

New Delhi, the 22nd October, 1993

OFFICE MEMORANDUM

Subject:—Reservation for Other Backward Classes in Civil Posts and Services under the Government of India—Regarding.

The undersigned is directed to refer to this Department's O.M. of even number dated the 8th September, 1993 on the above subject and to say that in accordance with the Supreme Court Judgement in the Indira Sawhney case, the reservations contemplated in clause 4 of Article 16 should not exceed 50%. For the purpose of applying the rule of 50%, an year should be taken as the unit and not the entire strength of the cadre, service or the unit as the case may be. This position would also apply in the case of carry forward vacancies. Therefore, the Ministries/Departments are requested to ensure that the reservations provided to SC/ST/OBCs put together do not exceed 50% of vacancies arising in an year.

2. In the light of the reservations provided to other backward classes, it is necessary to revise the existing reservation rosters. In respect of direct recruitment on All India basis by open competition where there is a reservation for 15% for SC and 7-1/4% for ST, the existing 40 point-roster has been revised into a 200 point-roster as in the model indicated in Annexure-A. The revised roster will come into effect immediately. Vacancies filled on or after 8-9-1993 should be shown in the new roster now prescribed in Annexure-A. The old roster shall be deemed to have been closed from this date. The reservations which had to be carried forward in the previous roster shall now be carried forward to the new roster.

3. There is no change in the existing reservation rosters in so far as promotion is concerned, as there is no reservation for OBCs in promotion.

4. No other relaxation/concession is admissible to OBCs. There is no provision for any relaxed standard to be applied in the case of OBCs.

5. In para 2(d) of this Department's O.M. of even number dated 8th September, 1993, it has been stated that a list of castes and communities for the purpose of the reservation for OBCs is to be issued separately by the Ministry of Welfare. The Ministry of Welfare have since notified the said list vide their Resolution No. 12011/68/93-BCC(C) dated 10th September, 1993 published in the Gazette of India Extraordinary Part I Section I dated 13th September, 1993. For the purpose of verification of the castes/communities the certificate from the following authorities only will be accepted:

- (a) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner (not below the rank of 1st Class Stipendary Magistrate).
- (b) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
- (c) Revenue Officer not below the rank of Tehsildar; and
- (d) Sub-Divisional Officer of the area where the candidate and/or his family resides.

(Sd)
(M. Venkataraman)

Under Secretary to the Government of India

To

1. All Ministries/Departments of the Government of India.
2. Department of Public Enterprises, New Delhi.
3. Department of Economic Affairs (Banking Division), New Delhi.
4. Department of Economic Affairs (Insurance Division), New Delhi.