

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

RBE No. 149/2000

No. 2000-E(SCT)I/25/19

New Delhi, dt. 04.08.2000

The General Manager,

All Indian Railways and Production Units/including CORE/Allahabad, Metro Rly./
Calcutta, N.F.Rly. (Cons)/Maligaon

The Officer on Special Duty: East Coast Railway, Bhubaneswar/ North Central Rly.,
Allahabad/ East Central Rly., Hazipur/ North Western Rly., Jaipur/South Western
Rly. Bangalore/ West Central Rly. Jabalpur, New Railway Zone, R.E. Office Complex,
Bilaspur(M.P.)

The Director General/ RDSO/Lucknow

The CAO, DCW, Patiala

The CAO: MTP(Rlys.), Mumbai and Chennai

The Chairman, Railway Recruitment Board:

Allahabad/Ahmedabad/Ajmer/Bangalore/Bhopal/Bhubaneswar/Calcutta/
Chandigarh//Chennai/Gorakhpur/ Guwahati/Jammu &
Shrinagar/Malda/Mumbai/Muzaffarpur/Patna/Ranchi/Secunderabad/Trivendrum

The Principal, Railway Staff College, Vadodra

The Director IRISSET, Secunderabad/IRIMEE,

Jamalpur/IRIEE, Nashik/IRICEN, Pune/IRCAMTECH, Gwalior.

The Railway Liaison Officer, Jeevan Tara Building, Parliament Street, New Delhi

The General Secretary, IRCA, New Delhi,

The C.A.O. COFMOW, Rly. Offices Complex, Tilak Bridge, New Delhi-110002

**The Secretary, Railway Rates Tribunal (Chennai), 50 Mc. Nichola Road, Chetpet,
Chennai.**

The Exe. Director, CRIS, Safdarjang Rly. Stn. Building Chanakyapuri, New Delhi,

The Director (Movement), Railways 17 N.S.Rd, Calcutta

The Joint Director, (Iron & Steel) 3 Koilaghat Street, Calcutta.

The General Secretary, NFIR, 3 Chelmsford road, New Delhi.

The General Secretary, AIRF, 4 State entry Road, New Delhi.

All Members of National Council/Department Council and the Secretary of the Staff
Side of the National Council, 13-C, Ferozeshah Road, New Delhi.

All Indian SC/ST Railway Employees Association, Central Office, 171-B/3, Basant Lane
Railways Colony, New Delhi-55

**General Secretary, All India OBC Railway Employees Federation, 96/3, Naya Bazar,
Railway Colony, New Delhi.**

Indian Railway Promotee Officers Federation, Room No. 268 Rail Bhavan, New Delhi.

The Railway Board Ministerial Staff Association, room No. 7-B, Rail Bhavan

Railway Board Class II Officers Association, Room No. 521, Rail Bhawan

Railway Board Class I Officers Association, Room No. 256-B, Railway Board, Rail
Bhawan

Railway Board Class IV Staff Association, Room No. 7-C, Rail Bhawan

The Managing Director, RITES/IRCON/CONCOR/KRCL/IRFC

The Commanding Officers:

- No. 1 Bn/RPSF/Lumding (Assam)
- No. 2 Bn/RPSF/Gorakhpur UP)
- No. 3 Bn/RPSF/Talkatora, Alambagh, Lucknow
- No. 4 Bn/RPSF/P.P. Bhaktinagar/New Jalpaiguri (W.B.)
- No. 5 Bn/RPSF/Tiruchirappalli (Tamil Nadu)
- No. 6 Bn/RPSF/Dayabasti, Delhi-36
- No. 7 Bn/RPSF/Maula Ali, Secunderabad
- No. 8 Bn/RPSF/ Technical Training Institute, Chitteranjan

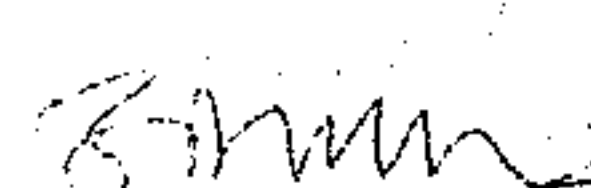
Sub: Treatment of backlog vacancies reserved for SCs/STs as a distinct group and non-applicability of 50 percent ceiling thereon.

A copy of Ministry of Personnel, Public Grievances & Pensions (Department of Personnel & Training)'s Office Memorandum No. 36012/5/97-Estt.(Res.) Vol.II dated 20.07.2000 is enclosed for information and strict compliance.

