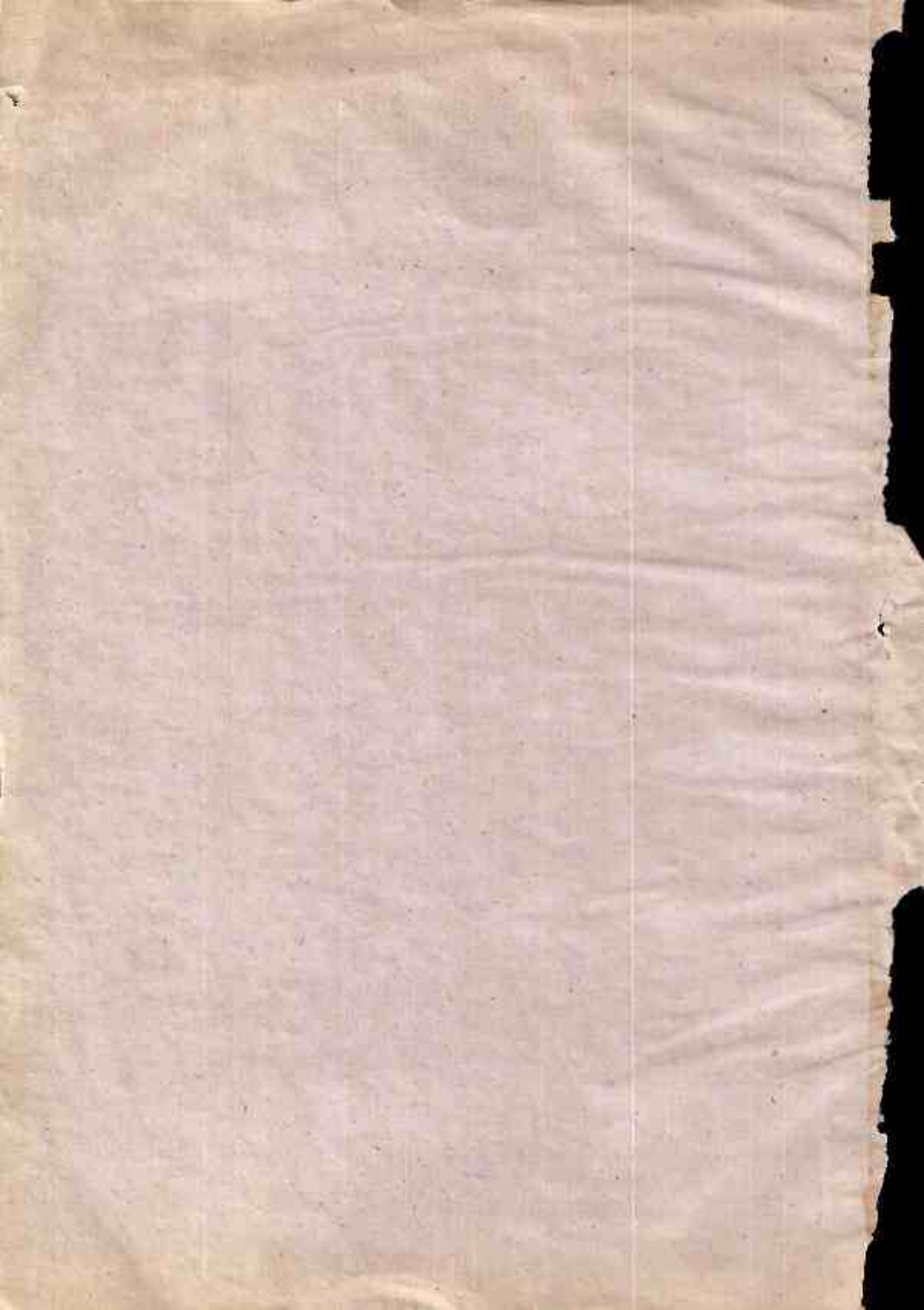




**MANUAL**  
**OF**  
**Reservation for Scheduled Castes**  
**AND**  
**Backward Classes in Services**

Government of Punjab,  
Department of Welfare,  
(Reservation Cell)  
CHANDIGARH.  
1995



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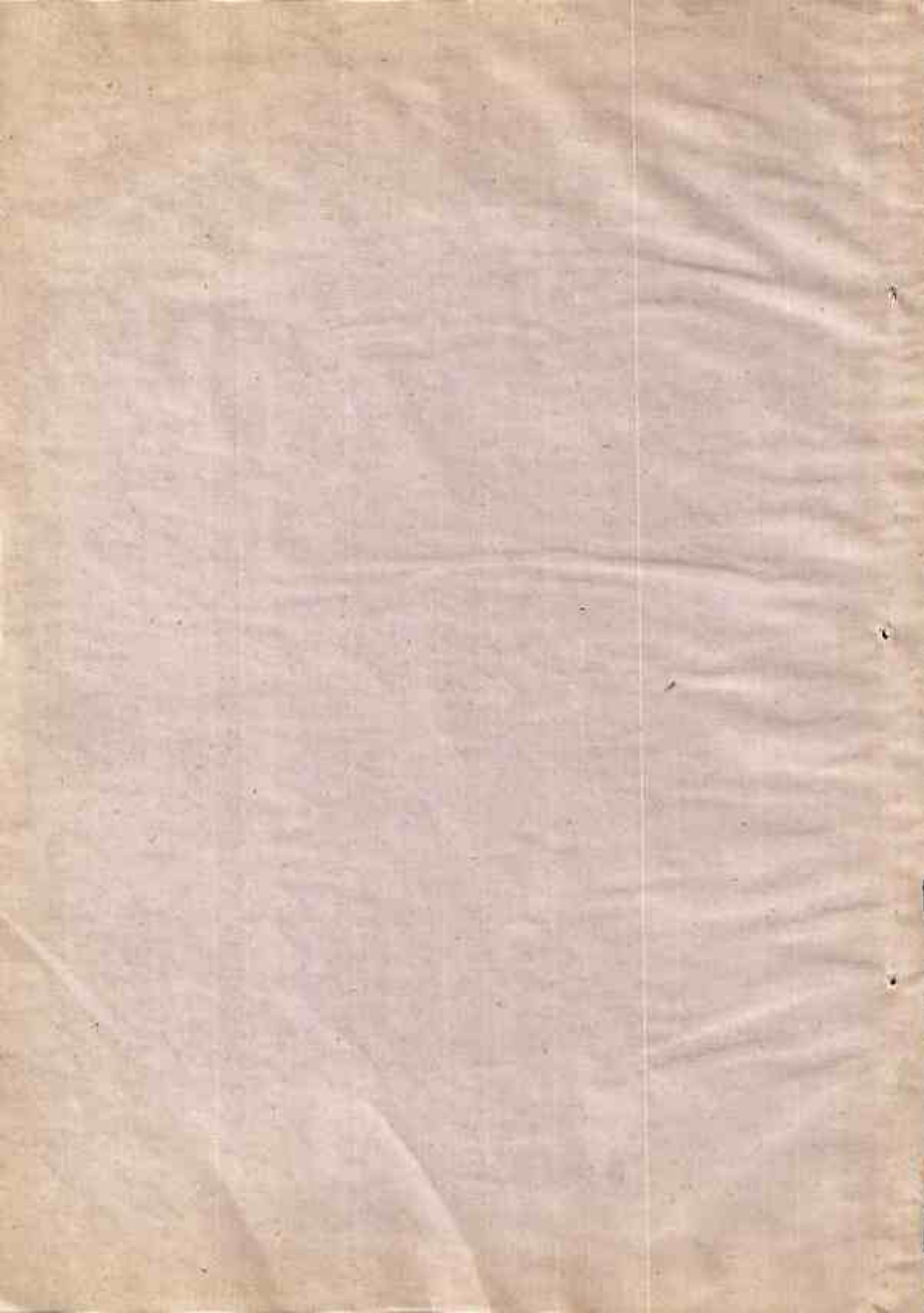
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97	2/573/78-SWI/11318, dated 8-4-1989	ਮਰਦਮੀ ਸਿੱਖਾਂ ਅਤੇ ਬਾਲਮੀਰੀਆਂ ਲਈ ਵਿਜ਼ਰਵੇਸ਼ਨ ।	147-148
98	12/29/80-SWI/7050, dated 4-9-1989	TA/DA to the members will be admissible as under :-- (i) Official members will draw TA/DA as per rates admissible to them under the TA Rules. (ii) Non-official members will draw TA/DA at the rates admissible to Class-I Officers of the State Govt.	148-149

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99	12/29/80-SW1/7258, dated 11-9-1989	The following members are added as under :--  (i) Shri Shiv Chand Malout, Ex-M.L.A., Punjab M.L.A. Hostel, Room No. 26, Gaandigarh.  (ii) Shri Satwant Singh Mohi, Ex-M.L.A., 18-C, Baradari Garden, Patiala.	149
100	20/47/89/3PP1/ 20211, dated 6-11-1989	Implementation of full bench judgement of Punjab and Haryana High Court regarding Scheduled Castes/ Backward Classes instructions regarding.	149-150
101	12/29/80-SW1/3566, dated 14-5-1990	The Committee shall be chaired by the Governor of Punjab and will have the following members:--  (i) Bibi Bimal Kaur Khalsa, M.P. (ii) Baba Sucha Singh, M.P. (iii) Sh. Harbhajan Lakha, M.P. (vi) Advisor (S) to Governor of Punjab	150-151
102	12/29/80-SW1/3842, dated 22-5-1990	The President of India is pleased to add the following as members of the Special Advisory Committee with immediate effect :--  1. Shri Swarna Ram, V&PO Behram, Near Banga, district Jalandhar.  2. Shri Raj Mal Sandhu, Mohalla Gurdev Nagar, Mokerian, Tehsil Dasuya, Distt. Hoshiarpur.	151
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104	12/29/80-SW1/6452, dated 17-8-1990	The following as member of the Special Advisory Committee with immediate effect Shri Hari Mittal, Ex-M.L.A.	152



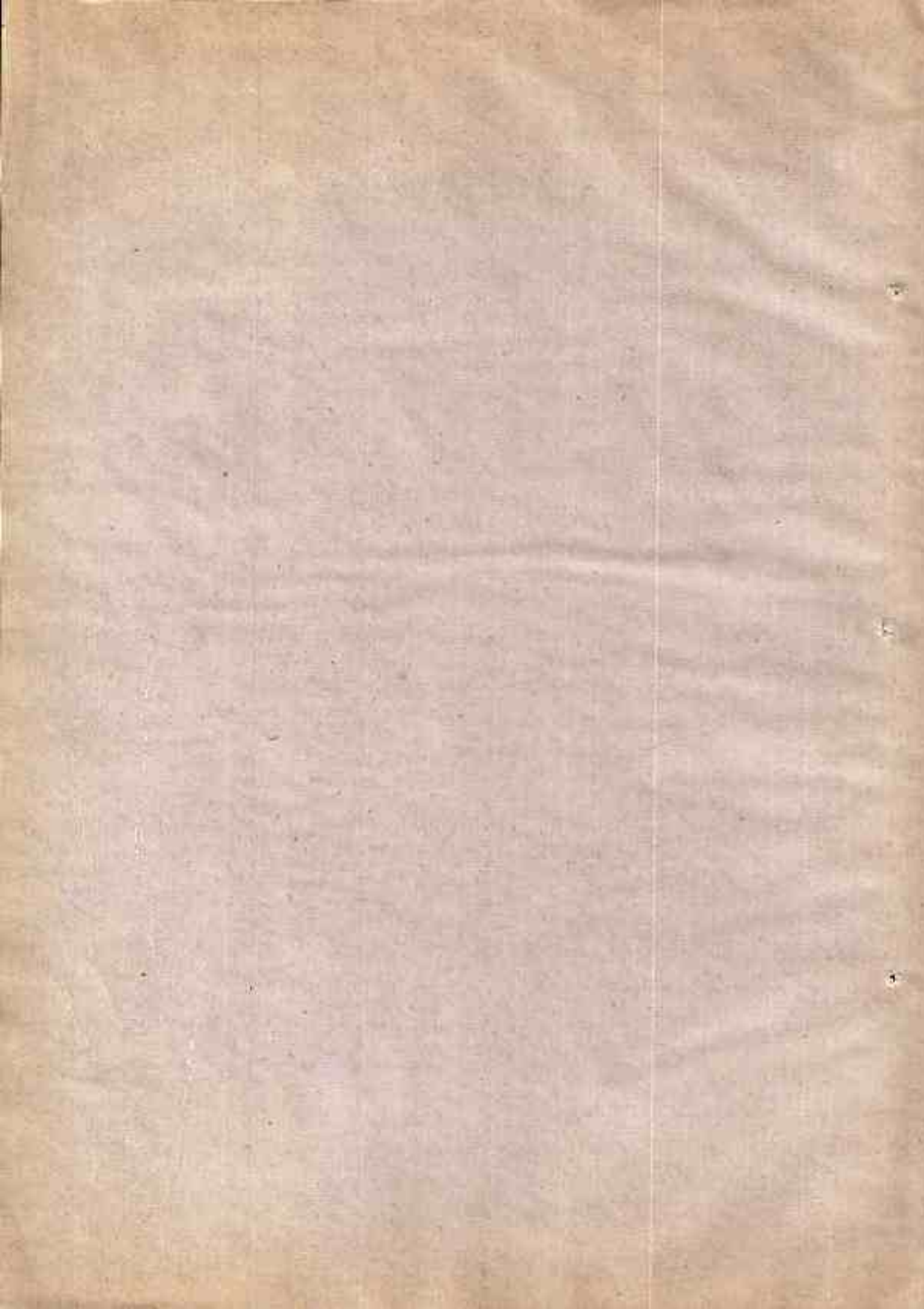
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106	12/29/80-SWI/7278, dated 14-9-1990	The members of Committee will draw T.A./D.A. as under :--  (i) Non-official members will get TA/DA as admissible to a 1st Grade Government employee drawing pay exceeding Rs. 5,000 at the rates detailed in Department of Finance (Finance Personnel-I Branch) circular letter No. 10/77/88-EPI/10340, dated 25-11-1988. The other conditions laid down in the Punjab Government T.A. Rules for the Government employees will also apply to journeys performed by such non-official members except where otherwise provided.  (ii) The T.A. bill of the non-official members of the Committee will be countersigned by the Director, Welfare of SC and BC's Punjab.  (iii) The official members will draw TA/DA as admissible to them under T.A. Rules.	153-154
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108	20/25/3ਪੀਪੀ-1/ 90/ ਸਿਤੀ 6-12- 1990	ਅਨੁ.ਜ.ਲਈ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ ਭਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਮ ਚਲਾਉਣਾ ।	154-155
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112	14/38/90-ਐਸ. ਡਬਲਿਊ.1/1811, ਮਿਤੀ 20-2-1991	ਰੋਸਟਰ ਵਿਚ ਦਿੱਤੇ ਬਲਾਕ ਤੇ ਅਊੱਦੀ ਅਸਾਮੀ ਨੂੰ ਵਿਲਿਆਪਤ ਕਰਨ ਬਾਰੇ ।	160
113	2/223/79-ਐਸ. ਡਬਲਿਊ.1/83302, ਮਿਤੀ 3-4-1991	ਪੱਛਤੀ ਸ਼੍ਰੇਣੀ ਲਾਲ ਸਬੰਧਤ ਹੋਣ ਬਾਰੇ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਦੇ ਸਮਰੱਥ ਅਧਿਕਾਰੀ	160--163
114	ਨੰ: 8/92/91- ਜ.ਡ.ਅ(5)/ 4804, ਮਿਤੀ 13 ਮਈ, 1991	ਅਨੁਸੂਚਿਤ ਜਾਤੀ/ਜਨ-ਜਾਤੀਆਂ ਅਤੇ ਪੱਛਤੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਵਿਅਕਤੀਆਂ ਨੂੰ ਫੌਕਰੀਆਂ ਵਿਚ ਯੋਗ ਪ੍ਰਤੀਨਿਧਤਾ ਦੇਣ ਦੇ ਤਰੀਕੇ ਅਤੇ ਇਨ੍ਹਾਂ ਜਾਤੀਆਂ ਅਤੇ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਪੜ੍ਹੇ ਲਿਖੇ ਅਤੇ ਬੇਰੋਜ਼ਗਾਰ ਭਰਤਾਂ ਨੂੰ ਰੋਜ਼ਗਾਰ ਯਕੀਨੀ ਬਣਾਉਣ ਬਾਰੇ-ਵਿਸ਼ੇਸ਼ ਰੋਜ਼ਗਾਰ ਸੈਲ ਦੀ ਸਥਾਪਨਾ ।	163
115	1/2/91-ਐਸ. ਡਬਲਿਊ.1/5786, ਮਿਤੀ 6-6-1991	* A Committee to review the clearance of backlog of vacancies reserved for SC and BC in the services.	164
116	21/30/91-3ਪੀਪੀ 1/16579, ਮਿਤੀ 15-11-1991	ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਾਖਵੀਆਂ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਅਸਾਮੀਆਂ (ਬੈਕਲਾਗ ਵੈਕੈਂਸੀਜ਼) ਭਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਤ ਚਲਾਉਣਾ ।	165

