs will get their turn, in accordance with their position in the panel and not according to the occurrence of the reserved points in the roster. (As discussed in section **10.5.2**)

(j) SC/ST candidates, promoted on their own merit, will not be adjusted against reserved posts as you have already learned.

10.7-Promotion by selection from Group C to Group B, within Group B and from Group B to the lowest rung of Group 'A'.

In promotion above the Group C level i.e. promotion by selection from Group C to Group B, Group B to Group B and from Group B to the lowest rung of Group 'A': -

a) *The DPC shall first consider the officers within the normal zone of consideration.*

b) SC/ST officers are to be selected against reserved vacancies from the normal zone of consideration on the same basis as others.

c) If adequate numbers of SC/ST officers are not available from the normal zone of consideration then the zone of consideration is to be extended to five times the number of vacancies, to make up for the shortfall of SC/ST.

d) Even after the step (a) to (c) adequate numbers of SC/ST are not available, then the difference should be made up by

selecting candidates of these communities, who are in the zone, **irrespective of their merit** but who are not considered unfit for promotion.

- e) If adequate number of SC/ST are not available even in the extended zone of consideration, or if available is found unsuitable, in that event the DPC will not recommend a general candidate unless the reserved vacancy has been dereserved. Only after dereservation has been done, a fresh DPC may be held for filling up that vacancy by a general candidate.²⁸
- f) SC/ST candidates, promoted on their own merit, will not be adjusted against reserved posts (As discussed in Section 10.5.2)
- g) After dereservation, the reservation will be carried forward to subsequent recruitment years. The reservation will be carried forward till a suitable reserved candidate is found. (Without time limit in large rosters and for 3 years in L-Shaped rosters).
- h) The earlier instructions on exchange of SC reservation with ST and *vice-versa*, now stands cancelled. In terms of the instructions of DOPT dated 6/1/2003, no exchange of reservation between SC/ST is permissible.
- i) If a single vacancy arises in a particular year and it happens to be reserved for SC/ST, then it will be treated as unreserved in the initial year and the reservation will be carried forward to subsequent recruitment years. In the subsequent years it will be treated as reserved, even if it is a single vacancy in that year.

Self-Assessment Question

- Compare your answers with that provided in section 10.11

Q.3

- a) The DPC can recommend a general candidate if adequate numbers of SC/ST are not found suitable. [**True/False**]
- b) In promotion by selection (within Group C and D), there is no carry forward of reserved vacancies if suitable number of SC/ST are not found. [**True/false**]
- c) In case of promotion by selection (in group C and D), no separate select list is required to be drawn for SC/ST. [**True/false**]
- d) A single vacancy reserved for SC will be treated as unreserved in the initial year and carried forward to the next three recruitment years.[**True/False**]
- e) In promotion by selection (in Gp.C to B, within Group B & Gp. B to A), the SC/ST officers within the normal zone are to be assessed within themselves and **not** alongwith other officers.

²⁸ DOPT O.M.39011/7/90-Estt.B dated 8th Feb., 1991.(Page 229-Brochure)

10.8-DE-RESERVATION IN PROMOTION

De-reservation is an enabling mechanism for filling up a reserved vacancy by un-reserved category candidate. In the case of direct recruitment de-reservation is banned w.e.f. 1st April, 1989 (except in rare and exceptional circumstances in group A). However, de-reservation is permissible in the case of promotion. That does not mean that a vacancy reserved for SC or ST may be filled by a un-reserved category candidate. No unreserved candidate can be appointed to a reserved post, without first de-reserving the vacancy in accordance with the procedure prescribed below. The authorities empowered to de-reserve reserved vacancies in the case of promotion are:

DE-RESERVATION	
Category	Competent Authority to de-reserve
<p>Posts filled by promotion, subject to the conditions mentioned below:</p> <p>(i) If there is no SC/ST candidate eligible or available or SC/ST candidates are assessed "not yet fit" in the feeder grade;</p> <p>(ii) Copy of proposal in the prescribed proforma for de-reservation is sent for information to the DOPT and to Commission for SCs/STs</p> <p>(iii) The liaison Officer of Ministry/Department has concurred in the proposal²⁹;</p> <p>(iv) The decision to de-reserve reserved vacancies is taken at least at the level of Joint Secretary in the Ministry/Department (proper) concerned after waiting for at least 2 weeks for comments of DOPT and the Commission;</p> <p>(v) In case of disagreement between the appointing authority and the liaison Officer, advice of the Department of Personnel & Training has to be sought;</p> <p>(vi) Copy of the proposal under delegated powers should be sent to the Deptt.(proper) and not by attached subordinate offices; and</p>	<p>Ministry/Department (At least at the level of Joint Secretary)</p>
<p>(vii) Where any of the conditions (i) to (vi) is not satisfied</p>	<p>Department of Personnel & Training (SCT Division)</p>

²⁹ DPAR O.M.No.F.16/27/74-Estt(SCT) dt.12.11.75(Page 195-Bochure)

From the table above you may see that de-reservation is not necessary when a reserved vacancy is treated as 'unreserved' due to 'rule of 50% limit'.

Self -Assessment Questions

- Compare your answers with that provided in section 10.11

State True/False.

Q.4

- a) De-reservation in the case of promotion is banned except in rare and exceptional circumstances.
- b) No concurrence of the liaison officer is required for de-reservation of posts if.
- c) The decision to de-reserve a post is to be taken at least at the level of Joint Secretary of the Ministry (Proper).
- d) Before a reserved vacancy is de-reserved the Ministry/Department has to wait for the comments of DOPT & NCSCST. Unless the comments are received de-reservation cannot be resorted to.

Q.5.What action is most appropriate action to fill up the vacancies in the following situations:-

- a) Two vacancies of UDC grade have fallen vacant. The vacancies are to be filled 100% by promotion in accordance with the Recruitment Rules. One vacancy is reserved for ST. However, no ST candidate is available in the feeder grade. Is it a fit case for de-reservation?

- b) One vacancy has arisen in the grade of UDC in a particular year, which is reserved for SC. The SC candidate is available at serial number 2 in the seniority list.

- c) Three vacancies arise in a particular year. Out of three vacancies, two are reserved. One each for SC and ST. Obviously one reservation has to be carried forward to the next year due to 'rule of 50% limit'. Is de-reservation necessary before carrying forward the reservation.

- d) Three vacancies have arisen in a particular grade. One vacancy is reserved for SC. However, the only SC candidate in the feeder grade has rendered 3 years of service. Whereas, 8 years of regular service is required as per the recruitment rules. Whether a general candidate can be promoted without de-reservation in this case

- e) Two vacancies have arisen in the grade of UDC. One vacancy is reserved for ST According to the Recruitment Rules; they are to be filled up 100% by promotion from the feeder grade of LDC with 8 years regular service. The only ST candidate

in the feeder grade has completed only six years of service. The dealing hand submits a note proposing that the ST vacancy may be kept vacant for another two years till the ST candidate becomes eligible.

10.8.1-Temporary Diversion

Before de-reserving a reserved vacancy in promotion, you should explore the possibility of filling up the reserved vacancy by 'Direct recruitment' provided the recruitment rules also provide 'Direct Recruitment' (besides promotion) as one of the method of filling up the vacancy. In other words the reserved vacancy should be diverted, temporarily to the direct recruitment quota. In subsequent year the reserved vacancy in direct recruitment quota may again be diverted to promotion quota³⁰.

For this diversion, no approval for relaxation of recruitment rules is necessary from DOPT and Ministries/Department are competent to divert the vacancy on their own.