With reference to para-3 of DOP&T'S O.M dated 20.07.2000, it is clarified that the backlog of vacancies would be determined with reference to the post based rosters keeping in view the instructions issued vide Board's letter numbers 95-E(SCT)I/49/5(1) dated 21.08.97 in case of Direct Recruitment and 95-E(SCT)I/49/5(2) dated 21.08.97 in case of Promotions.

Please acknowledge receipt.

D.A: As above


(Shiv Datt Singh)
Jt. Director, Estt.(Res.)II

Copy to: PSs. to CRB, FC, MS, MM, MT, ME, ML, Secretary(R.B.)
PSs. to AM(S), AM(F), AM(MTP), AM(Elect), AM(B), AM(CE), AM(Mech), AM(PU), AM(Sig), AM(Tele), AM(Com), AM(Traffic), AM(Stores), DG(RHS), DG(RPF), OSD(GA), EDPA, EDE(IR), EDE(G), EDE, EDPC, EDA, EDE(T&MPP), EDF(B), EDW, EDE(N), DE(N), DE(Res), Dir(MPP), Dir(Trg), JDE(Res)I, JDE(Gaz), JDE(GC), JDE(GP), JDE(RRB), JDE(Rep), JDE(P&A), DDE(Rep) I, II, JDE(D&A), E(RRB), E(Trg.), E(Rep)I, II, III, Sec(E), Sec(ABE), E(NG)I, II, E(W), E(LR) I, II, III, IV, E(SCT)-II, E(RB)I, II, V, E(GR)I, II, E(GP), E(GC) Branches of Railway Board.

No. 36012/5/97-Estt.(Res.) Vol. II
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
Estt. (Reservation) Section

OFFICE MEMORANDUM

No. 36012/5/97-Estt.(Res.) Vol. II
Section Diary No.
Classification,

6. Deptt. of Railways.

North Block, New Delhi- 110001
Dated the 20th July, 2000

Subject: Treatment of backlog vacancies reserved for SCs & STs as a distinct group and non-applicability of 50 per cent ceiling thereon.

The undersigned is directed to invite a reference to Department of Personnel & Training's O.M. No. 36012/5/97-Estt.(Res.) dated 29th August, 1997 wherein it was laid down that 50 per cent limit on reservation shall apply to current as well as backlog vacancies and that backlog of reserved vacancies shall not be treated as distinct group for the purpose of 50 per cent limit on reservation and to say that the matter has been reviewed. Consequently, article 16(4B) has been incorporated in the Constitution by the Constitution (Eighty-First Amendment) Act, 2000, which provides as under:-

"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 (4A) 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 per cent reservation on total number of vacancies of that year."

2. In pursuance of the provisions of Article 16(4B) of the Constitution, it has been decided that in partial modification of the instructions issued vide this Department's O.M. No. 36012/5/97-Estt.(Res.), dated the 29th August, 1997, the reserved vacancies for Scheduled Castes and Scheduled Tribes in all cases of direct recruitment and promotion, wherever applicable, which have remained unfilled in the earlier year(s) i.e. backlog and/or carried forward vacancies would be treated as a separate and distinct group and will not be considered together with the reserved vacancies of the year in which they are being filled up for determining the ceiling of 50 per cent reservation on total number of vacancies of that year. In other words, the ceiling of 50 per cent 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.

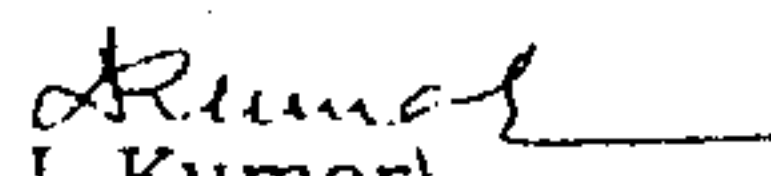
3. As the Ministries are aware, reservation with effect from 2.7.1997 is linked to post based rosters. The backlog of vacancies would, be determined with reference to the post based rosters keeping in view the instructions issued vide this Department's O.M. No. 36012/2/96-Estt.(Res.) dated the 2nd July, 1997.

4. The Ministries/Departments etc. are requested to carry out a review for early assessment of the backlog vacancies in respect of SCs & STs both by way of direct recruitment and promotion and make concerted efforts to fill up backlog vacancies.

5. This order takes effect from the date of issue.

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

7. Hindi version will follow.


(J. Kumar)

Deputy Secretary to the Government of India
Tel. No. 301 1797

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 & Empowerment, Shastri Bhavan, New Delhi.
9. National Commission for SCs & STs, Lok Nayak Bhavan, New Delhi.
10. National Commission for Backward Classes, Trikot-I, Bhikaji Cama Place, R.K.Puram, New Delhi.