Sr. No.	Circular No.	Subject	Page
117	20/58/90-ਤਪਿਪੀ 1/6045, ਮਿਤੀ 12-5-1992	Clarification of Reservation Policy.	165-166
118	No. 22/3/91-5HBIII/ 23375, dated 17-7-1992	The condition of minimum qualifying marks for competitive Entrance Test (PMT) has been waived off and the admission to MBBS/ BDS/BAMS will be made strictly in order of relative merit of candidates.	167
119	ਨੰ: 1/46/92-ਰਸ 1/121, ਮਿਤੀ 6-1-1993	ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪੇਂਡੂਆਂ ਸ਼੍ਰੇਣੀਆਂ ਲਈ ਰਾਖਵੀਕਰਨ ਨੀਤੀ ਦੀ ਬਦਲਤਰ ਅਤੇ ਉਸਨੂੰ ਲਾਗੂ ਕਰਨ ਬਾਰੇ ।	167-168
119-A	1/64/92-ਆਰ. ਸੀ.1/341 ਮਿਤੀ 13-1-1993	ਤਰੱਕੀ ਰਾਹੀਂ ਭਰਤੀਆਂ ਜਾਣ ਵਾਲਿਆਂ ਆਸਾਮੀਆਂ ਵਿਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਬਾਰੇ ।	168
120	1/64/92-RCI/4234, dated 3-6-1993	Reservation for the members of Scheduled Castes and Backward Classes in the cases of promotion.	168
121	1/19/93-RCI/4265, dated 4-6-1993	Case of Indra Sawhney and others Vs. Union of India and others—Writ Petition No. 930 of 1990 and others.	169-170
122	3/8/89-ਆਰ.ਸੀ. 1/4555, ਮਿਤੀ 16-6-1993	ਭਾਰਤ ਦੀ ਸਰਵ-ਉੱਚ ਅਦਾਲਤ ਵਲੋਂ ਸੀ.ਏ. ਨੰ: 3792-94/89-ਅਸੀਤ ਸਿੰਘ ਜੰਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ.ਏ. ਨੰ: 4763-65/89-ਹਰਭਜਨ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਵਿਚ ਦਿੱਤੇ ਹੁਕਮ ਬਾਰੇ ।	171
123	1/8/93-ਰਸ1/ 4557-58, ਮਿਤੀ 16-6-1993	ਅਨੁ: ਜਾਤੀਆਂ ਲਈ ਰਾਖਵੀਆਂ ਨਾ ਭਰਤੀਆਂ ਹੋਣੀਆਂ ਆਸਾਮੀਆਂ (ਬੈਕਲਾਗ ਵਰਕੋਸੀਜ਼) ਭਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਮ ਚਲਾਉਣਾ ।	171

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124		3/8/89-ਰਸ1/ 5850, ਮਿਤੀ 29-7-1993	ਭਾਰਤ ਦੀ ਸਰਕਾਰ-ਉੱਚ ਅਦਾਲਤ ਵਲੋਂ ਸੀ.ਏ. ਨੰ: 3792-94/89- ਅਜੀਤ ਸਿੰਘ ਜੰਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ.ਏ. ਨੰ: 4763-65/89- ਦਰਤਜਨ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਦਿੱਤੇ ਹੁਕਮ ਬਾਰੇ ।	172
125		2/223/79-ਆਰ. ਸੀ. 1/93/6439, ਮਿਤੀ 20-8-1993	ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਬਾਰੇ ।	172
126		12/29/80-SW1/93/ 7126-54, dated dated 10-9-1993	Notification--Re-constitute State Level High Powered Committee.	173--175
127		12/29/80-SW1/9908, dated 7-12-1993	Corrigendum list of non- official members of the State Level High Powered Committee	175
128		1/41/93-RCI/459, dated 17-1-1994	Socio Economic Criteria for identification of Socially Advanced persons (Creamy Layer) from the other Backward Classes in the State of Punjab for their exclusion from the benefit of reservation meant for these classes in the State Services/Post-revision thereof.	176--186
129		1/88/93-RCI/1016, dated 2-2-1994	Reservation for other Backward Classes exclusion of Creamy Layer for the purpose of appointment in services and posts under the Government of India Certificate to be produced by the candidates.	187--207
130		1/64/92-RCI/1325, dated 10-2-1994	Deletion of Income Criterion as the sole basis for identifying backwardness.	208

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131			1/89/93-RCI/1984, dated 4-3-1994	Measures to provide due representation in services to the members of Scheduled Castes/Tribes and the Backward Classes and to ensure employment to the educated and suitable un-employed persons of these castes and Classes-Establishment of Special Employment Cell.	209--212
132			No. 3/8/89-RCI/7011, dated 17th August, 1994	Civil Appeal(s) No. (s) 3792-3794/89 Ajit Singh & Other V/s The State of Punjab & Others(with App. for directions) with C.A. No. 4763-66/89, 3326-27/82, 3795/89, Wp(C) 7729/82, SLP(C) 14541/90, C.A. 5023/89, 1A 1-2 IN Wp(C) 54/90, SLP(C) Nos. 7259/90, 2976/83, 16629/93 ਦੇ ਸਬੰਧ ਵਿੱਚ ਸੁਪਰੀਮ ਕੋਰਟ ਵੱਲੋਂ ਪਾਸ ਕੀਤੇ ਗਏ ਹੁਕਮ ਮਿਤੀ 9 ਅਗਸਤ, 1994 ਦੇ ਪਾਲਣਾ ਬਾਰੇ ।	212--219
133			ਨੰ: 3/8/89-ਰਸ1/11023, ਮਿਤੀ 21 ਦਸੰਬਰ, 1994	ਰਾਖਵੇਂਕਰਨ ਦੀ ਨੀਤੀ ਬਹਿਰ ਮਿਤੀ 12 ਮਈ, 1992 ਦੇ ਅਧੀਨ ਤਜਵੀਜ਼ਾਂ ਨੂੰ ਮਤਮ ਕਰਨ ਸਬੰਧੀ ।	220
134			ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਜ਼ੋਨੀਟ ਮਿਤੀ 10 ਦਸੰਬਰ, 1995	ਰਿੰਟ ਪਲੈਜ਼ਨ (ਸਿਵਲ) ਨੰ: 79 ਆਡ 1129-ਆਰ.ਕੇ. ਬੰਗਲਾ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ।	221--226



PART I

CHAPTER I

CONSTITUTIONAL PROVISIONS

Art. 335. "The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration consistently with the maintenance of efficiency of administration in the making of appointments to services and posts in connection with the affairs of the Union or of a State."

Art. 15(3). "Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes."

Art. 16(4). "Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State."

Art. 46. "The State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

Art. 320(4). "Nothing in clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in clause (4) of article 16 may be made or as respects the manner in which effect may be given to the provisions of article 335."

Art. 341(1). "The President may with respect to any State or Union Territory, and where it is a State after consultation with the Governor thereof by public notification specify the castes, races or tribes or parts of groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union Territory as the case may be."

Art. 366. "In this Constitution, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say.....

\* \* \* \* \*

(24) "SCHEDULED CASTES" means such castes, races or tribes or parts of groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purposes of this Constitution."

## CHAPTER II

RATE OF RESERVATION FOR SCHEDULED CASTES AND  
BACKWARD CLASSES

1. The following rate of reservation are in force in favour of the members of Scheduled Castes and Backward Classes in filling all vacancies through appointments by direct recruitment/transfer or by promotion occurring from time to time in various category of posts in the services under the Government of Punjab :—

		Scheduled Castes	Backward Classes
Cir. No. 890-SW1-74/10619, dated 5th June, 1974.	(i) Vacancies filled by the method of direct recruitment or by transfer in Class I, II, III and IV Services	25%	5%
Cir. No. 1494-SW1-74/8105, dated 4th May, 1974.	(ii) Vacancies filled by promotions to or within Class I and II services by selection or by seniority-cum-fitness etc.	14%	2%
Cir. No. 3180-SW1-70/893, dated 11th January, 1971.	(iii) Vacancies filled by promotions to or within Class III and IV Services by selection or on seniority-cum-fitness etc.	20%	2%

2. Reservation will be implemented by reserving vacancies by means of a running roster prescribed.

D.O. No. 906-SW1/74, dated 29th March, 1974.

3. Reservations prescribed will be applicable in all Departments, Public Undertakings, Corporations, Boards, Municipal Corporations, Municipal Committees, Universities and all other autonomous bodies etc. under the administrative control of the State of Punjab.

Cir. No. 5246-PE(1)-65, dated 15th November, 1965.

4. *Pro forma* promotions will be counted for the purpose of reservation.

Cir. No. 1649-MG 54/23802, dated 28th April, 1954.

5. Appointments made by the method of transfer will also be covered by the reservation policy.

Cir. No. MG-11-13 (29)-61/558, dated 6th March, 1961.

6. If the services of a Government Servant belonging to Scheduled Castes/Tribes or Backward Classes are terminated the resultant vacancy should not be included in the normal pool of vacancies to be filled in accordance with the Block System/Roster System but should be filled up on an *ad hoc* basis from the candidates belonging to these castes and classes only. In other words, the intention is that the posts vacated by members of Scheduled Castes and Backward Classes should remain earmarked and be filled up by members belonging to these classes.



7. Reservation is applicable in vacancies filled on *ad hoc* basis/short-term vacancies etc.

Cir. No. 24-4-  
WEI-66/3272,  
dated 16th  
February, 1966

While regularising the services of *ad hoc* employees the reserve points on the roster should be kept in view and no reserve point should be offered to general category employee without obtaining prior approval of the Welfare Department.

No. 1/2/80 SWI/  
13333, dated  
12th June, 1980.

8. While sending requisitions to the Punjab Public Service Commission/Subordinate Services Selection Board/Employment Exchange or any other recruiting agency/committee, a copy of the same should invariably be forwarded to the Director, Welfare of Scheduled Castes and Backward Classes (in the Special Employment Cell) Punjab for sending the names of eligible persons of Scheduled Castes/Backward Classes.

Cir. No. 975-  
050(x)2-70/  
2633, dated  
28th April,  
1970.

9. In the matter of direct recruitment 50% of the reserved vacancies for the members of Scheduled Castes will be offered to the members belonging to Mazhabi Sikhs/Balmikis, if available, as a first preference. If, the requisite number of candidates belonging to Mazhabi Sikhs/Balmikis are not available, vacancies fallen to their share will be filled by the members of other Scheduled Castes. This 50% of the reserved vacancies will be given by offering reserved vacancies alternatively e.g. if, vacancy falling at point No. 1 is given to Mazhabi Sikhs/Balmikis next reserved point will go to the other Scheduled Castes and so on. This will, however, not be applicable in promotions.

Cir. No. 1818-  
SWI-75/10451,  
dated 5th May,  
1975.

10. In case vacancies are filled on the basis of qualifying any prescribed test, the various departments should recommend twice the number of candidates for a single reserved vacancy, exclusively for officials belonging to Scheduled Castes and Backward Classes even though they do not come within the seniority of the total number of officials who have to be recommended for a particular test provided the minimum qualifications and experience required for eligibility to take up the test are not relaxed in any case.

Cir. No. 4183-  
4W61-64/17314,  
dated 3rd  
September,  
1964.

11. The eligible Scheduled Castes/Backward Classes officials will be given promotion against the reserved points irrespective of their seniority in the general seniority list. To illustrate this point, if there is an official belonging to the Scheduled Caste/Backward Class placed at a position say 73rd in the general list seniority he would have precedence over the other 72 officials to take benefit out of the reserved points on the basis of reservation.

Cir. No. 2125-  
4W61-64/5213,  
dated 18th  
March, 1964.

12. Reservation both at the time of recruitment and at the time of promotions will not apply in the case of appointments to posts for conducting research or organising, guiding and directing research.

Cir. No. 2622-  
Sw2-75/20514,  
dated 2nd  
September,  
1975.

**Note 1.**—Such category of posts are not available in the State. However no post should be brought out of the reservation purview until the same is got identified as such from the Government in the Department of Welfare.

**Note 2.**—Since there are no Scheduled Tribes in the State of Punjab, no separate reservation for them have been prescribed in the State.

**Note 3.**—Since the instructions regarding reservations for Scheduled Castes/Backward Classes are issued by the Department of Welfare (Reservation Cell), under the Rules of Business, only this department is competent to tender any clarification, interpretation or advice.

**Note 4.**—Instructions regarding reservations have overriding effect on the Departmental Service Rules [1976 (2) SLR 801] Kamal Parkash and others *versus* State and others and such rules cannot whittle down the effect of these instructions issued in pursuance of Articles 16, 46 and Art. 335 of the Constitution by the Government.

## CHAPTER III

## ROSTERS

1. To give proper effect to the reservation prescribed, every appointing authority will treat vacancies as "reserved" or "un-reserved" according to prescribed rosters each of 100-points as described below :-

(i) VACANCIES FILLED BY THE METHOD OF DIRECT RECRUITMENT OR BY TRANSFER IN CLASS I, II, III AND IV SERVICES.

Cir. No. 890-  
SMI-74/10649,  
dated 8th June,  
1974.

Vacancies falling at the following points of 100-points roster will be treated as reserved for the members of Scheduled Castes :-

1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93 and 97 and so on.

Vacancies falling at serial number 15, 35, 55, 75 and 95 shall be treated as reserved for the members of Backward Classes.

(ii) VACANCIES FILLED BY PROMOTION TO OR WITHIN CLASS I AND II SERVICE BY SELECTION OR BY SENIORITY-CUM-FITNESS :-

Cir. No. 1494-  
SMI-74/8105,  
dated 4th May,  
1974.

Vacancies occurring from time to time falling against the following serial numbers of the 100 point roster shall be treated as reserved for the members of Scheduled Castes :-

1, 7, 15, 22, 30, 37, 44, 51, 58, 65, 72, 80, 87, 94 and so on.

Vacancies falling at serial numbers 26 and 76 shall be treated as reserved for the members of Backward Classes.

(iii) VACANCIES FILLED BY PROMOTION TO OR WITHIN CLASS III AND IV SERVICES BY SELECTION OR BY SENIORITY-CUM-FITNESS.

Cir. No. 3180-  
SMI-70/893,  
dated 11th  
July, 1971.

Vacancies occurring from time to time falling against the following serial numbers on the 100-point roster shall be treated as reserved for the members of Scheduled Castes :-

1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96 and so on.

Vacancies falling at serial numbers 15 and 75 shall be treated as reserved for the members of Backward Classes.

2. The rosters will be maintained in the form of running account, e.g. if appointment/promotions at a time stop at point number 6 of 100-point roster, on the subsequent occasion of recruitment/promotion this will begin at point number 7 of the roster. No. gap will be kept in the maintenance of roster.

Cir. No. 6873/  
SG-66/2491,  
dated 23rd  
August, 1966  
Para 2(4) (a)

3. Whenever 100-point rosters are changed due to increase of percentage of reservation for Scheduled Castes and Backward Classes etc. and a new revised roster is prescribed, appointments/promotions already made in accordance with the instructions in force at the relevant time prior to the issue of such revised instructions regarding roster will not be disturbed and the rosters already made/maintained would also not be abandoned but those rosters will continue from the vacancy to the previous roster last filled up.

Cir. No. 3568-  
SMI-75/31610  
dated 5th  
December, 1975.

4. Separate rosters will be maintained for regular and short term vacancies as laid down by the Government.

Cir. No. 1241-  
OSD(W)-2-70/  
12585, dated  
20th May, 1970.

5. Rosters prescribed will be maintained in the prescribed registers by each appointing authority separately for each category of post and classwise.

Cir. No. 278-  
OSD(W)-67/  
27027, dated  
19th September,  
1967.

6. It is the personal responsibility of the heads of departments/appointing authorities to ensure proper implementation of these instructions. They shall further check the roster registers once in a quarter and append a certificate to the effect that due reservation has been provided to the Scheduled Castes and Backward Classes as per the vacancies reserved in the 100-point rosters for them.