10.9-CARRY FORWARD OF RESERVED VACANCY

You have already learnt in the previous section that general category persons can be promoted in place of reserved post only after the post is de-reserved. When a reserved vacancy is de-reserved as per procedure outlined above, and a general candidate appointed, the reservations have to be carried forward to the next recruitment year(without any time limit in case of large rosters and for 3 recruitment years in the case of L-shaped rosters). Besides the situation when sufficient numbers of SC/ST are not found, there are other situations also when reservation has to be carried forward. They are: -

- (a) When sufficient Numbers of SC/ST are not found in the feeder grade (de-reservation is required);
- (b) Being a single vacancy (no de-reservation required but reservation has to be carried forward to subsequent recruitment year) and;
- (c) Being surplus of 50% of total reservation (no de-reservation required but excess reservation is to be carried forward).

³⁰ DPA&R O.M.No.AB-14017/30/89-Estt(RR) dated 10/7/90

From above you can see that only in the first situation, dereservation is required before carrying forward the reservation. In the situation (b) and (c) no dereservation is required before carrying forward the reservation.

The 'carry forward of reservation means that in the subsequent year, an equal number of vacancies will be reserved, in addition to the normal reservations becoming due in that year according to the roster. Any recruitment of SC/ST in such year of carry forward is first to be counted against the reservation brought forward from the previous years and then against the normal reservations accruing during that year

Instructions on carry forward of reservation have undergone a major change with the issuance of DOPT O.M.No.36012/17/2002-Estt(Res) dated 6.11.2003 which has already been referred in the previous sections. The result is that except in the case of L-Shaped rosters, a reserved vacancy will now be carried forward indefinitely till a reserved candidate is available. In other words the reservation will not lapse in the large rosters.

However, in the case of L-Shaped rosters, reservation can be carried forward to a maximum of 3 subsequent recruitment years and if no reserved candidate is available the reservation will lapse and will be filled up by unreserved candidate.


The general instructions on carry forward are:-

- In the case of promotions, if sufficient number of suitable candidates belonging to SCs/STs is not available for appointment against reserved vacancies on a particular occasion such vacancies are to be de-reserved. The reservation is to be carried forward to subsequent recruitment years.
- It should be clearly indicated by the Ministry/Department while forwarding the DPC proposals whether the competent authority has approved Dereservation of the reserved vacancies and only in that event a general candidate will be recommended against the vacancy³¹
- When there is a reserved candidate in zone or extended zone and the said candidate is found unsuitable for promotion by the DPC, the DPC will **not** recommend a 'general' candidate in lieu. In such cases, if the Ministry/Department wants to fill up the vacancy by a general candidate, they may initiate action for getting it deserved. Thereafter, a fresh DPC should be held for

³¹ DOPT's O.M.No.39011/7/90-Estt.(B) dated 8/2/91

filing up that vacancy by a general candidate. An exception to this rule may be made by the UPSC only in very urgent cases.

Do you recall the question we raised at the end of the section 10.5 (Page46) i.e. “whether the DPC can recommend **Shri V.P.Lazar** a general category candidate in place of **Shri D.P.Vasave(ST)** who was found “unfit” for promotion?” You can now attempt to answer this question.



10.9.1-Exchange between SCs & STs not permissible

As you may be aware that earlier (before issuance of O.M. dated 6.11.2003) exchange of reservation between SC&ST was permissible in the third year of carry forward. This exchange is **no longer permissible** as now the reservation can be carried forward till a reserved category candidate is available.

Self -Assessment Questions.

