

Copy of Memorandum No. 5/4/55-SCT.I, dated 4-1-1957 from the Government of India Ministry of Home Affairs, New Delhi, to all Ministries of the Government of India etc.

Sub.—Reservation for members of the Scheduled Castes and Tribes in posts filled on the basis of departmental examinations of a competitive nature.

As the Ministry of Finance etc., are aware, reservations in the public services are made in favour of members of the Scheduled castes and the Scheduled Tribes in posts which are filled by direct recruitment from the open market, but not in those filled by departmental promotion. The procedure to be followed in making selections against the reserved vacancies filled by the direct recruitment from the open market as well as the vacancies filled by departmental promotion in the case of members of the Scheduled Castes and the Scheduled Tribes has been laid down in this Ministry's Office Memorandum No. 2/11/55-RPS, dated the 7-5-1955. Where promotion is made on the principle of seniority subject to the rejection of the unfit or subject to the passing of departmental tests of qualifying nature, the instructions are that officers belonging to the Scheduled Castes and the Scheduled Tribes should be judged in a sympathetic manner and the standards applied to them need not be unduly high.

2. It has been represented to the Ministry of Home Affairs from time to time that the existing instructions do not ensure adequate representation of the Scheduled Castes and the Scheduled Tribes in the higher grades of the public services. As a result for recruitment to Grade III of the Central Secretariat Service through the limited competitive examination prescribed under the Scheme, an ad-hoc reservation of vacancies, in relaxation of the normal rules, has been agreed to in favour of candidates of the Scheduled castes and the Scheduled Tribes. Similar reservations exist also in certain cadres in the P & T Deptt., which are filled on the basis of competitive examinations and restricted to departmental candidates serving in lower grades. In the interest of securing uniformity of practice and procedure it has now been decided that the principle of reservation should be extended to all grades in all services which are filled by promotion through competitive examinations limited to departmental candidates, and that the quantum of reservation in each case should be the same as has been prescribed for posts filled by direct recruitment through open competitive examinations, viz 12½ % for the Scheduled Castes and 5 percent for Scheduled Tribes. As in the case of direct recruitment by examination the appointing authority, the U.P.S.C. or other recruiting authority as the case may be, will have full discretion to appoint or recommend for appointment candidates of the Scheduled Castes and the Scheduled Tribes who may have obtained comparatively low places in the examinations except where such authority considers that the minimum standard necessary for the maintenance of the efficiency of the administration has not been reached. Where candidates are selected in this manner, the appointing authorities, will make necessary arrangements to give them additional training and coaching so that they may come up to the standard of others appointed along with them.

Serial No. 1302.—Circular No. 803-E/O/5-II(Eiv), dated 8-9-1961.

Sub.—Ban on recruitment on Ministerial and Class IV staff in offices.

A copy of Railway Board letter No. E(G)61EC2-4, dated 18-8-1961 is forwarded for information and guidance. The Board's letter dated 11-10-1960

referred to therein was circulated vide this office endorsement No. 803-E/O/5 (Eiv), dated 4-11-1960.

Copy of Railway Board's letter No.E(G) 61EC2-4, dated 18-8-1961 to the General Manager, South Eastern Railway, Calcutta and copy endorsed to all Indian Railways, etc.

Sub.—Ban on recruitment on Ministerial and Class IV staff in offices.

Reference your letter No. SPO(R)/14621, dated the 11-4-1961 on the above noted subject, wherein following two questions were raised, whether the ban on creation of posts and recruitment thereto will apply in the case of :—

- (a) Station Peons in Yard Offices;
- (b) Ticket Issuers in the Workshops Offices, and if so, the ban should be relaxed in such cases.

The Railway Board in this connection wish to clarify that the ban on recruitment etc., imposed by the Board applies to both the categories referred to above. The recruitment of Station Peons in Yard offices not strictly classifiable as operational staff may however be made in accordance with the instructions contained in Board's letter No. E(G)60EC2-9, dated 11-10-1960.

So far as item (b) is concerned, the Board have decided that there is no justification for relaxing the ban for this category and you may come up for Board's orders whenever the need so arises.

Serial No. 1303.—Circular No. 839-E/28-III(Eiv), dated 5-9-1961.

Sub.—Issue of certificate regarding continued officiating appointment during Maternity leave.

A copy of the Railway Board's letter No. F(E)60/IC-1/1, dated 28-7-1961 is reproduced below for information and guidance:—

- “ Reference Board's letter No.PC-60/LF-5, dated 24-9-1960 which provides, that maternity leave granted to female Railway servants under the provisions of Rule 2266 (SR 267)-RII may be allowed to count for increments in the post in which the Railway servant was officiating at the time of proceeding on such leave provided it is certified that the Railway servant concerned would have continued to officiate in that post or a post on the same time-scale but for proceeding on such leave.
2. A question has been raised whether the aforesaid certificate of continued officiation can be issued by the leave sanctioning authority, or by the appointing authority for a railway servant proceeding on maternity leave, where no officiating arrangement is made in the leave vacancy and the Railway servant returns to the same post on the expiry of the maternity leave.
 3. It has been decided by the Board that the orders contained in this Ministry's letters of even number dated 8-7-1960 and 17-10-1960 would apply *mutatis mutandis* to cases of Maternity leave also.
 4. This has the approval of the President.”