Cir. No. 5194-  
SMI-74/20947,  
dated 11th  
October, 1974.

7. The rosters will not be prepared/maintained in loose sheets but in prescribed Roster Registers. The rosters will invariably be signed by the appointing authority after the appointments and promotions are made.

Note.--In cadres having less than five posts the first vacancy on the roster, though reserved for the members of Scheduled Castes will be treated as un-reserved and on this account the second vacancy on the roster will be reserved for the members of Scheduled Castes and reservation must be given effect to.

## CHAPTER IV

## CHECKING/INSPECTION OF ROSTERS

Checking/Inspection of rosters for the proper implementation of reservation policy by Roster Cells of this Department.

1. All the Departments of the Government and Corporations/Boards under the control of respective Departments have been divided into three categories i.e. A, B and C. Categorywise list of departments is enclosed at annexure XII (i). No. 15(4)-I-SC (W)-78/7704, dated 30th August, 1982.
2. Roster registers of the Departments and other autonomous bodies under the control of the respective Departments listed in category A, will be checked once in a year. Page 47
3. Roster registers of the departments and autonomous bodies included in the category B list, will be checked by the roster checking parties once in one and a half year. Page 30--32
4. The departments and autonomous bodies included in category C list, will be checked by roster checking parties once in two years. Page 14--16
5. All the departments will be given notice for checking the rosters maintained by them and the departments in turn will send back the questionnaire (Annexure II) and the pro forma (Annexure III) duly filled, complete in all respects which must reach the Welfare Department (Roster Cell) within a fortnight of the issue of notice so that after proper examination visit of Roster Checking parties can be arranged for inspection of rosters.
6. The Under-Secretaries/Deputy Secretaries of the Department of Welfare as well as the Secretary to Government Punjab, Department of Welfare, will inspect the rosters if felt necessary.
7. The Departments will make available necessary records relating to appointments/promotions to the inspection parties on demand and necessary co-operation be extended to them in this regard.

## CHAPTER V

## DE-RESERVATION OF RESERVED VACANCIES

Cr. No. 1146-  
OSD(W)-270/  
13370, dated  
28th May, 1970.

1. Vacancy reserved for the members of Scheduled Castes or Backward Classes should not, in any manner, be filled by a general category candidate/person.

2. In case an eligible Scheduled Castes or a Backward Classes candidate/person is not available for a reserved vacancy in spite of the efforts made to fill such vacancy by the reserve category persons, prior approval of the Government, in the Department of Welfare (Reservation Cell) must and invariably be obtained for de-reservation of a vacancy reserved for Scheduled Castes or Backward Classes as the case may be.

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3. While forwarding proposals for de-reservation of reserved vacancies falling against reserved points in the roster, the concerned department must intimate in detail the reasons for not filling the reserved vacancy from the Scheduled Castes/Backward Classes and the efforts/measure made to fill the reserved vacancies from the members of the Scheduled Castes and Backward Classes only. Besides information as required in the ~~proforma~~ prescribed (Annexure IV) complete in all respects, duly signed by the appointing authority, should invariably be sent along with the proposal for de-reservation.

4. Reserved vacancies should not be filled by general category person until and unless 'Non-Availability Certificate (NAC)' in the case of direct recruitment is obtained from the Director, Welfare of Scheduled Castes and Backward Classes (Special Employment Cell) Punjab and 'No Objection Certificate (NOC)' from the Secretary to Government, Punjab, Department of Welfare. In case of promotions 'No Objection Certificate (NOC)' should be obtained from the Secretary to Government, Punjab, Department of Welfare (Reservation Cell).

5. The instructions in this regard as mentioned above should strictly be followed failing which stern action will be taken against the official/officer for violation of these instructions.

## CHAPTER VI

## CARRYING FORWARD OF RESERVATIONS

1. According to 100-point running roster system (previously known as appointments on formula of rotation-block system), vacancies specified as reserved (Chapter III) should be filled by the members of Scheduled Caste/Backward Classes irrespective of their positions in the general merit/seniority, ~~inter-~~ the other category persons. If required number of members of the reserved category are not available for appointments/promotions against reserved vacancies, such vacancies can be de-reserved after following the prescribed procedure of de-reservation as in Chapter IV and thereafter those can be filled by candidates/officials of other category (O.C.) but the reservations shall be carried forward to subsequent appointments/promotions.

Cir. No. 1097-  
SM7-74/23071,  
dated 19th  
November, 1974.

2. The reservation should be carried forward from vacancy to vacancy in the same block until a Scheduled Caste or a Backward Class person, as the case may be, is appointed/promoted in the same block.

3. If, all the vacancies in any block determined on the basis of prescribed rosters are filled by other category persons due to non-availability of Scheduled Castes or Backward Classes persons, the reservation should be carried forward to the subsequent blocks. Thus, the reservation should be carried forward from vacancy to vacancy in each block and from block to block until the carried forward vacancies are filled by the members of the Scheduled Castes or the Backward Classes.

4. Only one reserved vacancy out of the carried forward vacancies should be filled in a block of appropriate roster in addition to the normal reserved point of that block. In this manner all such carried forward vacancies should be adjusted subject to the above condition.

**Note 1 :-** Appropriate rosters means rosters prescribed for direct recruitment in Class I, II, III and IV services, promotions in Class I and II services and promotions in Class III and IV services. Separate 100-point running rosters have been prescribed as per Annexures VI, VII and VIII. [A block constitute of vacancies from a reserved point to the last unreserved point immediately before the next reserved point with relation to the appropriate rosters prescribed.

**Note 2:-** The carry forward rule given above is applicable in direct appointments as well as in promotions.

## CHAPTER VII

## INTERCHANGEABILITY OF VACANCIES

Err. No. 771-  
SMI-76/dated  
8th April, 1976.

1. A reserved vacancy upon its being de-reserved, as per Chapter IV, on account of non-availability of a Scheduled Castes or a Backward Class person should be offered to a Backward Classes person but the reservation on account of the vacancy so de-reserved be carried forward for the Scheduled castes as is done at present i.e. from vacancy to vacancy in the same block and from block to block as explained in Chapter V.

2. The vacancy next reserved for the Backward Classes would, in case a person belonging to Backward Classes has already availed of a vacancy meant for the Scheduled Castes be thrown open to non-Scheduled Castes

3. The same conditions would apply to cases in which vacancies reserved for the Backward Classes are offered to Scheduled Castes on account of non-availability of persons belonging to the former category.

4. Subject to the instructions contained in Punjab Government circular letter No. 1244-OSD(W)-2-70/19996, dated the 30th July, 1970, the percentage prescribed for each category in a lot of 100-vacancies would not be exceeded in any case.

5. In case of promotion, 2nd vacancy should only be given to members of Backward Classes if the Roster has crossed 50 points. Similarly, in the case of direct recruitment 2nd vacancy should be given to the members of Backward Classes after roster has crossed 20 points, 3rd vacancy after roster has crossed 40 points and so on.

6. The interchangeability of vacancies in a 100-point appropriate roster is applicable in all services irrespective of the fact whether there are less than five posts or more than five posts in any category of posts.



## CHAPTER VIII

ASSIGNMENT OF SENIORITY IN APPOINTMENTS/PROMOTIONS  
MADE ON MERIT/SENIORITY BASIS

According to the instructions, appointments of Scheduled Caste and Backward Classes persons are made on the basis of appropriate prescribed 100-points rosters and they should be assigned seniority as per the points reserved for them in the relevant 100-point roster irrespective of their positions in general merit-list (in the case of direct recruitment) or in general seniority list (in the case of promotions) in class-I, II, III and IV services. In other words, roster points are the seniority points in respect of the members of Scheduled Caste and Backward Classes. This should be strictly followed by the recruiting agencies/appointing authorities at the time of preparing merit lists and appointments made by direct recruitment or by promotions.

Cir. No. 7191-  
OSD(W)-69/18194,  
dated 19th July,  
1969.

**Note 1:**--In case, a Scheduled Caste or Backward Classes person get selected or promoted on his own merit/seniority he should retain his original higher position secured by him.

**Note 2:**--In case, a Scheduled Caste or a Backward Class person get appointed/promoted on the basis of his merit/seniority against the reserved point, the very next point on the roster, will be treated as reserved for the members of Scheduled Caste or Backward Class, as the case may be, and the same will be filled on the basis of reservation.

**Note 3:**--While sending requisition to the Punjab Public Service Commission, Subordinate Services Selection Board and other recruiting agency, the vacancies/points reserved for Scheduled Caste and Backward Classes should specifically be indicated therein according to running roster so that such recruiting agencies could prepare and recommend the names accordingly. The merit lists/appointments will be subject to prescribed rosters.

Cir. No. 1071-  
OSD(W)-69/22340,  
dated 8th  
September, 1969.

12  
CHAPTER IX

**PROTECTION FROM REVERSION/RETRENCHMENT**

Cir. No. 421-050  
(W), 67/28921,  
dated 4th October,  
1967.

1. The members of Scheduled Castes and Backward Classes who are in service and otherwise qualified and suitable and against whom there are no complaints should not be reduced in rank and retrenched so long as their total strength does not exceed the prescribed limit of reservation in a category of post. No reversion of Scheduled Caste/Backward Class employees should be made without first obtaining the orders of the Secretary to Government, Punjab, Department of Welfare (Reservation Cell).

2. protection from reversion/retrenchment will not be applicable in the following type of cases :--

- (i) Promotion of Scheduled Castes/Backward Class employees against short time leave vacancies or posts vacated by deputationist.
- (ii) Promotions against the posts created on temporary basis for a limited period of special purpose/assignment, the period of which is extended for more than a year or from year to year.
- (iii) On posts created on *ad hoc* basis.

3. The Departments while applying for permission for reversion of Scheduled Caste/Backward Class employees should clearly state the number and nature of posts in a cadre, number of Scheduled Castes/Backward Class employees working in that cadre, their existing percentage and reasons for reversion.

**Note 1:**--In cases, where the Scheduled Caste/Backward Class persons are appointed/promoted against the vacancies in the type of vacancies mentioned in para 2 above and thereafter other category of persons are also appointed/promoted, the junior most will be reverted at the time of reversions/retrenchments.

**Note 2:**--Prescribed percentage in a category of post will be determined on the basis of appropriate 100-point roster and not on the basis of roster in parts or mathematical calculations with relation to Scheduled Caste/Backward Class persons appointed/promoted on the basis of reservation.

## CHAPTER X

## LIST OF SCHEDULED CASTES

## The Constitution (Scheduled Castes) Order 1950

A person shall be held to be a member of Scheduled Caste if he belongs to a caste which under the Constitution (Scheduled Castes) Order, 1950 as amended from time to time, has been declared to be a Scheduled Caste. A list of Scheduled Castes recognised as such under the above order is given below :--

## 1. Throughout the State

1. Ad-Dharmi
2. Brar, Burar or Berar
3. Bangali
4. Batwai
5. Bauri or Bawaria
6. Bazigar
7. Balmiki, Chura or Bhangi
8. Banjara
9. Chamar, Jatia Chamar, Behgar, Raigar, Ramdasia or Ravidasia
10. Chanal
11. Dagi
12. Dhanak
13. Dumne, Mhasha or Doom
14. Gagra
15. Gandhila or Gandil, Gondola
16. Kabirpanthi or Julaha
17. Khatik
18. Marija or Marecha
19. Kori or Koli
20. Marbhi
21. Megh
22. Nat
23. Od
24. Pasi
25. Perna
26. Pherera
27. Sanhai
28. Sanhal
29. Sansi, Bhedkut or Manesh

30. Sepala
31. Savera
32. Sikrigar
33. Sirkiband

2. Throughout the State except the districts of Patiala, Bhatinda, Kapurthala and Sangrur.

- (1) Darain
- (2) Dnagri, Dhangri or Sigg
- (3) Sansoi

3. In the Districts of Patiala, Bhatinda, Kapurthala and Sangrur, Deha, Dhaya or Dhea.

**Note :—**The person belonging to the Scheduled Castes shall have to produce certificate on the prescribed pro forma at Annexure VI signed by Member of Parliament, member of Legislative Assembly or any gazetted officer with the seal of his office (who know the candidate personally and is also satisfied about his identity).

## CHAPTER XI

## DEFINITION AND LIST OF BACKWARD CLASSES

1. The Backward Classes in the State of Punjab has been classified on the basis of their economic backwardness, social status of occupation, etc. as under :—

(a) The list of communities which are socially looked down upon and declared as backward classes and whose annual family income does not exceed Rs. 3,500 per annum is given below :—

- |   |  |  |
|---|--|--|
| 1. Aheria Aheri Heri, Naik, Thori, or Turia                               | } P.G. No. 6961-WG-53/<br>62307, dated 31st<br>August 1953.      |  |
| 2. Barra  |  |  |
| 3. Beta, Hensi or Hesi  |  |  |
| 4. Changar  |  |  |
| 5. Chirimar   |  |  |
| 6. Daiya  |  |  |
| 7. Gwaria, Gauria or Gwar   |  |  |
| 8. Kanjar or Kanchan  |  |  |
| 9. Kurmi  |  |  |
| 10. Nar   |  |  |
| 11. Rehar, Rahara or Re   |  |  |
| 12. Ghirath including Chang and Bahti                                     |  |  |
| 13. Kahar, Jhindwar or Dhiwar   |  | } P.G. No. 11096-WG-55/<br>53380 dated 3rd Sep-<br>tember, 1955. |
| 14. Ghasi, Ghasiara or Ghosi  |  |  |
| 15. Bagria  | } P.G. No. 1520-WG(3C)<br>56/3429, dated 5th<br>September, 1956. |  |
| 16. Rialgar   |  |  |
| 17. Weaver (Jhullaha)   |  |  |
| 18. Labana, P.G. No. 28585-WG-56/6014, dated 6th October, 1956.           |  |  |
| 19. Gorkhas P.G. No. 14980 WG-II-56/10352, dated 7th/13th December, 1957. |  |  |
| 20. Kumharas, P.G. No. 510.WG-II-58/21579, dated 15/19th March, 1958.     |  |  |
| 21. Nais P.G. No. 3059-WG-(c)55/8126, dated 10/12th November, 1956.       |  |  |
| 22. Dhobis, P.G. No. 12392-WG-II-58/56330, dated 14th July, 1958.         |  |  |
| 23. Kamboj Pb. Govt. No. 1235 (SWA-3)-79/2249, dated 27th April, 1979.    |  |  |
| 24. Rai Sikhs   |  |  |
| 25. Barwar  |  |  |
| 26. Barai, Tamoli   |  |  |

27. Baragi, Bairagi
28. Battera
29. Bharbhunja, Bharbhuja
30. Bhat, Bhatra, Darpi, Ramiya
31. Bhuhalla Lohar
32. Chahang
33. Coimba, Chippi, Coimba, Darzi, Toak
34. Dakaut
35. Dhimar, Mallah, Kashyap Rajputs
36. Faquir
37. Dhosali, Dosali
38. Gawala, Gowala
39. Gaddaria
40. Jhangra Brahman
41. Hajjam, Nai
42. Jogi, Nath
43. Khati
44. Rechhanad
45. Khanghera
46. Kucha band
47. Thathera, Tamera,
48. Lakhera, Manihar
49. Vanzara
50. Madari
51. Lohar
52. Mochi
53. Mirasi
54. Noongah
55. Nalband
56. Shorgir
57. Pinjab Penja
58. Sol
59. Singhikant, Singhiwala
60. Teli.

from Serial Nos. 24 to 60,--vide P.G. No. 38353, dated 9/23rd December, 1959.

61. Swarankar

(P.G. No. 1722-6SW-3BC  
74/5146, dated 22nd  
March, 1974 and  
for 2 years w.e.f.

31-1-80, --vide Pb.  
Govt. letter No.  
5(III) SWA-3,80/1182-  
83 dated 8/11-2-80.  
further upto 29-1-83-1  
--vide Cir. letter No. 5(III)-  
SWA-3/153, dated 7-1-82.

62. Dhaura or Sout

(P.G. No. 7066-SSW-73/  
1145, dated 31st January,  
1974)

63. Gujjar.

(P.G. No. 6815-6 SW-12BC-  
74/13359/, dated 12th July  
1974)

64. Christian

4813-6SW-72/16047, dated  
16-8-1972.

65. Arain

(4836-6SW-74/29BC/9535,  
dated 22nd May, 1974.

(b) All the residence of Punjab State whose family income does not exceed more than Rs. 3,600/- per annum irrespective of the fact as to which caste, community or class they belong to and what profession they are following shall also be treated as belonging to Backward class.