- A situation is provided below, based on which few questions have been asked.
- Space has been provided for the answer immediately after each question.
- Compare your answers with that provided in section **10.11**

There are 8 vacancies in a particular grade to be filled by promotion from the feeder grade. Out of 8 vacancies, 2 are reserved for SC and 1 for ST. The seniority list of the feeder grade and the assessment made by the DPC is as under: -

Seniority position	Name	Assessment by DPC	Seniority position	Name	Assessment by DPC
1	A (SC)	Outstanding	21	U	VG
2	B (SC)	NYF	22	V (ST)	NYF
3	C	Outstanding	23	W	VG
4	D	V.G	24	X	VG
5	E (ST)	G	25	Y (SC)	VG
6	F	G	26	Z	NYF
7	G	VG	27	AA	G
8	H	G	28	BB	NYF
9	I (SC)	VG	29	CC	VG
10	J	VG	30	DD	VG
11	K	G	31	EE	G
12	L	G	32	FF	G
13	M	G	33	GG	NYF
14	N	G	34	HH	G
15	O	NYF	35	II	G
16	P	NYF	36	JJ	G
17	Q (SC)	Outstanding	37	KK	G
18	R	VG	38	LL	G
19	S	VG	39	MM	NYF
20	T	VG	40	NN	G
			41	OO	VG
			42	PP	VG

Question.6:

- a) The promotion grade is a group C post and the feeder grade is also a group C post. Promotion is by selection and the benchmark is 'Good'.
- b) Promotion grade is a group B and the feeder grade is group C. The promotion is by selection and Bench Mark is 'good'.
- c) Both the promotion and feeder grade are group A. Promotion is by selection and Bench Mark is 'Very good'
- d) Promotion grade is group B and the feeder grade is group C. Promotion is by Seniority-cum-fitness.

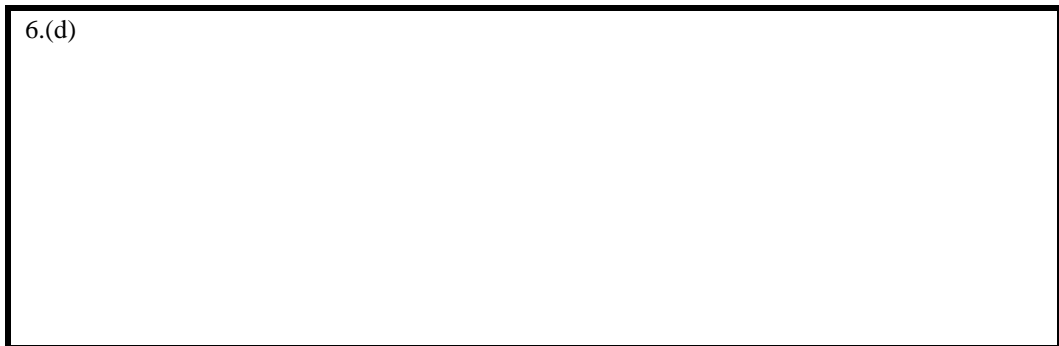
Hint for answering the question:

- In each of the questions asked above, first decide, the zone of consideration and then whether reservation is applicable or not;
- Thereafter, convert the grading into '**fit**' or '**not yet fit**' keeping in mind the bench mark' prescribed for the post.
- Also decide whether carry forward of reservation is permissible in the case and finally
- Prepare the panel for promotion of 8 persons to be promoted in each of the following questions:

6.(a)

6.(b)

6.(c)



10.10- let us Sum up

In this Unit we have learned to prepare the panel for promotion in the case of seniority-cum-fitness and also in the case of Selection.

- ❑ We have seen that in the case of promotion also, the concept of the 'own merit' is applicable. A reserved candidate who gets promotion by virtue of his/her own seniority and not by virtue of reservation or any relaxation in qualification is an 'Own merit' candidate. He/she will not be adjusted against reserved quota³². (section 10.3)
- ❑ The procedure for preparation of panel in the case of **seniority-cum-fitness** is³³ :
 - Three separate list have to be drawn up, one each for SC,ST and Unreserved
 - SC/ST candidates will be adjudged 'fit' or 'unfit' separately.
 - The panel is to be operated irrespective of the roster points.
 - De-reservation may be resorted if sufficient number of SC/ST are not available.

