

No.36012/27/2000-Estt.(Res.)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL AND TRAINING
NEW DELHI

OFFICE MEMORANDUM

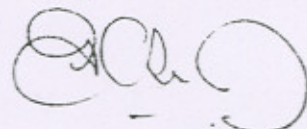
North Block, New Delhi
Dated: the 15th March, 2002

Subject: Adhoc promotions-consideration of cases of Scheduled Caste/Scheduled Tribe employees.

The undersigned is directed to refer to Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-4-1983 on the above noted subject according to which while making adhoc promotions, all the Scheduled Caste/Scheduled Tribe candidates covered in the relevant seniority list should be considered in the order of their general seniority as per the gradation list, on the principle of seniority-cum-fitness and if they are not adjudged unfit, they should be promoted on adhoc basis. The O.M. further provides that if the number of SC/ST candidates found fit within the range of actual vacancies is less than the number of vacancies identified as falling to their share if the vacancies were filled on a regular basis, additional SC/ST candidates to the extent required should be located by going down the seniority list, provided they are eligible and found fit for such adhoc appointment. Subsequently Department of Personnel and Administrative Reforms issued O.M. No.36011/14/83-Estt.(SCT) dated 30-9-1983 whereby the extended zone of consideration for SCs/STs in case of adhoc promotions was restricted to 5 times the number of vacancies being filled on a particular occasion.

2. The Supreme Court in its judgement dated 7-9-2000 in the case of Union of India and others Vs. Shri Basudeo Anil and others (Civil Appeal No.1194/1992) has quashed the Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-9-1983. It has, therefore, been decided to withdraw the Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-9-1983 with immediate effect. Thus claims of the Scheduled Caste/Scheduled Tribe candidates in the matter of adhoc promotions would henceforth be regulated as per instructions contained in Department of Personnel and Administrative Reforms' O.M. No.36011/14/83-Estt.(SCT) dated 30-4-1983.

3. All Ministries/Departments are requested to bring these instructions also to the notice of Attached/Subordinate offices and Autonomous Bodies/Public Sector Undertakings under their control for compliance.



(K.G. Verma)

Deputy Secretary to the Govt. of India

Tele: 3011797

To

1. All Ministries/Departments of the Government of India.
2. Department of Economic Affairs (Banking Division), New Delhi.
3. Department of Economic Affairs (Insurance Division), New Delhi.
4. Department of Public Enterprises, New Delhi.
5. Railway Board.
6. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat, Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
7. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
8. Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi.
9. National Commission for SCs and STs, Lok Nayak Bhavan, New Delhi.
10. National Commission for Backward Classes, Trikot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.