Cir. No. 2662-  
SWG-11-63/6934,  
dated 20th April,  
1963 as amended  
--vide  
Cir. No. 5420  
SWI-74/23309,  
dated 19th  
November, 1974.

(c) There is no income limit for persons belonging to Backward class in the cases of promotion in case he was either recruited as Backward Class or produced/produce a Backward Class Certificate on the prescribed *pro forma* at Annexure XI.

No. 4651-SWI-74/  
17691, dated 4th  
September, 1974.

2. A person who wants to avail of the benefit admissible to the Backward Classes shall have to produce a certificate on the prescribed *pro forma* at annexure 5 issued by one of the following authority of his district :—

Cir. No. 2/223/79  
SWI/15045, dated  
12th August, 1980.

- (i) SDO (Civil)
- (ii) Executive Magistrate;
- (iii) Tehsildar;
- (iv) Naib Tehsildar;
- (v) Block Development and Panchayat Officer; and
- (vi) District Revenue Officer.

## CHAPTER XII

With a view to watch the interest of Scheduled Castes and Backward Classes in the matter of their representation in services, an Officer on Special Duty (Welfare)-cum-Under Secretary with Special Cells attached to him is working at Government level. His main functions are as under :--

No. 7508-511(S)-  
68/31797, dated  
17-10-68.

- (a) To collect data about the representation of Scheduled Castes and Backward Classes in the Services under the State Government and other autonomous bodies.
- (b) To ensure that there is no unnecessary retrenchment or reversion of Scheduled Castes and Backward Classes person.
- (c) To redress the grievances of Scheduled Castes and Backward Classes regarding service matters for which he can requisition the files of the Department concerned with the prior approval of the Secretary, Welfare of Scheduled Castes and Backward Classes.
- (d) The aggrieved Scheduled Caste/Backward Class employee can make a complaint to him in case he received no reply on his representation within two months from his appointing authority. He can ask for comments on this complaint from the department concerned which should reach him within a month. The Scheduled Caste/Backward Class employees of the State Government can also sent advance copy of their representation to him.
- (e) He can also discuss grievances of the members of Scheduled Castes and Backward Classes about service matters with the Departmental authorities concerned during his visit to Departments, institutions etc.

## LIAISON OFFICER

Each Department is to nominate an Officer not below the rank of Deputy Secretary to Government, Punjab, to function as Liaison Officer in respect of matters relating to the representation of Scheduled Castes and Backward Classes in all services and establishments under the administrative control of the department. The Liaison Officer will be responsible for :--

- (i) ensuring due compliance by the subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Backward Classes and other benefits admissible to them;
- (ii) ensuring submission, scrutiny and consolidation of Annual returns relating to representation of Scheduled Castes and Backward Classes.
- (iii) Specially watching the cases of supersession in promotions of Scheduled Castes and Backward Classes;
- (iv) Ensuring the extension of necessary assistance to the Secretary to Government, Punjab, Department of Welfare



of Scheduled Castes and Backward Classes, in the investigation of complaints received by that Department in regard to the service matters;

- (v) conducting annual inspection of the rosters maintained by various authorities with a view to ensuring proper implementation of reservation Orders; and
- (vi) acting as a Liaison Officer between his Department and the Department of Welfare of Scheduled Castes and Backward Classes for supply of other information, answering questions and queries and clearing doubts in regard to matters covered by the reservation Orders.

#### **Departmental Selection/Recruitment Committees**

Where the recruitment is made from the source other than S.S.S. Board i.e. through Departmental Committee one of the members of the committee should be an Officer belonging to such Caste equal in status to the other members of the committee to safeguard the interests of Scheduled Castes/ Backward Classes according to Reservation policy of the State Government.

No. 8132-S004(2)-  
68/33441, dated  
26-10-68.

## CHAPTER XIII

## PERIODICAL RETURNS

The appointing authorities administrative department, Heads of the departments, Heads of the Offices, Managing Director, Secretaries of Boards, Commissioner of Municipal Corporations and Secretaries of Municipal Committees and the Registrar, Universities etc. should send the following periodical returns relating to the representation/reservation in respect of the Scheduled Castes and Backward Class employees working under them to the Government of Punjab, Departments of Welfare (Reservation Cell) on the prescribed pro forma at annexure 7, 8 and 9 within the prescribed period :

- (i) Yearly return regarding representation of Scheduled Castes and Backward Classes in the services under the State Government as on 1st of January each year.
- (ii) Half-yearly return regarding appointment made by direct recruitment or by transfer as on 30th June/31st December,...
- (iii) Half-yearly return regarding appointment made by promotion as on 30th June/31st December.

## CHAPTER XIV

## OTHER INSTRUCTIONS

1. **Age Relaxation** :— Maximum age limit prescribed for a service or post as a condition for eligibility for appointments shall be relaxed by five years both for the Scheduled Castes and Backward Classes for gazetted and non-gazetted posts. The Scheduled Castes and Backward Class person may be allowed to club the age concession with one of the categories if he happened to be a physically handicapped, ex-service man, *ad hoc* employee etc.

Cir. No. 10972-4  
WSI-65/3205,  
dated 16th, Feb.,  
1966.  
Cir. No. 2/116/  
78-8001, dated  
24th January,  
1979.

2. **Examination Fee** :—The fee prescribed for admission to any examination or selection to a service or post shall be reduced to one fourth of the total amount of fee prescribed in respect of the members of Scheduled Castes and Backward Classes

Cir. NO. 6961-  
WS-53-52307,  
dated 21st  
August, 1953.  
[Para 2 (111)].

**Note**.—The Scheduled Castes candidates belonging to all the States can enjoy the above fee concession admissible.

3. **Travelling Allowance** :—Scheduled Castes candidates when called for interview for appointment to Class-III and IV advertised posts or through the employment exchanges the recruiting authorities may allow such candidates single second class rare fair chargeable by passenger train, by the shortest route, from the place of normal residence to the place of interview or test and back to the same station provided the distance travelled each way exceeds 30 kilometres. For road journey actual Bus fare or road mileage as admissible to Government servants under Punjab Civil Services Rules, Volume III (T.A. Rules) whichever is less provided the distance covered by road is more than 32 kilometres.

Cir. No. 364  
DSR(W)-2-70/877,  
dt. 12th March,  
1970.

Travelling Allowance on similar lines is also available to Scheduled Castes candidates for Class-I and Class-II posts and to Backward Class candidates for Class-I, II, III and IV posts who are called for interview/test to posts recruitment to which is made through sources other than the Punjab Public Service Commission/Subordinate Services Selection Board.

The payment of Travelling Allowance ought to be paid on the spot but in the case of administrative difficulty if the payment is not made on the spot, the amount may be remitted to the candidate at the Government cost.

4. **Relaxation of Standard of suitability** :— In direct recruitment by examination or otherwise if sufficient number of Scheduled Castes/Backward Classes candidates are not available on the basis of general seniority the candidates belonging to these communities who merely qualified these examination are to be considered and appointed against the reserved vacancies.

Cir. No. 1622-  
039 (N)-2-69/  
11246, dated 5th  
Nov. 1970.

The vacancies which are filled through interview or some other sources, the candidates belonging to Scheduled Caste/Backward Classes possessing minimum qualification or experience should not be put to any test to check their suitability for appointment against reserved post. However, the Scheduled Castes candidates can be put to test among themselves to ascertain the merit.

## CATEGORY-C

1. Archives and Museum
2. Languages
3. Dairy Development  
(i) Milk Commissioner
4. Local Government
5. Architecture
6. Consolidation
7. Sainik Boards
8. Advocate General
9. Hospitality
10. Prosecution and Litigation
11. Chief Electrical Inspector
12. Punjab State Planning Board
13. Colonisation
14. Lotteries Department
15. Punjab Public Service Commission
16. Civil Aviation
17. Youth Welfare
18. Director Tourism
19. Punjab Tourism Development Corporation.

## ANNEXURE II

Ref. Circular No. 15(4)-ISC(W)-78/7704

dated 30th August, 1982

**QUESTIONNAIRE FOR THE APPOINTING AUTHORITY**

1. Name of the Department/Office
2. Name and Designation of the appointing authority with Telephone No.
3. Date of last inspection
4. Whether separate roster registers have been maintained for each category of post for:
  - (i) Vacancies filled by direct appointment
  - (ii) Vacancies filled by promotions
  - (iii) Short term vacancies
5. Whether appointments/promotions made on the basis of merit/ seniority of S.C./B.C.s have been counted for the purpose of reservation.
6. Whether all the appointments made during the period are shown in the roster Registers
7. Whether the appropriate rosters viz. the one prescribed for (i) direct recruitment in respect of all classes of services (ii) promotions to class I and II services and (iii) promotions in class III and IV services have been/are being followed in making appointments and promotions of S.Cs. and B.Cs.
8. Whether rosters have been/being maintained separately for :
  - (i) Regular appointments and
  - (ii) Short term vacancies.
9. Whether the points specified for S.Cs./B.Cs. in the rosters prescribed have correctly been reserved and given to the Reserved Category.
10. Whether immediately after appointments/promotions have been made, the particulars of persons appointed have been/are entered in the roster register in appropriate columns and the entries signed by the appointing authority or by the officer authorised to do so.

11. Whether rosters maintained have been/being checked by the Head of Deptt./Appointing Authority once in a quarter and a certificate appended to the effect that reservation have been provided to S.Cs/B.Cs strictly in accordance with the Govt. policy, if not, reasons therefore.
12. Whether any gap is left in the rosters.
13. Whether the rosters have been/are maintained in the form of a running account.
14. Whether before appointing a general candidate against reserved vacancy—
  - (i) prior approval of the Welfare Department for dereservation was obtained.
  - (ii) Whether special measures/steps were taken to secure S.Cs/B.Cs persons against the reserved points before filling reserved points by the other categories.
15. Whether Non-Available Certificate/ No Objection Certificate were obtained from the Department of Welfare before filling the reserved points from Other Categories.
16. Whether reserve points so de-reserved have been/being carried forward and adjusted in the subsequent recruitments/promotions.
17. Whether liaison officers have been appointed in the Department to ensure that reservation is being provided to S.Cs./B.Cs. in accordance with Government reservation policy in terms of Punjab Government instructions No. 962-OSD (W)-68/15050, dated 25th May, 1968 read with No. 4101-SW-II-74/14741, dated 12th August, 1975
18. Whether protection from reversion/retrenchment have been provided to S.Cs./B.Cs. according to Govt. reservation policy.

Signature of the  
Appointing Authority.

[Ref. Circular No. 15(4)-ISC(W)-78/7704, dated 30th August, 1982.

ANNEXURE III

Information for Roster Inspection

Name of Department \_\_\_\_\_ Date of Inspection \_\_\_\_\_ Inspected by \_\_\_\_\_

Serial No.	Name of Post/ Classification/Scale/ sanctioned strength	Mode of Recruitment	Date of Roster Implementation	Total No. of points occurred	Share of	Points actually given to	Points de-reserved		Backlog	Remarks				
							With permission	Without permission						
					S.Cs. B.Cs.	S.Cs. B.Cs.	With permission	Without permission	S.Cs. B.Cs.					
1					6	8	10	11	12	13	14	15	16	

## ANNEXURE IV

For obtaining approval of the Welfare Department for De-Reservation of Reserve vacancy due to non-availability of Scheduled Castes/Backward Classes persons

1. Name of post and Scale :
2. How the vacancy occurred :
3. Date of occurrence of the vacancy :
4. No. of posts in the cadre in which vacancy is being filled :
5. No. and percentage of Scheduled Castes/Backward Classes in this cadre :
6. No. of posts in the cadre from which the vacancy is being filled:
7. Number and percentage of Scheduled Castes/Backward Classes in this Cadre (Sr. No. 6) :
8. Is there any Scheduled Castes/Backward Classes persons in that Cadre from which this vacancy is being filled. :
9. If so then why this vacancy cannot be filled by a Scheduled Castes/Backward Classes persons ? (How much experience such person is lacking and when he will complete it. :
10. Prescribed qualifications and experience for the post :
11. Details of filling the vacancy as per service rules whether by direct recruitment, by transfer or by promotion. An extract of service rules may also be enclosed :
12. If relates to direct recruitment, a copy of non-availability certificate obtained from the Director Scheduled Castes and Backward Classes may be attached. :
13. If the vacancy is to be filled by direct recruitment whether it was advertised ? If so, what was its result; if not, what were its reasons. :
14. Whether the vacancy is being filled on regular basis or on *ad hoc* basis due to leave etc. :
15. Position of Roster --
  - (i) How many points filled so far :
  - (ii) Share of Scheduled Castes/Backward Classes :



- (iii) How many points are correctly filled? Which of the reserve point with date is in carried forward position ;
- (iv) Whether carried forward reserved point was got de-reserved from the Welfare Department; if so, No. and Date of the letter be given ;
- (v) Whether the roster checking party had checked the roster? If so, then a copy of their suggestion or comments be attached ;
- (vi) Copy of roster may be attached ;
16. Details of efforts made by the Department to fill the post by a Scheduled Caste/Backward Class person under service rules ;

ANNEXURE V  
FORM F-191

Form of Roster Register for the implementation of reservation on the basis of Roster

Name of Department \_\_\_\_\_ Recruitment by Direct Recruitment/by Promotion

1 Year of Recruitment	2 Roster and Point Number	3 Details of recruitment		5 Date of Appointment	6 Whether reserved for Scheduled Castes/ Backward Classes/ or not	7 Reservation carry forward			11 Remarks	
		Reserved and unreserved for Scheduled Castes/ Backward Classes/ on the basis of Roster	Name of the person appointed			8 Scheduled Castes	9 Backward Classes	10 Whether on the basis of seniority-cum-fitness or on the basis of Reservation		

## ANNEXURE VI

## 100-Point Roster

Roster of reservation of vacancies for Scheduled Castes and Backward Classes in direct recruitment in all Classes of Services in the State of Punjab (in terms of Punjab Government Circular letter No. 890-SWI-74/10619, dated 5th June, 1974) 25% for Scheduled Castes and 5% for Backward Classes.

Points in the Roster	Whether un-reserved or reserved for	Points in the Roster	Whether un-reserved or reserved for	Points in the Roster	Whether un-reserved or reserved for
1	Reserved (SC)	34	Un-reserved	67	Un-reserved
2	Un-reserved	35	Reserved (BC)	68	-do-
3	-do-	36	Un-reserved	69	Reserved (SC)
4	-do-	37	Reserved (SC)	70	Un-reserved
5	Reserved (SC)	38	Un-reserved	71	-do-
6	Un-reserved	39	-do-	72	-do-
7	-do-	40	-do-	73	Reserved (SC)
8	-do-	41	Reserved (SC)	74	Un-reserved
9	Reserved (SC)	42	Un-reserved	75	Reserved (BC)
10	Un-reserved	43	-do-	76	Un-reserved
11	-do-	44	-do-	77	Reserved (SC)
12	-do-	45	Reserved (SC)	78	Un-reserved
13	Reserved (SC)	46	Un-reserved	79	-do-
14	Un-reserved	47	-do-	80	-do-
15	Reserved (BC)	48	-do-	81	Reserved (SC)
16	Un-reserved	49	Reserved (SC)	82	Un-reserved
17	Reserved (SC)	50	Un-reserved	83	-do-
18	Un-reserved	51	-do-	84	-do-
19	-do-	52	-do-	85	Reserved (SC)
20	-do-	53	Reserved (SC)	86	Un-reserved
21	Reserved (SC)	54	Un-reserved	87	-do-
22	Un-reserved	55	Reserved (BC)	88	-do-
23	-do-	56	Un-reserved	89	Reserved (SC)
24	-do-	57	Reserved (SC)	90	Un-reserved
25	Reserved (SC)	58	Un-reserved	91	-do-
26	Un-reserved	59	-do-	92	-do-
27	-do-	60	-do-	93	Reserved (SC)
28	-do-	61	Reserved (SC)	94	Un-reserved
29	Reserved (SC)	62	Un-reserved	95	Reserved (BC)
30	Un-reserved	63	-do-	96	Un-reserved
31	-do-	64	-do-	97	Reserved (SC)
32	-do-	65	Reserved (SC)	98	Un-reserved
33	Reserved (SC)	66	Un-reserved	99	-do-
				100	-do-

Note.--SC stands for Scheduled Castes.  
BC stands for Backward Classes.

## ANNEXURE VII

## 100-Point Roster

Roster of reservation of vacancies for Scheduled Castes and Backward Classes in promotion in Class I and II Services in the State of Punjab (in terms of circular letter No. 1494-SWI-74/3105, dated 4th May, 1974—14% for Scheduled Castes and 2% for Backward Classes).