³² DOPT.No.36028/17/2001-Estt(Res) dated 11-7-2002

³³ O.M.No.27/2/71-Estt(SCT) dt.27.11.1972 (page 179 Nabhi)

- ❑ In the case of Promotion by '**selection**' the DPC will adjudge the candidates and grade them as either 'Fit' or 'Unfit' keeping in mind the 'Bench Mark' prescribed for the post.
- ❑ In the case of promotion by 'selection', the SC/ST officers will first be considered on the same basis as others. If sufficient number of SC/ST officers are not available then they will be considered **irrespective of their merit** but who are not considered unfit for promotion³⁴.
- ❑ SC/ST candidates so selected will not be 'own merit' candidates and will be shown against reserved points only in the roster.
- ❑ If sufficient SC/ST candidates are not available even after this then a general candidate can be recommended only after the vacancy has been first-de-reserved³⁵.
- ❑ Promotion from the panel will take place strictly according to the order of the names in the panel³⁶

De-reservation:

A reserved vacancy can be filled up only after it has been de-reserved by following the procedure prescribed. However, de-reservation is not required in the case of reservation, which is carried forward due to 'rule of 50% limit'.

³⁴ DOPT O.M.No.22011/5/86-Estt(D) dated 10/4/89(Swamy's Manual on Establishment & Administration).

³⁵ O.M.No.39011/7/90-Estt(B) dated 8-2-91(P.229-Brochure)

³⁶ DPAR O.M.No.10/52/73-Estt(SCT) dated 24/5/1974.

10.11- ANSWER TO SELF-ASSESSMENT QUESTIONS

SAQ-1

- a) **True.** In the case of Seniority-cum-fitness promotion, SC/ST have to be adjudged separately.
- b) **False.** The promotion has to take place in the order of the names in the panel and **not** according to the occurrence of vacancy in the roster. (Please refer to section 10.5.2)

SAQ-2:

2.(a) Total vacancies are three. Reserved vacancy is one. Therefore, any SC person who comes within first two (Three **minus** one) will be 'own merit' candidate and one more SC has to be selected. Shri A & B (SC) will be selected first. Mr.B(SC) will be 'own merit' candidate. One more SC candidate, who will be selected, is Mr.G (SC).

Please note: Mr.B(SC) will be shown against the 'UR' post in the roster and the remarks 'own merit' will be written. The name and other particulars of Shri G(SC) will be plotted against the 'SC' point in the roster

2.(b): A(ST), B(SC) and F(ST). The total vacancies are 3 but reserved vacancies are two (*please note that the carried forward ST reservation will not be taken into account for the 'rule of 50% limit'*) Therefore, A(ST) is an 'own merit' candidate and will not be adjusted against the ST vacancy. Hence one more ST candidate namely Mr.F(ST) has to be included in the panel.

2©: A(ST), B(SC) and C(UR) will be selected.

2(d): A(ST), B(SC) and F(ST) & G(SC). **A & B are 'own merit' reserved candidate.**

SAQ-3

3(a): False. (see section 10.6)

3(b): False. Separate select list is to be drawn for SC/ST(see section 10.6)

3©: False. Separate select list is required to be prepared for SC/ST. See section 10.6(Para2)

3(d): True.

3(e): False. SC/ST officers are to be selected against reserved vacancies from the normal zone of consideration **on the same basis as others.** (Please see section 10.7)

SAQ-4

4(a): **False.** Dereservation is banned in only in the direct recruitment not in Promotion.

4(b): **False.** Concurrence of Liaison Officer is necessary. (See section 10.8)

4(C): **True.**

4(d) : **False:** The Ministry/Department has to wait for at least 2 weeks for comments of DOPT & NCSCST before the decision to dereserved can be taken at the level of Joint Secretary.

SAQ-5

5.(a): Dereservation is necessary if no ST is available in the feeder grade, before a unreserved candidate can be promoted.

5(b): Question of dereservation does not arise as SC candidate is already available.

5(c): Reservation in excess of 50% has to be carried forward due to 'rule of 50%'. For carrying forward excess reservation, dereservation is **not** required.

