

No. 36012/18/95-Estt.(Res.) Pt.II
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

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North Block, New Delhi,
Dated the 13th August, 1997.

OFFICE MEMORANDUM


Subject:- Reservation for the SCs/STs in promotion.

The undersigned is directed to invite attention to this Department's O.M. No. 36012/37/93-Estt.(SCT) dated 19.8.1993 clarifying that the Supreme Court had, in the Indira Sawhney case, permitted the reservation, for the Scheduled Castes and the Scheduled Tribes, in promotion, to continue for a period of five years from 16.11.1992.

2. Consequent to the Judgement in Indira Sawhney's case, the Constitution was amended by the Constitution (Seventy-Seventh Amendment) Act, 1995 and Article 16(4A) was incorporated in the Constitution. This Article enables the State to provide for reservation, in matters of promotion, in favour of the Scheduled Castes and the Scheduled Tribes, which in the opinion of the State are not adequately represented in the Services under the State.

3. In pursuance of Article 16(4A), it has been decided to continue the reservation in promotion, as at present, for the Scheduled Castes and the Scheduled Tribes in the services/posts under the Central Government beyond 15.11.1997 till such time as the representation of each of the above two categories in each cadre reaches the prescribed percentages of reservation whereafter, the reservation in promotion shall continue to maintain the representation to the extent of the prescribed percentages for the respective categories.

4. All Ministries/Departments are requested to urgently bring these instructions to the notice of all their attached/subordinate offices as also the Public Sector Undertakings and Statutory Bodies etc.


(Y.G. Parande)
Director(Reservation)

To

1. All Ministries/Departments of the Government of India.
2. UPSC, Dholpur House, New Delhi.
3. SSC, CGO Complex, Lodi Road, New Delhi.

4. Department of Economic Affairs (Banking Division), New Delhi for necessary action in regard to Nationalised Banks.
5. Department of Public Enterprises, New Delhi for necessary action in regard to Public Sector Undertakings.
6. Department of Economic Affairs (Insurance Division), New Delhi for necessary action in regard to Insurance Corporations.
7. National Commission for Scheduled Castes and Scheduled Tribes, 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 Bhavan, New Delhi.