Points in the Roster	Whether Un-reserved or reserved for	Points in the Roster	Whether Un-reserved or reserved for	Points in the Roster	Whether Un-reserved or reserved for
1	Reserved (SC)	34	Un-reserved	57	Un-reserved
2	Un-reserved	35	-do-	58	-do-
3	-do-	36	-do-	59	-do-
4	-do-	37	Reserved (SC)	70	-do-
5	-do-	38	Un-reserved	71	-do-
6	-do-	39	-do-	72	Reserved (SC)
7	Reserved (SC)	40	-do-	73	Un-reserved
8	Un-reserved	41	-do-	74	-do-
9	-do-	42	-do-	75	-do-
10	-do-	43	-do-	76	Reserved (BC)
11	-do-	44	Reserved (SC)	77	Un-reserved
12	-do-	45	Un-reserved	78	-do-
13	-do-	46	-do-	79	-do-
14	-do-	47	-do-	80	Reserved (SC)
15	Reserved (SC)	48	-do-	81	Un-reserved
16	Un-reserved	49	-do-	82	-do-
17	-do-	50	-do-	83	-do-
18	-do-	51	Reserved (SC)	84	-do-
19	-do-	52	Un-reserved	85	-do-
20	-do-	53	-do-	86	-do-
21	-do-	54	-do-	87	Reserved (SC)
22	Reserved (SC)	55	-do-	88	Un-reserved
23	Un-reserved	56	-do-	89	-do-
24	-do-	57	-do-	90	-do-
25	-do-	58	Reserved (SC)	91	-do-
26	Reserved (BC)	59	-do-	92	-do-
27	Un-reserved	60	-do-	93	-do-
28	-do-	61	-do-	94	Reserved (SC)
29	-do-	62	-do-	95	Un-reserved
30	Reserved (SC)	63	-do-	96	-do-
31	Un-reserved	64	-do-	97	-do-
32	-do-	65	Reserved (SC)	98	-do-
33	-do-	66	Un-reserved	99	-do-
				100	-do-

Note:—SC stands for Scheduled Castes.  
BC stands for Backward Classes.

## ANNEXURE IX

## 100-Point Roster

Roster of reservation of vacancies for Scheduled Castes and Backward Classes in promotion in Class III and IV Services in the State of Punjab in terms of Punjab Government circular letter No. 3180-SWI-70/893, dated 11th January, 1971, 20% for Scheduled Castes and 2% for Backward Classes.

Points in the Roster	Whether un-reserved or reserved for	Points in the Roster	Whether Un-reserved or reserved for	Points in the Roster	Whether Un-reserved or reserved for
1	Reserved (SC)	34	Un-reserved	67	Un-reserved
2	Un-reserved	35	-do-	68	-do-
3	-do-	36	Reserved (SC)	69	-do-
4	-do-	37	Un-reserved	70	-do-
5	-do-	38	-do-	71	Reserved (SC)
6	Reserved (SC)	39	-do-	72	Un-reserved
7	Un-reserved	40	-do-	73	-do-
8	-do-	41	Reserved (SC)	74	-do-
9	-do-	42	Un-reserved	75	Reserved (BC)
10	-do-	43	-do-	76	Reserved (SC)
11	Reserved (SC)	44	-do-	77	Un-reserved
12	Un-reserved	45	-do-	78	-do-
13	-do-	46	Reserved (SC)	79	-do-
14	-do-	47	Un-reserved	80	-do-
15	Reserved (BC)	48	-do-	81	Reserved (SC)
16	Reserved (SC)	49	-do-	82	Un-reserved
17	Un-reserved	50	-do-	83	-do-
18	-do-	51	Reserved (SC)	84	-do-
19	-do-	52	Un-reserved	85	-do-
20	-do-	53	-do-	86	Reserved (SC)
21	Reserved (SC)	54	-do-	87	Un-reserved
22	Un-reserved	55	-do-	88	-do-
23	-do-	56	Reserved (SC)	89	-do-
24	-do-	57	Un-reserved	90	-do-
25	-do-	58	-do-	91	Reserved (SC)
26	Reserved (SC)	59	-do-	92	Un-reserved
27	Un-reserved	60	-do-	93	-do-
28	-do-	61	Reserved (SC)	94	-do-
29	-do-	62	Un-reserved	95	-do-
30	-do-	63	-do-	96	Reserved (SC)
31	Reserved (SC)	64	-do-	97	Un-reserved
32	Un-reserved	65	-do-	98	-do-
33	-do-	66	Reserved (SC)	99	-do-
				100	-do-

Note:--SC stands for Scheduled Castes.  
BC stands for Backward Classes.

## ANNEXURE X

## Form of Caste Certificate for Scheduled Castes

It is certified that Shri/Shrimati/Kumari.....son/  
 daughter of Shri ..... of village/town .....  
 District/Division ..... State of Punjab belongs to .....  
 Caste which has been recognised as Scheduled Caste as per "The  
 Constitution (Scheduled Castes) Order, 1950."

2. Shri/Shrimati/Kumari ..... and his/her  
 family lives in village/town ..... District/Division.....  
 of Punjab State.

Signature

Designation

Place : .....

Date : .....

(Seal of Office)

## ANNEXURE XI

## Form of Application for Declaration of Backward Class

1. Name of Applicant :
2. Father's/Guardian (if father not alive) :
3. Permanent Address :
4. Postal Address :
5. Parental Occupation :
6. Caste :
7. Total Annual Income of candidate and parents/Guardian (if parents are not alive) from all sources.

-----

## Declaration by parents/guardians (if parents are not alive) and the candidate

We do hereby solemnly and sincerely affirm that the statement made and the information furnished above are true. If it is found at any stage lateron that any information furnished here is untrue in material particulars we undertake to forego the claim for public service under the State Government and shall be liable for penal action.

Signature of Candidate

Signature of parents/  
Guardian (if Parents are not alive)

Station :

Date :

-----

## Form of Certificate to be produced by a Candidate belonging to a Backward Classes in Support of his Claim

## Form of Certificate of Backward Class

This is to certify that Shri/Shrimati/Kumari\* .....  
Son/Daughter\* of ..... of Village/town\* ..... in  
district/division\* ..... of the State of Punjab, belongs to the  
..... Caste which is recognised as a Backward Class in  
terms of Punjab Government letter No. .... of .....

2. This is also certified that income of the family from all sources does not exceed Rs. 3,600 per annum.

3. Shri/Shrimati/Kumari\* ..... and/or\* his/her\* family ordinarily reside(s) in village/town\* ..... of district/Division of the State of Punjab.

Place .....

Signature .....

State .....

Designation .....

Dated .....

(With seal of office)

\*Delete which is not applicable.

## ANNEXURE XII

## Yearly returns regarding representation of Scheduled Castes and Backward Classes in the Services under the State Government

Name of Department \_\_\_\_\_

Sr. No.	Class	Total number of employees	Scheduled Castes among them	Backward Classes among them
1.	I			
2.	II			
3.	III			
4.	IV (Excluding Sweepers and Scavengers)			

It is certified that the information stated above is correct as per record.

Signature

Head of Department/Officer



## ANNEXURE XIII

(Reference Circular No. 15(4) 150(W)-78/7704 Dated the 30th August, 1982)

## DIRECT RECRUITMENT AND RECRUITMENT MADE BY TRANSFER

Name of Department .....

Half-yearly returns regarding appointments made by direct recruitment or by transfer of SCs/BCs on reservation rosters in all classes of services during the half year ending 30-6...../31-12.....

Name of Post	Class of Service	Total No. of vacancies filled during the half-yearly		No. of vacancies filled by		The number of the last point on the roster on close of previous half-yearly		The No. of Starting point on the roster during the half-yearly under report		Reasons for not filling reserved vacancies indicating special efforts/measures taken to fill reserved vacancies by SCs/BCs
		SCs	BCs	SCs	BCs	SCs	BCs	SCs	BCs	
1	2	3	4	5	6	7	8	9	10	11

Note.-- Vacancies occurring from time to time are treated as reserved or un-reserved as per the rosters prescribed in the form running account. For example, if last point on the roster during the previous half-yearly report falls, say at point No. 6, the next point on the roster during the half-yearly under report will start and be shown at point No. 7 of the roster etc.

## ANNEXURE XIV

Reference Circular No. 15(4) 15C(W)-78/7704 Dated the 30th August, 1982

## RECRUITMENT MADE BY PROMOTION

Name of Department .....

Half yearly report regarding appointments made by promotions of SCs/BCs on reservation rosters in all classes of services during the half year ending 30-6-...../31-12-.....

Name of Post	Class of Service	Total No. of vacancies filled during the half-year		No. of vacancies filled by		The number of the last point on the roster at close of previous half yearly		The No. of Start- ing point on the roster during the half-yearly under report		Reasons for not filling reserved vacancies indicating special efforts/ measures taken to fill reserved vacancies by SCs/BCs
		SCs	BCs	SCs	BCs	SCs	BCs	SCs	BCs	
1	2	3	4	5	6	7	8	9	10	11

Note.--Vacancies occurring from time to time are treated as reserved or un-reserved as per the rules prescribed in the form running account. For example if last point on the roster during the previous half-yearly report falls, say at point No. 6, the next point on the roster during the half-yearly under report will start and be shown at point No. 7 of the roster.

Copy of letter No. 13470-PG-49/65942, dated the 19th October, 1949 from the Chief Secretary to Government East Punjab, to all Heads of Departments etc., in the Punjab.

Subject.--Representation of members of the Scheduled Castes in service in East Punjab.

The East Punjab Government has/had under consideration the question of reservation of certain percentage of appointments to services in East Punjab for the Scheduled Castes. They have decided that :--

- (i) The Scheduled Castes, as defined in the Draft Constitution of India, be given representation in service, according to their population.
- (ii) Pending the determination of the exact percentage of Scheduled Caste population in East Punjab, 15 per cent vacancies in all services be earmarked for Scheduled Caste candidates, provided suitable material for filling such appointments is available out of the Scheduled Caste candidates.
- (iii) It is to be clearly understood that the minimum qualifications prescribed for any post would not be lowered with a view to accommodating any Scheduled Caste candidate.

This reservation of percentage of appointments for Scheduled Castes should be brought into force while making all new appointments in your department/office. It will not apply to promotions which are to be governed by considerations of seniority and merits alone.

## APPENDIX 26

THE CONSTITUTION (SCHEDULED CASTES)  
ORDER, 1950

In exercise of the powers conferred by clause 1(1) of article 341 of the Constitution of India, the President, after consultation with the Governors and Rajpramukhs of the States concerned, is pleased to make the following order, namely :—

1. This Order may be called the Constitution (Scheduled Castes) Order, 1950.
2. Subject to the provisions of this order, the castes, races or tribes or parts or groups, within castes or tribes specified in Part I to XIII of the Schedule, to this order shall, in relation to the States to which those Parts, respectively relate, be deemed to be Scheduled Castes so far as regards members thereof resident in the localities specified in relation to them in those parts of that Schedule.
3. Notwithstanding anything contained in paragraph 2 no person who professes a religion different from the Hindu or the Sikh religion shall be deemed to be a member of a Scheduled Caste.
4. Any reference in this Order, except in parts IV, IVA, VIIA and X of the Schedule to a State or to a district or other territorial division thereof, shall be construed as a reference to the State, district or other territorial division constituted as from the first day of November, 1956, any reference in Parts IV and VIIA of the Schedule to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division constituted as from the first day of May, 1956; and any reference in Parts IVA and X of the Schedule to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division constituted as from the first day of November, 1956.

THE SCHEDULE  
PART X-PUNJAB

1. Throughout the State :

- |   |                              |
|---|------------------------------|
| 1. Ad Dharmi  | 17. Khatik                   |
| 2. Bengali  | 18. Kori or Koli             |
| 3. Brar, Burar or Berar   | 19. Marija or Marecha        |
| 4. Batwal   | 20. Mazhbi                   |
| 5. Bauria or Bawaria  | 21. Megh                     |
| 6. Bazigar  | 22. Nat                      |
| 7. Balmiki, Chura or Bhangi   | 23. Od                       |
| 8. Bhanjara   | 24. Pasi                     |
| 9. Chamer, Jatia, Chamar,<br>Rehgar, Raigar, Ramdasia or<br>Ravidasia | 25. Perna                    |
| 10. Chanai  | 26. Pherera                  |
| 11. Dagi  | 27. Sanhai                   |
| 12. Dhanak  | 28. Sanhal                   |
| 13. Dumna, Mahasha or Doca  | 29. Sansi, Bhedkut or Manesh |
| 14. Gagra   | 30. Sapela                   |
| 15. Gandhila or Gandil<br>Gondola                                     | 31. Sarera                   |
| 16. Kabirpanthi or Julaha   | 32. Siklighar                |
|   | 33. Sirkiband                |

2. Throughout the State except the districts of Patiala, Bhatinda, Kapurthala and Sangrur :--

- (1) (1) Darain
- (2) (2) Dhogri, Dhangri or Siggri.
- (3) (3) Sansol.

3. In the districts of Patiala, Bhatinda, Kapurthala and Sangrur :--  
Deha, Dhaya or Dhee

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## APPENDIX II

## LIST OF BACKWARD CLASSES IN PUNJAB STATE

Castes races or tribes or part of group within castes or tribes resident in the State of Punjab and declared as Backward Classes irrespective of their religion for purposes of special treatment for the promotion of their educational, economic and other interests :--

1. Aheria, Aheri, Heri Naik, Thori or Turi
  2. Barra
  3. Beta, Hensi or Hesi
  4. Changar
  5. Chirimar
  6. Daiya
  7. Gwaria, Gauria or Gwar
  8. Kanjar or Kanchan
  9. Kurmi
  10. Nar
  11. Rehar, Rehara or Re.
  12. Ghirath including Chang and Bahti
  13. Kahar Jhiwar or Dhiwar. —P.G. No. 11096-WG-55/53380, dated 3-9-1955.
  14. Ghosi, Ghasiara or Ghosi
  15. Bagria
  16. Riaigar
  17. Weaver (Jhullaha)
  18. Labana, P.G. No. 28585-WG-55/6014, dated 6-10-1956.
  19. Gorkhas, P.G. No. 14980 WG-II-55/10352, dated 7/13-12-1957.
  20. Kumharas, P.G. No. 515-WG-II-58/21759, dated 15/19-3-1958.
  21. Nais, P.G. No. 3059-WG(c)-55/8126, dated 10/12-11-1956
  22. Dhobis, P.G. No. 12392-WGII-58/56330, dated 14-7-1958.
  23. Kamboj Pb. Govt. No. 1235 (SWA-3)-79/2249, dated 27-4-74.
  24. Rai Sikhs
  25. Barwar
  26. Barai, Tamoli
  27. Baragi, Bairagi
  28. Battersa
  29. Bharbhunja.
  30. Bhat, Bhatra, Darpi, Ramiya
  31. Bhuhalia Loher
  32. Chahang
- P.G. No. 6961-W.G.-53/62307/dated 31st August,  
P.G. No. 6961 W.G. 53/62307 dated 21st August, 1953.

33. Chimba, Chhippi, Chimba, Darzi, Tonk Form Serial No. 24 to  
50,--vide P.G. No.  
9159-4WGII-59/38353,  
dated 9/23-12-1959.
34. Dakout
35. Dhimar Mallah, Kashyap Rajputs
36. Fequir
37. Dhosali, Doseii
38. Gawala, Gowala
39. Gaddaria
40. Jhangre Brahman
41. Kajjam Nsi,
42. Jogi Nath
43. Khati
44. Rechbanad
45. Khanghera
46. Kucha band
47. Thathera, Tamera
48. Lakhera, Maninar
49. Vanzara
50. Madari
51. Lohar
52. Mochi
53. Mirasi
54. Noongar
55. Nalband
56. Shergir
57. Pinjab Penja
58. Soi
59. Singhikant, Singhiwala
60. Tell
- From Serial No. 24 to  
50,--vide P.G. No.  
9159-4WGII-59/38353,  
dated 9/23-12-1959.

## APPENDIX 37

Copy of letter No. 6961-WG-53/62307, dated 21st August, 1953 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department, to All Heads of Departments Commissioners of the Divisions, Deputy Commissioners, District & Session Judges, Registrar, Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State, etc.