5(d): Yes, dereservation is necessary in this case before a general candidate can fill the SC vacancy.

5(e): If a reserved community candidate is not available, the vacancy itself need not be kept unfilled. Keeping a reserved vacancy unfilled for more than one year in anticipation of SC/ST candidate has serious implications on the maintenance and operation of the reservation roster. According to the rules of operation of roster no gaps could be left in the roster. ***The need for filling up a vacancy has to be determined independently*** and, once determined, further action should be initiated. If the administrative Authorities feel the need to fill up the vacancy in **public interest**, then the SC/ST vacancy should be de-reserved and filled up³⁷.

³⁷ DPAR O.M.No.36011/1579-Estt(SCT) dated 6.1.81(Page 221-Brochure)

SAQ-6

6(a): Reservation is applicable. Therefore, the 'own merit' list is Five (8 minus 3). Since 'Bench Mark' is "good", the following candidates will be fit.

Sl.No	Name	Fit/Unift	Remarks
1	A(SC)	FIT	Own merit
2	C	FIT	
3	D	FIT	
4	E(ST)	FIT	Own merit
5	F	FIT	
6	I(SC)	FIT	
7	Q(SC)	FIT	
8			No ST available.

A(SC) & E(ST) are 'own merit' candidates. I(SC) & Q(SC) have been selected to get two more SC candidates as two vacancies are reserved for SC. So far as ST reservation is concerned, no ST candidate has been found suitable. However, no exchange is permissible and hence no 'SC' candidate can be selected in place of ST. Hence the ST reservation can only be filled after the dereservation. DPC cannot recommend the 'UR' candidate on its own.

However, if the Ministry/Department decides to de-reserve the ST vacancy, then Shri G can be promoted.

6(b). Reservation is applicable. Bench Mark is "good". Therefore, the first five persons will be the same as in 6(a). For two more SC candidates, Sh.I(SC) & Q(SC) will find place. In this case the ST reservation may be carried forward as no ST candidate is available. Only after after de-reservation **Shri G** may be included in the panel. Hence, the 8 candidates who will be included in the panel are: - **A (SC), C, D, E(ST), F, G, I(SC), and Q(SC)** .

Please note: A (SC) and E(ST) are 'Own merit' candidate and will not be shown against reserved points in the roster.

6(c): No reservation is applicable in promotion by selection 'within group A'. Hence first 8 candidates who are 'Fit' will be selected. All the persons who have at least the C.R grading of 'Very good' or 'Outstanding' assessment, will be fit, because, the bench mark is "very good". Converting the grading into fit/unfit the position will be as under:

Sl.No.	Name	Fit/Unfit
1	A(SC)	FIT
2	B(SC)	UNFIT

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3	C	FIT
4	D	FIT
5	E(ST)	FIT
6	F	UNFIT
7	G	FIT
8	H	UNFIT
9	I(SC)	FIT
10	J	FIT
11	K	UNFIT
12	Q(SC)	FIT

Please note, that E(ST) has been declared 'fit' although he does not meet the 'bench Mark' because of 'concession' (explained Unit-4, section 4.4.1.)

Thus the eight candidates who will find place in the panel are:
A,C,D,E,G,I,J and Q.

6(d): Reservation is applicable. Out of 8 we have to select 2 SC and 1 ST. However, there is no Bench Mark and therefore, the 8 persons who will promoted are: A(SC), C,D,E(ST),F,I(SC),Q(SC) (Total seven persons). Although E(ST) belongs to ST community, he is an 'own merit' candidate and will be treated as general. Therefore, one more ST candidate will have to be selected to consume the ST reservation. Since no other ST candidate is available, if it is decided to de-reserve the post, Mr.G (UR) can be promoted.

For any suggestion or improvement of this reading material please writ to **Sandeep Mukherjee**, Assistant Director, ISTM at the following e-mail address: **poolakam2000@yahoo.com**