## WELFARE

## GENERAL

Subject.— Classification of certain classes of people as "Backward Classes"

I am directed to address you on the above subject and to say that the question of classification of "Backward Classes" in the State has been engaging the attention of this State Government and it has now been decided to declare the following castes, races or tribes or part of group within castes or tribes resident in the State of Punjab as "Backward Classes" irrespective of their religion for purposes of special treatment for the promotion of their educational, economic and other interests :--

- (a) 1. Aheria, Aheri, Heri, Naik, Thorlor Turi  
 2. Barra  
 3. Beta, Hensor Hosi  
 4. Changar  
 5. Chirmar  
 6. Daiya  
 7. Gwaria, Gauria or Gwar  
 8. Kangar or Kanchan  
 9. Kurmi  
 10. Nar  
 11. Rehar, Rehara or Re  
 12. Ghirath  
 13. Daraln  
 14. Ghai of Kangra District only.
- (b) Members of the following castes professing any other than Hind Religion (members of which have been notified as Scheduled Castes) :--
1. Ad-Dharmi
  2. Barar, Buxar or Berar
  3. Bangall
  4. Batwal
  5. Bauri or Sawaria
  6. Bazigar

7. Balmiki, Chura or Bhangi
8. Banjara
9. Chamar, Jatia Chamar, Rehgar, Raigar, Ramdasi or Ravidasi
10. Chanal
11. Dagl
12. Dhanak
13. Dumna
14. Gagra
15. Gandhila or Gandil, Condola
16. Kabirpanthi or Julaha
17. Katik
18. Marija or Marecha
19. Kori or Koli
20. Mazbhi
21. Megh
22. Nat
23. Od
24. Pasi
25. Parna
26. Pherara
27. Sanhal
28. Sanhal
29. Sansi Bhodkut or Manesh
30. Sapela

2. According to the existing policy of Government, the following concessions has been given to the members of the Scheduled Castes and Scheduled Tribes as specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 :--

- (i) 19 per cent of vacancies in the State Government services have been reserved for Scheduled Castes and Scheduled Tribes together :
- (ii) The Scheduled Castes and Scheduled Tribes candidates have been granted age concession for entry into service under the Punjab State Government. In their case the maximum age-limit for appointment to a non-gazetted service or a post has been raised by 5 years and for gazetted posts or appointment by 3 years.
- (iii) Members of the Scheduled Castes and Scheduled Tribes also concessions in respect of application/examination fee payable in connection with the appointment made in consultation with the State Public Service Commission. They are charged with 1/4th of the ordinary fees.



- (iv) Age and fee concessions are given to the Scheduled Castes and Scheduled Tribes candidates for the posts of Sub-Judges and Extra Assistant Commissioners. The recruitment to these services is made from among those Scheduled Castes candidates who are declared to be qualified by the State Public Commission in the P.C.S. (Executive Branch) Competitive Examination and in the competitive examination for the P.C.S. (Judicial Branch) keeping in view their seniority inter se irrespective of the position obtained in the list of qualified candidates as a whole.
- (v) Under the Constitution of India, for a period of 10 years seats are reserved in the House of the People and in the Legislative Assembly of every State for members of Scheduled Castes.

3. All the concessions enumerated above except number (v) will now be allowed to members of the "Backward Classes" also. I am to request that these instructions may be brought to the notice of the Subordinate Offices under you and that they may be implemented carefully.

Copy of letter No. 9525-WG-53/94449, dated 8th December, 1953 from Nawab Singh, SBO, I.C.S., Chief Secretary to Government, Punjab, to All Heads of Departments, Commissioner, Ambala and Jullundur Divisions, Deputy Commissioners and District and Sessions Judges in the Punjab and the Registrar, High Court of Punjab at Simla.

Subject:--Adoption of a block system for the recruitment of Scheduled Castes/Tribes in Services.

I am directed to say that Government have had under consideration the question of recruitment of members of Scheduled Castes and Scheduled Tribes in services or the posts reserved for them. At present, as you are aware, 19 per cent of all new vacancies are reserved for members of the Scheduled Castes and Scheduled Tribes subject to the conditions and restrictions mentioned in Punjab Government circular letter No. 4276-WG-52/2521, dated the 19th August, 1952. According to these instructions, no department/office can fill any vacancy reserved for Scheduled Castes and Scheduled Tribes by appointing a member of another community without referring the matter to the Chief Secretary (in Welfare and General Branch). Government feel however, that the progress of appointment of members of the Scheduled Castes and Scheduled Tribes in Government service has not been satisfactory.

2. In order to ensure to members of the Scheduled Castes and Tribes their due share in Government services, Government have decided to adopt a block system of recruitment based on a formula of rotation. This formula envisages a system of appointment on the basis of blocks of 5 vacancies expressed in the following manner:--

5 plus 0 plus 0 plus 0 plus 0 is equal to 5 vacancies or one Block

(5) Stands for a post reserved for members of Scheduled Castes and tribes and [(0) stands for a post open to all others]

3. It has further been decided that in case it is not possible to fill the first reserved vacancy by appointment of a member of the Scheduled Castes or Tribes, this vacancy may be filled by a non-Scheduled Caste/Tribe candidate, in consultation with the Chief Secretary (in Welfare and General Branch), as already stated in Punjab Government letter No. 3541-WG-51/1984, dated the 2nd June, 1951 and the reservation should then be carried on from vacancy to vacancy in the same block until a suitable candidate for one vacancy in the block has been found. If all vacancies in the block are filled by non-Scheduled Castes/tribes candidates in consultation with the Chief Secretary, due to lack of suitable Scheduled Castes/Tribe candidates the vacancy should be carried over to the second blocks, which will in the circumstances read as follows:--

"5 plus 5 plus 0 plus 0 plus 0"

Here again, the reservation should be carried from vacancy to vacancy in the second block until it is possible to fill them. If, however, it is not possible to fill both the reserved vacancies in such a second block, then only one of the two reserved vacancies will be carried over to the third block. In other words not more than one reserved vacancy will be carried over from one block to the next in any case.

4. I am to request that these instructions should be followed strictly. In future, while filling new vacancies, and every effort should be made to fill all reserved vacancies by appointment suitable members of the Scheduled Castes/Tribes.

## APPENDIX 6

Copy of memorandum No. 1649-WG-54/23802, dated 28th April, 1954 from Shri Nawab Singh, Chief Secretary in Government Punjab, to the Excise and Taxation Commissioner, Punjab, Jullundur with endorsement to all other Heads of Departments all Administrative Secretaries.

Subject:--Representation of members of Scheduled Caste/Tribes.

Reference your memo. No. 896/BC, dated the 22nd February, 1954, on the subject noted above.

2. Your presumption that the instructions relating to the recruitment of block system contained in Punjab Government letter No. 9525-WG-53/94449, dated the 8th December, 1953, do not apply to appointments made by transfer, is not correct. Since appointment by transfer (which implies that it is from another service) is not an appointment by promotion these instructions do not apply to vacancies to be filled by transfer.

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Copy of letter No. 28400-MG-S-56/3090, dated the 9th November, 1956 from Makul Sen, Esquire, I.C.S., Chief Secretary to Government, Punjab to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners and the District and Sessions Judges in the Punjab, Planning Officer, Punjab and Haryana, High Court, Chandigarh.

Subject:--Representation of members of the Scheduled Castes and Scheduled Tribes and Backward Classes in service in Punjab.

It has come to the notice of Government that the instructions issued from time to time regarding the reservation of vacancies for members of Scheduled Castes, Scheduled Tribes and Backward Classes are not observed properly and the formula of rotation prescribed is misinterpreted in many cases. With a view to avoid any confusion the position is further explained below:--

- (a) The percentage of reservation in services for members of Scheduled Castes Tribes is 19 per cent on the basis of their total population in the Punjab. In addition to this, 2 per cent of vacancies have been reserved for members of Backward Classes recognised by Government from time to time. The instructions further enjoin that before vacancies reserved for Backward Classes are thrown open to others, they should first be offered to candidates of Scheduled Castes and Scheduled Tribes, if available. In the same way, before vacancies meant for Scheduled Castes and Scheduled Tribes are thrown open to others owing to non-availability of suitable candidates, they should be offered first to Backward Classes. (Punjab Government letter No. 1945-WG-54/17246, dated the 17th March, 1954).
- (b) With a view to ensuring due representation of members of Scheduled Castes, Scheduled Tribes and Backward Classes in Government services, a block system of recruitment based on a formula of rotation was prescribed in December, 1953. This formula envisages a system of appointment on the basis of block of five vacancies explained in the following manner.

$S + O + O + O + O = 5$  vacancies or one block.

('S' stands for a post reserved for members of Scheduled Casts, Scheduled Tribes and Backward Classes; and 'O' stands for a post open to all others).

According to the formula the first vacancy must be reserved for a member of the Scheduled Castes, Scheduled Tribes and Backward Classes irrespective of his position inter se the other candidates and the remaining four vacancies for others. In case it is not possible to fill the first reserved vacancy by appointment of a member of the Scheduled Caste, Scheduled Tribe and Backward Classes this vacancy may be filled by a candidate other than that belonging to Scheduled Castes, Scheduled Tribes and Backward Classes and the reservation should then be carried on from vacancy to vacancy in the same block until a suitable candidate for one vacancy in the block has been found. If all vacancies in the block are filled by non-Scheduled Castes/Tribes, etc., due to lack of suitable candidates the vacancy should be carried over to the second block. The reservation should be

carried from vacancy to vacancy in each block until it is possible to fill it by a member of Scheduled Caste/Scheduled Tribe and Backward Class candidate. If, however, it is not possible to fill both the reserved vacancies in such a second block then only one of the reserved vacancies will be carried over to the third block. In other words not more than one reserved vacancy will be carried over from one block to the next in any case. For facility of reference the position is made clear in the following manner :--

S + 0 + 0 + 0 + 0	}	First Block
0 + S + 0 + 0 + 0		
0 + 0 + S + 0 + 0		
0 + 0 + 0 + S + 0		
0 + 0 + 0 + 0 + S		
0 + 0 + 0 + 0 + 0		
*S + S + 0 + 0 + 0	}	Second Block
0 + S + S + 0 + 0		
0 + 0 + S + S + 0		
0 + 0 + 0 + S + S		
0 + 0 + 0 + 0 + S		
0 + 0 + 0 + 0 + 0		
*S + *S + 0 + 0 + 0 and soon.		Third Block

(Punjab Government letter No. 9255-WG-53/94449, dated 8th December, 1953)

- (c) The condition prescribed in Punjab Government letter No. 9525-WG-53/94449, dated the 8th December, 1953, that the permission of Chief Secretary in the Welfare and General Branch should be obtained before filling a vacancy reserved for a member of Scheduled Caste, Scheduled Tribe and Backward Classes was relaxed,-- vide para 2 of Punjab Government letter No. 3447-WG-54/30205, dated the 25th March, 1954. According to this decision the Heads of Departments or other competent officers concerned were permitted to appoint non-Scheduled Caste candidates in the case of temporary reserved vacancies, which are to last for such a short term that they can be filled without reference to the Subordinate Services Selection Board or the Public Service Commission and reserved posts carrying a salary of less than Rs. 50, which can be filled without reference to the Subordinate Services Selection Board, if after proper advertisement and reference to the Employment Exchanges as prescribed in Punjab Government letter No. 3641-WG-51/1948, dated the 2nd June, 1951, they are unable to find a suitable candidate belonging to Scheduled Castes, Scheduled Tribes and Backward Classes. In the case of posts to be filled through the Subordinate Service Selection Board or the Public Service Commission, it has been laid down in respect of reserved vacancies that if a suitable candidate belonging to Scheduled Castes, Scheduled Tribes and Backward Classes, is not available the reserved vacancy will be thrown open to all others.

\* Carried-over vacancy.

\* Reserved vacancy.

- (d) The minimum qualifications prescribed for any post are not to be lowered with a view to accommodating any Scheduled Castes, Scheduled Tribes and Backward Classes candidate. The candidates belonging to these Castes possessing the minimum prescribed qualifications should not be rejected in favour of non-Scheduled Castes, Scheduled Tribes and Backward Classes candidates having higher qualifications. (Punjab Government letter No. 21509-WG-56/56979, dated the 1st/10th September, 1956).
- (e) The reservation of percentage of appointment for Scheduled Castes, Scheduled Tribes and Backward Classes is applicable to new appointments and not to promotions which are to be governed by consideration of seniority and merit alone.
- (f) Members of the Scheduled Castes, Scheduled Tribes and Backward Classes, who are in service and are otherwise qualified and suitable and against whom there are no complaints should not ordinarily be brought under reduction or retrenchment so long as their total strength does not exceed the prescribed limit. No retrenchment should be made without first obtaining the orders of the Chief Secretary in the Welfare and General Branch. (Punjab Government letter No. 4368-PG-50/2951, dated the 3rd April, 1950, and No. 4153-WG-51/2409, dated the 20th June, 1951 and No. 4854-WG-52/4164, dated the 21st August, 1952).

It may, however, be made clear that a member of Scheduled Castes, Scheduled Tribes and Backward Classes in Government service will be entitled to this preference only when a non-Scheduled Caste employee is senior to him by not more than one year. In other words, a member of Scheduled Castes, Scheduled Tribes and Backward Classes in Government Service should not be retrenched, even though he may be the junior-most employee in the office or department concerned, if at the time of the proposed retrenchment there are other temporary employees not more than one year senior to the Scheduled Castes, Scheduled Tribes and Backward Classes employees concerned. In such a case, the junior most non-Scheduled Castes, Scheduled Tribes and Backward Classes employees senior to the Scheduled Castes, Scheduled Tribes and Backward Classes employee by not more than one year may be retrenched and the Scheduled Castes, Scheduled Tribes and Backward Classes employee should be retained. (Punjab Government letter No. 3555-WG-53/94027, dated the 14th December, 1953).

- (g) To encourage members of Scheduled Castes, Scheduled Tribes and Backward Classes to obtain higher education, 19 per cent of seats in educational, technical and professional institution, controlled by Government should be reserved for members of these classes, and a further 2 per cent seats should be reserved for members of the Backward Classes. The minimum qualifications, however, required for candidates for these seats should not, however, be relaxed in favour of members of Scheduled Castes, Scheduled Tribes and Backward Classes. If a sufficient number of candidates from Scheduled Castes, Scheduled Tribes are not available, the seats reserved for

them, before they are thrown open to others, should be offered first to the members of the Backward Classes, if available. In the same way, if a sufficient number of candidates of Backward Classes is not available, the seats reserved for them should be offered first to candidates of Scheduled Castes and Scheduled Tribes. If, however, they are not available, the seats may thus be thrown open to other candidates. (Punjab Government letter No. 1946-WG-54/17248, dated the 17th March, 1954).

- (h) The instructions regarding block-system are also applicable to vacancies to be filled by transfer. (Punjab Government Memo. No. 1549-WG-54/23802, dated the 28th April, 1954). A block register should be maintained for each and every cadre so that while making recruitment to solitary posts, the block-system is observed. (Punjab Government letter No. 10067-WG-56/48349, dated the 11th/18th June, 1956).
- (i) The half-yearly returns prescribed in Punjab Government Memorandum No. 6807-WG-51/3743, dated the 26th September, 1951, should continue to be submitted as usual through the Administrative Secretary concerned.

2. I am to request that these instructions should be followed strictly, in future, while filling new vacancies, and every effort should be made to fill all reserved vacancies by appointment of suitable members of the Scheduled Castes, Scheduled Tribes and Backward Classes.

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 Copy of letter No. 12674-WG11-57/88443, dated Simla-2, the 11th/17th October, 1957 from Shri Nakul Sen, I.C.S., Chief Secretary to Government, Punjab, to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners and the District and Sessions Judges in the Punjab and the Registrar, High Court, Punjab.

Subject : Representation of members of Scheduled Castes/Scheduled Tribes and Backward Classes in services in Punjab.

I am directed to refer you to para (h) of Punjab Government letter No. 28400-WG-5-56/8090, dated the 9th November, 1956, on the subject noted above wherein it has been laid down that instructions regarding block system are also applicable to vacancies to be filled by transfer.

2. A point has arisen whether the block system is to be observed while making appointments by transferring an official from one cadre to another in the same department and it has been decided that where transfer from one cadre to another in the same department is involved due to promotion, the block system should not be observed. In order to clarify the matter, the words "the instructions regarding block system are also applicable to vacancies to be filled by transfer" appearing in para (h) of the letter referred to above may be substituted as follows :—

"the instructions regarding block system are also applicable to vacancies to be filled by transfer from one department to another and not from one cadre to another cadre in the same department".

## APPENDIX 7

Copy of Letters No. WG11-13(29)-61/5538, dated 6th March, 1961 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department, to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Sessions Judges, Registrar Punjab and Haryana High Court, and Sub-Divisional Officers (Civil) in the State etc.

Subject:--Representation of members of Scheduled Castes/Tribes and Backward Classes in service in Punjab.

I am directed to refer to Punjab Government letter No. 28406-WG-S-56/8090, dated the 9th November, 1956, wherein it is stated that with a view to ensuring due representation to members of Scheduled Castes/Tribes and Backward Classes in Government service recruitment on a Block system based on a formula of rotation is to be made and that the first vacancy is to be reserved for a member belonging to these Castes/Classes irrespective of his position *inter se* the other candidate and the remaining four vacancies for others. The instructions further enjoin that in case it is not possible to fill the first reserved vacancy by appointment of a candidate belonging to Scheduled Caste/Tribe or Backward Classes, this vacancy may be filled by a candidate other than the one belonging to Scheduled Caste/Tribe and Backward Classes and the reservation be carried on from vacancy to vacancy in the same block until a suitable candidate for the vacancy in the block has been found. According to the existing practice, if the service of a Government servant belonging to Scheduled Caste/Tribe and Backward Classes are terminated the resultant vacancy is included in the normal pool of vacancies and is filled up in accordance with the Block System. It has been observed that in this way the underlying idea of giving due representation to members of Scheduled Caste/Tribe and Backward Classes is not achieved. With a view to safeguard the interests of the members of the Scheduled Castes/Tribes and Backward Classes it has been decided that if the services of a Government Servant belonging to Scheduled Castes/Tribes or Backward Classes are terminated the resultant vacancy should not be included in the normal pool of vacancies to be filled in accordance with the block system but should be filled up on an *ad hoc* basis from the candidates belonging to these castes and classes. In other words the intention is that the posts vacated by members of Scheduled Castes/Tribes and Backward Classes should remain earmarked and be filled up by members belonging to these Classes.

2. There will not be any practical difficulty in finding suitable candidates belonging to Scheduled Castes/Tribes and Backward Classes in so far as non-technical posts are concerned. However, for the technical posts and those requiring specialised training or qualifications suitable personnel possessing requisite experience and qualification may not be available. Therefore, in order to avoid any administrative inconvenience by keeping these posts in abeyance for an indefinite period, such posts may be filled up by candidates other than those belonging to Scheduled Castes/Tribes and Backward Classes on the condition that whenever suitable persons belonging to such castes/classes are available and there is need for filling up a new vacancy, the members of the Scheduled Castes/Tribes and Backward Classes should be given their earlier quota for making up their deficiency arisen out of non-availability of their technical persons at that time.

3. The receipt of this communication may please be acknowledged.



## APPENDIX 27

Copy of circular letter No. 2662-SWGII-63/6934, dated the 20th April, 1963, from the Secretary to Government, Punjab, Scheduled Castes, and Backward Classes Department, to all Heads of Departments.

Subject:--Classification of certain classes of people as Backward Classes other than the scheduled Castes and Scheduled Tribes.

I am directed to address you on the subject noted above and to say that the question of classification of the people of the State as Backward on the basis of their economic backwardness, social status of occupation etc. other than castes had been engaging the attention of the Government for some time past. After careful consideration it has now been decided that :--

Besides the Scheduled Castes and Scheduled Tribes, who are separately enjoying certain privileges the other Backward Classes may include :--

- (a) all the residents of Punjab State, whose family income is less than Rs. 1,000 per annum irrespective of the fact as to which caste, community or class they belong to and what profession they are following.
- (b) Besides the above category certain other communities should also be declared as Backward by the State Government. These communities should be such as are socially looked down upon by the people of State. All the members belonging to these backward Communities excluding those whose family income exceeds Rs. 1,800 per annum should be entitled privileges being enjoyed by Backward Classes.

Copy of letter No. 10181-4WG1-63/795, dated Chandigarh the 14th January, 1964 from the Secretary to Government, Punjab, Scheduled Castes and Backward Classes Department, to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners and District and Sessions, Judges in the State and Registrar, Punjab and Haryana High Court, Chandigarh.

**Subject :** Reservation for the members of Scheduled Castes, Scheduled Tribes and other Backward Classes in promotion cases.

I am directed to invite a reference to Punjab Government letter No. 6486-5WGII-63/19193, dated the 12th September, 1963 wherein provision for reservation of ten per cent of the higher posts to be filled by promotion for the members of Scheduled Castes and other Backward Classes, had been made.

2. Government have since then been receiving references from several quarters seeking clarification in regard to the implementation of the said decision. After careful consideration of the matter, it has now been decided that :--

- (a) The said decision should be applied to all promotion posts already vacant on 12th September, 1963, or falling vacant thereafter.
- (b) The reservation should not imply that 10 per cent of the total posts reserved for promotion in any cadre have to be filled by Scheduled Castes personnel in the sense that all existing/future vacancies will be filled up by Scheduled Castes/Tribes and other Backward Classes candidates until their share in higher services comes upto 10 per cent.
- (c) This provision of reservation applies to all State services including Class I, II, III and IV posts, the only exception being All India Services.
- (d) This reservation should apply even in the case of short term leave vacancies unless it is likely to involve unnecessary dislocation of work in different offices and avoidable expenditure and inconvenience due to mid-year transfers, etc.
- (e) So far as Scheduled Castes/Tribes are concerned the very first vacancy existing or arising after the 12th September, 1963 should be treated as reserved for them and only, if no such official is available for promotion against the vacancy reserved for them in the first block of 10 vacancies a candidate belonging to other Backward Classes may be selected in preference to the remaining officials against one such post only out of one hundred since the reservation for other Backward Classes may not exceed 1 per cent. However, if Scheduled Castes/Tribes candidates are available to fill one out of every ten vacancies, the specific reservation in favour of other Backward Classes should be the 51st vacancy.
- (f) One reserved vacancy should be carried over to the next block of ten vacancies in case it cannot be filled up within

any block of ten posts. Thus if no Scheduled Castes/Tribes/ Backward Classes candidate is promoted against any of the first 10 vacancies the number of vacancies available to such candidates in the following block will be two.

- (g) In case an out of turn promotion has already been given to a candidate belonging to Scheduled Castes/Tribes or Backward Classes against a reserved vacancy and then in the same block it happens to be the turn of a candidate belonging to the said Castes/Classes for promotion, such candidate should not be ignored on the ground that 10 per cent reservation has already been exhausted.

2. The receipt of this communication may please be acknowledged.

## APPENDIX 12

Copy of letter No. 2125-4WGI-64/5213, dated 18th March, 1964 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Department to all Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, Distt. & Session Judges, Registrar, Punjab & Haryana High Court and Sub-Divisional officers (Civil) in the State etc.

Subject.--Reservation in promotion cases for the members of Scheduled Castes/Tribes and other Backward Classes.

1. I am directed to invite reference to Punjab Government letter No. 10181-4WGI-63/795, dated the 14th January, 1964, on the subject noted above.

2. Your attention is invited to sub-para (2) (e) (f) and (g) in which a mention has been made of the block of 10 vacancies in the promoted cadre and it has been laid down that the first vacancy existing on or arising after the 12th September, 1963, when instructions were circulated on the Subject,--vide Punjab Government letter No. 6495-SGWII-63/19193, should be considered as reserved vacancy for the Officer/Official belonging to Scheduled Castes/Tribes and Backward Classes. The mention of this block of 10 vacancies has been made with a view to ensure 10 per cent reservation of Scheduled Castes/Tribes and Backward Classes in the promoted cadre as also to specifying the number of vacancy which has to be considered as reserved for them. This should not be interpreted to mean that an officer/official belonging to Scheduled Castes/Tribes and Backward Classes must fall in the first 10 candidates invariably to be eligible to the first reserved vacancy in the block. The reservation for the members of these classes is governed by the policy letter issued on the 12th September, 1963, mentioned above. It states that subject to the conditions that the person to be considered must possess the minimum necessary qualification and he should have at least a satisfactory record of service, an Officer/Official belonging to these classes shall be able to draw benefit out of this special reservation for these classes.

3. To illustrate the above point, if there is no official of the Scheduled Castes placed at a position say 73rd in the list prepared for promotion to the higher posts and a vacancy arises therein, he would have precedence over the other 72 officials to benefit out of the first vacancy that occurs on or after 12 September, 1963. His turn would not be withheld merely for the fact that his number on the select list is not in the first ten.

Copy of letter No. 11394-4WGI-63/11241, dated 18th June, 1964, from the Secretary to Government Punjab, Scheduled Castes and Backward Classes Department, to all Heads of Department, etc., etc..

Subject.-Classification of certain classes of people as Backward Classes, other than the Scheduled Castes and Scheduled Tribes-  
Definition of the term 'family'.

I am directed to say that consequent upon the issue of instructions contained in P.G. letter No. 2662-WEII-63/6934, dated the 20th April, 1963, on the subject cited above, a question has arisen as to what should be the definition of a family, as used in the aforesaid communication for the purpose of determining as to whether a particular individual is entitled to claim concessions admissible to Backward classes.

2. The point has been examined and it has been decided that the term family in this context should mean an individual's wife, legitimate children and step-children residing with and wholly dependent upon him. It would include, in addition, parent, sisters and minor brothers, if residing with and wholly dependent upon him. Family would not include an adopted mother, step mother and such other adventitious dependent.

3. To conform to the economic criteria forming basis of backwardness in individual who could not be treated as member of an economically backward family before getting an independent employment can not become economically backward by virtue of the said employment on account of his emoluments being less than the prescribed limit, that is, in other words he cannot be treated as a separate head of the family merely on account of becoming an earning member instead of purely a dependent member of a family. The position will, however, be different, if on account of persons' marriage or otherwise he or she sets up a separate home and is no longer a part of the former household. In that case that person would be regarded as distinct head of family and may get any benefits of being economically backward when his or her income is below the prescribed limit.

4. The person who belongs to a Backward Class on account of his income being below Rs. 1000 per annum or to a Backward Caste when his income does not exceed Rs. 1800 per annum would cease to enjoy the concessions admissible to Backward Classes on income basis when his son or daughter gets some gainful employment to supplement the earnings of the family group resulting in the income going beyond the prescribed limit. If, however, the son, daughter sets up a separate home due to marriage or otherwise that persons would be treated as a distinct head of family and both he/she and the family left by him/her would be entitled to the benefits accruing on account of economic criterion for the socially backward classes.

## APPENDIX--11

Copy of letter No. 4183-4 WGI-64/17314, dated 3rd September, 1964 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Deptt. to All Heads of Departments, Commissioner, of the Divisions, Deputy Commissioners, Distt. & Session Judges, Registrar Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

**Subject.**--Reservation for the member of Scheduled Castes/Scheduled Tribes and Backward Classes in promotion cases.

1. I am directed to refer to you to para 1 of Punjab Government letter No. 6486-5WGII-63/19193, dated 12th September, 1963, wherein it has been laid down that except in the case of a All-India Services 10 per cent of the higher posts to be filled by promotion, should be reserved for the members of the Scheduled Castes/Scheduled Tribes and Backward Classes (9 per cent for the members of Scheduled Castes and Scheduled Tribes and 1 per cent for the Backward Classes) provided the persons to be considered possess the minimum necessary qualifications and at least a satisfactory record of service.

2. It has been observed that in certain cases Departmental promotion *inter alia* depends on qualifying in some prescribed test (e.g. post of an Assistant is filled up as a result of a test of the Clerk conducted by the S.S.S. Board). For appearing in these tests, candidates are recommended on the basis of seniority after completing a minimum number of year of service according to the provisions in the service rules. It may be that in certain cases there are no candidates belonging to Scheduled Castes/Tribes and other Backward Classes, who could be recommended for taking up this test on the basis of seniority. The obvious consequence would be that the reserved vacancy would be left unfilled for want of duly qualified official belonging to these backward classes.

3. With a view, therefore to removing such difficulty, it is hereby laid down that the various Departments should recommend twice the number of candidates for a single post reserved exclusively for official belonging to Scheduled Castes/Tribes and Backward Classes even though they do not come within the seniority of the total number of official who have to be recommended for a particular test, provided the minimum qualifications and experience required for eligibility to take up the test are not relaxed in any case.

4. The receipt of this communication may please be acknowledged.

## APPENDIX 36

Copy of letter No. 3879-WGI-ASO-II-64/20069, dated 5th/9th October 1964, from the Secretary to Government, Punjab, Scheduled Castes and Backward Classes Department, to all Heads of Department, etc.

Subject.--Reservation of seats for Scheduled Castes/Tribes in Technical Educational and Professional Institutions.

I am directed to refer to P.G. letter No. 1637-WGI-ASO-II-64/4289 dated the 8th/13th March, 1964, on the subject cited above and to convey the following clarifications and decisions of the State Government for necessary implementation :--

- (i) 20 per cent reservation of seats for Scheduled castes and Scheduled Tribes shall be collective for them without distt. percentage *inter se* between them. There is 2 per cent separate reservation for other Backward Classes. Before the quota for Scheduled Castes and Scheduled Tribes is thrown open of others for want of adequate number of candidates from these castes and tribes, it shall be in the first instance, offered to students belonging to other Backward Classes and *vice versa*. It will be only if the requisite number of students is not available for filling the quota of reserved vacancies from Scheduled Castes and Scheduled Tribe and other Backward Classes, that the unutilized seats will be added to the general pool of vacancies to be filled exclusively on merit.
  - (ii) It is understood that there is minimum qualifying standard for admission to various institutions. Students belonging to Scheduled Castes/Scheduled Tribes should be eligible for admission to the reserved seats if they attain this minimum standards without any reference to the gap between their marks and the marks of the last person admitted to the open seats.
  - (iii) Where admission are restricted to candidates who obtain a certain minimum percentage of marks and not merely the passing of a certain examination, there should be a 5 per cent reduction in marks for the Scheduled Castes and Scheduled Tribes provided that the lower percentage prescribed does not fall below the minimum required to pass the qualifying examination. These instructions were issued in 1955 for a period of 5 years. It has been decided that this should be continued till further revision.
  - (iv) According to the existing instructions, maximum age limit in respect of Scheduled Castes, Scheduled Tribes, other Backward and Vimukat jatis for admission to these institutions has been raised by 3 years in case where such a maximum has been prescribed. The status quota has to continue.
2. The receipt of this communication may kindly be acknowledged.

## APPENDIX 5

Copy of U.O. No. 5246-PS(1)-65, dated 15th November, 1965 from the Financial Commissioner, Planning and Secretary to Government, Punjab, Planning Department to the Secretary to Government, Punjab, Scheduled Castes and Backward Classes Department, Chandigarh.

**Subject.**--Reservation for the members of Scheduled Castes/Tribes and Backward Classes in promotion.

Will the Secretary to Government, Punjab, Scheduled Castes/Backward Classes Department please refer to the subject cited above?

2. It was decided,--vide P.G. letter No. 6486-SWGII-63/19193, dated 12th September, 1963 that except in the case of All India Services 10 per cent of the higher posts to be filled by promotion should be reserved for the members of Scheduled Castes/Tribes and Backward Classes. In the Economic and Statistical Organisation the first vacancy after 12th September, 1963 of the District Statistical Officer/Research Officer in the scale of Rs. 250/600 was offered to a member of the Scheduled Caste, who was given *pro forma* promotion against this post. Since then there have been six such vacancies of District Statistical Officer/Research Officer which were earmarked for appointments by promotion. Against these vacancies Technical Assistants/Scrutiny Inspectors were promoted and three Technical Assistants/Scrutiny Inspectors were given *pro forma* promotion. Now one of the Technical Assistants who is member of the Scheduled Castes has represented that in view of the P.G. instructions, dated 12th September, 1963 the next vacancy of District Statistical Officer/Research Officer be reserved for the members of Scheduled Castes, Scheduled Tribes and Backward Classes as nine Technical Assistants/Scrutiny Inspectors (including 3 who have been given *pro forma* promotion) have already been promoted as District Statistical Officers/Research Officers. His representation has been considered and it has been observed that P.G. instructions in question provide for the first vacancy in a block of 10 vacancies to be reserved for the members of Scheduled Castes, Scheduled Tribes and Backward Classes. It is not clear as to whether or not the Technical Assistants/Scrutiny Inspectors who were given *pro forma* promotion against these posts are also to be considered to have been promoted against vacancies and in the case of the type referred to above the next vacancy is required to be reserved for members of Scheduled Castes/Scheduled Tribes and Backward Classes or a vacancy is to be reserved for members of Scheduled Castes, Scheduled Tribes and Backward Classes only after 5 Technical Assistants/Scrutiny Inspectors have actually been promoted against vacancies. Since the P.G. instructions are not clear on this point, he is requested that the position may be clarified for guidance.



## APPENDIX 31

Copy of letter No. 10972-4 WG-1-65/3205, dated 16th February, 1966 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Deptt. to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, Distt. and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State, etc.

Subject.--Reservation in services for Scheduled Castes/Scheduled Tribes and Backward Classes brochures.

I am directed to refer to Punjab Government Circular letter No. 3985-4WGI-64/13567, dated 26th June, 1964, on the subject cited above and to inform you that instead of the maximum age limit prescribed for appointment to a non-gazetted service or post shown to have been raised by five years as for gazetted post or appointment by three years for Scheduled Castes/Tribes and other Backward Classes as per entry under "Age Limit" on page (ii) of the brochures sent with the aforesaid communication, it may please be read as five years both in the case of a gazetted and non-gazetted appointment for the purpose of entry in Government services; the brochures in question may please be treated to have been modified to that extent.

## APPENDIX 8

Copy of letter No. 24-4WG1-65/3772, dated the 16th February, 1966, from the Secretary to Government, Punjab, Scheduled Castes and Backward Classes Departments, to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges, in the State, Registrar, Punjab and Haryana High Court, and Sub-Divisional Officers (Civil) and copies to all Financial Commissioners and Administrative Secretaries, etc.

Subject.--Representation of the members of Scheduled Castes/Tribes and other Backward Classes in the State Services--Application of the reservation orders in filling up temporary and short-term vacancies.

I am directed to say that the intake of the persons belonging to Scheduled Castes/Tribes and Backward Classes in various services of the State is not adequate and in most cases they fall short of the vacancies reserved for them. Government had nowhere laid down that the reservation orders would not apply to temporary and short-term vacancies. Despite this fact some of the Departments are ignoring members of such Castes Tribes/Classes in filling up such posts. Consequently there is a pressing demand from various quarters and this calls for grievance from Scheduled Castes, etc., not to exclude such posts out of consideration against the spirit of reservation orders.

2. So far as promotions are concerned it was specifically stated in sub-para (d) of para 2 of P.G. circular letter No. 10181-4 WG1-63/795, dated 14th January, 1964, that the reservation is to apply even in the case of short-term leave vacancies provided it is not likely to involve unnecessary dislocation of work and avoidable expenditure and inconvenience due to mid-year transfer, etc. As the objective of removing the inadequacy of the representation of the members of Scheduled Castes/Tribes and other Backward Classes, is the same both in promotions and initial recruitment, the instructions in regard to reservation in services in recruitment equally apply as well by analogy and there appears to be no reason as to why these may be disregarded in this connection.

3. It is, therefore, emphasized upon all concerned that due representation as per prescribed percentages of 20 percent for Scheduled Castes/Tribes and 2 per cent for other Backward Classes may please be made in all temporary and short-term vacancies. Government will take a serious view in all cases of reported breach of reservation orders in filling up such vacancies by any Department/Office in future.

4. The receipt of this communication may please be acknowledged

Copy of letter No. 1427-DWG-I-66/5832, dated the 2nd March, 1966 from Secretary to Government, Punjab, Scheduled Castes and Backward Classes Department to all Heads of Departments etc. in the Punjab.

Subject.--Grant of protection to Scheduled Castes/Tribes and other Backward Classes employees against reduction/retranchment in view of their lean representation in services.

I am directed to refer to sub-para (ii) of para I of Punjab Government circular letter No. 1016-4WGI-66, dated 16th February, 1966, on the subject cited above and to say that in the case of officers/officials belonging to Scheduled Castes/Tribes and other Backward Classes who were on leave to avoid any reversion at any time during the four months preceding 4th February, 1966 and in whose case the actual reversion did not materialise the intervening period between the issue of reversion orders and restoration to original position shall be considered as leave of the kind due and not as leave without pay. The instructions in question may please be treated to have been amended to that extent.

Copy of letter No. 155-4WG-I-66/6467, dated the 5th March, 1966, from Secretary to Government, Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Division, District & Session Judges, Deputy Commissioners and Registrar, Punjab and Haryana High Court, and copy to others.

Subject.--Reservation in services for members of Scheduled Castes/Tribes and other Backward Classes--Measures for the removal of unemployment among the educated and technically trained members of such castes/tribes/classes.

I am directed to say that it has been brought to the notice of Government that there are a number of Scheduled Castes/Tribes and other Backward Classes youth who have had adequate education and technical training but are still unemployed for want of timely information and the means to keep themselves aware of the jobs available to them. This might be due to their poverty in not being able to purchase newspapers or visit various recruiting centres including employment exchanges or to their staying in the outskirts of urban and sub-urban areas or in the interior in countryside. The result has been that generally the intake of these classes falls short of the vacancies reserved for them. It, therefore, appears necessary to take steps to co-ordinate the activities of the various recruiting agencies with a view to ensure better employment for these youngmen.

2. To achieve the above objective, it is necessary that the field staff of the Welfare Department should give positive help. It has, therefore, been decided that the following steps should be immediately taken--

- (1) You should keep yourself well informed of the vacancies at District/Tehsil level by establishing necessary liaison with the various departments and officers, private and public undertakings, employment exchanges and recruiting bodies etc.

- (ii) On the other hand you should establish personal contact with the unemployed youth among Scheduled Castes, Tribes and other Backward Classes. It would not be difficult because the number of such persons is extremely limited in a district/Tehsil.
- (iii) After the above steps have been taken, it would only be a matter of conveying necessary timely information to the persons concerned about the vacancies that come to your notice. This will mean setting up of small service cell in every Tehsil and District Welfare Office.

3. This communication may be acknowledged and compliance with these instructions may be strictly ensured. Review of the working of this system should be held every six months.

*Copy of letter No. 2868-4WGI-65/13639, dated the 4th May, 1966 from the Secretary to Government, Punjab, Scheduled Castes and Backward Classes Department, to all Heads of Departments, etc.*

*Subject : Reservation of services for the members of Scheduled Castes/Tribes and other Backward Classes.*

I am directed to say that with a view to safeguarding reservation in services for the members of Scheduled Castes/Tribes and other Backward Classes and for expeditious attendance upon grievances of officials of such castes/tribes/classes, a Harijan Grievances Cell was created at Secretariat level in August, 1965, under this Department. In this connection attention is invited to Circular letter No. A/B/38859-908, dated the 27th November, 1965, from the Director, Welfare of Scheduled Castes and Backward Classes, Punjab.

2. With a view to avoid any delay in dispensing justice to aggrieved persons belonging to Scheduled Castes/Tribes and other Backward Classes, it has further been decided that aggrieved officials should be allowed to send their complaints in the matter of recruitment/promotion to the Heads of Departments concerned with an advance copy to this Department.

3. You are requested to circulate to all concerned accordingly.

*Copy of letter No. 3502-IGSII-66/16434, dated, Chandigarh, the 22nd June, 1966 from the Chief Secretary to Government, Punjab, Chandigarh to all Heads of Departments, Registrar, District and Sessions Judges and Sub-Divisional Officers (Civil) in the Punjab.*

*Subject.--Rules relating to the powers of the State Government to dispense with or relax the requirements of any rule regulating conditions of services of Government employees for dealing with any case in a just and equitable manner.*

I am directed to invite to a reference to para 2 of Punjab Government letter No. 2122-DSGS-63/38118, dated 27th November, 1964, on the subject noted above, in which you are/were advised that a general

rule as indicated in the said rule para may be provided for relaxation of rules in the relevant service rule till the publication of General Service Rules. The question of powers of the State Government for the relaxation of rules has been again considered in consultation with the Legal Remembrancer, Punjab and the Government of India and it has been decided that instead of the phraseology already circulated, the following phraseology should be adopted :--

"Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons".

Copy of letter No. 4917-4WGI-66/19035, dated 21st/24th June, 1966 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All heads of Departments, Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar, Punjab and Haryana High Court and copy to others.

Subject.--Reservation for the members of Scheduled Castes/Tribes and Backward Classes in promotion cases.

1. am directed to invite a reference to para (2) (e) of the Punjab Government letter No. 10181-4WGII-63/795, dated the 14th January, 1964, on the subject noted above wherein a block system was laid down according to which the first vacancy in every block of 10 was to be considered as a reserved vacancy.

2. As a result of reduction of staff due to National Emergency non-scheduled castes employees were reverted and keeping in view the lean representation of members of Scheduled Castes/Tribes and Backward Classes, the officials belonging to these castes were given protection against such reversion. According to Punjab Government Circular letter No. 15784-GS-63/42393, dated the 22nd November, 1963 these revertees were to be promoted first and on re-promotion, they were to regain their original seniority viz-a-viz the members of Scheduled Castes/Tribes who were protected against such reversions.

3. A question has now arisen as to whether the revertees when they are re-promoted should form a part of the block of ten vacancies laid down for purposes of ensuring meticulous observance of the instructions for reservation in promotion or not. To illustrate, if 5 revertees have to be re-absorbed in preference to the Scheduled Castes/Tribes etc., the reserved vacancy should be No. 5 and if the five revertees were to form a part of the block of the first ten vacancies the next reserved vacancy would be 11th. This would give weightage to the Scheduled Castes/Tribes etc. On the contrary if the posts to be offered to revertees were not to be counted then the block of ten would start from the first reserved vacancy after the absorption of the above-mentioned revertee's vacancy. After careful consideration Government has decided that in view of the inadequacy of representation of members of Scheduled Castes/Tribes and other Backward Classes in the State Services, all posts created and filled in after 12th September, 1963 when reservation in promotion was laid down, should count towards one block; and even if the gap between one reserved post and another is not ten due to preference in favour of revertees for re-absorption, the structure of the block may not be altered to further disadvantage of the Scheduled Castes/Tribes and Backward Classes. You are, therefore, requested to follow these instructions. It is, however, reiterated that the revertees have to be absorbed first and the reserved vacancy will only occur after the revertees have been all accommodated.

## APPENDIX 14

Copy of letter No. 6872-WG-66/24917, dated the 23rd August, 1966 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District & Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Reservation for the members of Scheduled Castes/Tribes and Backward Classes in promotion cases.

I am directed to refer to Punjab Government instructions contained in circular letter No. 6486-5WG-II-63/19193, dated the 12th September, 1963, supplemented by letter No. 10181-4WG-63/795, dated the 14th January, 1964, 2125-4WGI-64/5213, dated the 18th March, 1964, and No. 4917-4WGI-66/18026, dated the 21st June, 1966, on the subject noted above wherein decision of 10 per cent reservation in promotional posts for the members of Scheduled Castes/Tribes and Backward Classes had been detailed.

2. Government have since been receiving references from several quarter seeking clarifications on some basic points which cropped up as a result of actual implementation of the said policy. After careful consideration of the matter the Government have decided to fall completely in line with the policy obtaining in Government of India. On the basis of policy of Government of India, the following decisions are laid down:--

(1) Class I/II appointments :

- (a) There will be no reservation for Scheduled Castes/Tribes & other Backward Classes in appointments made by promotion to a Class II or a higher service or post whether on the basis of seniority-cum-fitness selection or competitive examination limited to departmental candidates.
- (b) In the case of promotions made in or to Class I or II on the basis of Seniority subject to fitness cases involving supersession of Scheduled Castes/Tribe Officers should be submitted for prior approval of the Minister concerned.

(2) Class III and IV appointments :

- (a) In the case of Class III and Class IV appointments, in grades or services to which there is no direct recruitment there will be reservation, at 20 per cent for Scheduled Castes/Tribes and 2 per cent for Backward Classes in promotions made by (I) Selection or (II) on the results of competitive examinations limited to departmental candidates. Where, however, there is direct recruitment the existing percentage of reservation at the time of recruitment will continue.
- (b) Lists of Scheduled Castes/Tribes and Backward Classes officials should be drawn up to fill the reserved vacancies officials belonging to these classes will be adjudged separately, and not along with other officials and if they

are suitable for promotion, they should be included in the list irrespective of their merit as compared to that of other officials. Promotions against reserved vacancies will, however, continue to be subject to the conditions of minimum necessary qualifications and satisfactory record of service.

- (c) Cases involving supersession of Scheduled Castes/Tribes and Backward Classes, will be reported within a month to the Minister concerned for information.

**(3) Appointments to posts for conducting Research :**

It is considered that in appointments for conducting research or organising, guiding and directing research there may be a great deal of difference between the best person available and the one who only possesses the prescribed minimum qualifications. It is desirable to look for the persons with the highest talents and accomplishments rather than be content with those who may be just adequate. The number of such posts is not so large to affect the interest of a considerable number of persons belonging to the Scheduled Castes/Tribes and Backward Classes. On the other hand, the nature of work is such that if it is done conspicuously well, scientific progress and development of the country will be accelerated. It has, therefore, been decided that reservation both at the time of recruitment and at the time of promotions (20 per cent for Scheduled Castes/Tribes, 2 per cent for Backward Classes) will not apply in the case of appointments to posts for conducting research or organising, guiding and directing research.

**(4) Roster :**

- (a) To give proper effect to the reservations prescribed every appointing authority will treat vacancies as reserved or unreserved according to model roster laid down in the Punjab Government Circular letter No. 2360-4-WGI-64/4860, dated the 24th March, 1964. The roster will be maintained in the form of running account year to year. For example, if promotion in a year stops at point 6 of a cycle promotion in the following year will begin at point 7.
- (b) If there are only two vacancies to be filled on a particular occasion, not more than one may be treated as reserved and if there be only one vacancy it should be treated as unreserved. If on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent two recruitment years. Thus where the cadre strength is small say less than 5 and there is one post to be filled by promotion, it need not be treated as reserved but if on this account a reserved point is treated as unreserved the reservation may be carried forward to the subsequent two recruitment years.

3. The officials belonging to Backward Classes will cease to be eligible for reservation in promotion when the annual income of their family exceeds the prescribed limit of Rs. 1,000 (In case of Backward

Classes determined on economic criterion) and Rs. 1,800 (In case of socially Backward Classes declared by Government).

4. The above decisions take effect from the date of issue of these order. Promotions already made in accordance with the instructions-in-force prior to the issue of these orders, will not be disturbed. The pending cases may be decided immediately in accordance with these instructions.

5. You are requested to bring the above decisions to the notice of all concerned.

The receipt of this communication may kindly be acknowledged.

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Copy of letter No. 3378-SN(ASO)-67/22108, dated 5th August, 1967 from Secretary to Government, Punjab Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Divisions District and Session Judges Deputy Commissioners and Registrar, Punjab and Haryana High Court and copy to others.

**Subject.--Reservation in Services for the Members of Scheduled Castes/ Scheduled Tribes and Backward Classes in Promotion Cases-- Clarification of Policy Instruction.**

I am directed to refer to Punjab Government letter No. 6872-4-WGI-66/24917, dated the 23rd August, 1966 on the subject noted above, and to say that it has been brought to the notice of Government that the instructions contained in the communication noted above are being interpreted differently by various departments in their implementation. After a careful consideration of the points, referred to this department from time to time for clarification, it has been decided to issue a general clarification for the guidance of all Departments so that these instructions are implemented uniformly by them. Clarification are generally sought on the following points :--

- (i) Regarding the purport of the word "Selection" used in paragraph 2(2) (a) of Punjab government letter, dated 23rd August, 1966 referred to above;
  - (ii) applications of reservation instructions to a cadre, the posts of which are partly filled up by direct recruitment and partly by promotion.
  - (iii) Treatment of vacancies when there is only one vacancy at a particular time.
2. The actual interpretation of these points is as follows :--

- (i) The underlying idea of the expression "selection" used in para 2(2) (a) is that there will be a reservation at 20 per cent for the members of Scheduled Castes/Scheduled Tribes and 2 per cent for Backward Classes in promotions to be made on the basis of seniority-cum-fitness, in accordance with the procedure laid down in Punjab Government letter No. 8129-G-56/3964, dated the 17th September, 1956, as well as in the case of selection grade posts.
- (ii) Under the existing instructions there is reservation at 22 per cent (20 per cent for Scheduled Castes/Scheduled Tribes and 2 per cent for the Backward Classes), in direct recruitment to all classes of State services whereas the same percentage of reservation is applicable in promotional posts in Classes III and IV services only. The intention of these instructions is that there will be a reservation to this extent in all cadres irrespective of the fact whether the posts are filled exclusively by direct recruitment or by promotion or partly by promotion and partly by direct recruitment. To make it more clear if in a cadre of 100 posts, 25 per cent posts are filled by direct recruitment and 75 per cent posts are filled by promotion, the members of Scheduled Castes/Scheduled Tribes should get 5 posts out of the 25 posts to be filled by direct recruitment and 15 posts out of the 75 posts to be filled by promotion, this will give them 20 posts which are reserved for them.

- (iii) The instructions contained in para 2(4) (b) of Punjab Government letter, dated 23rd August, 1966, are applicable in those cases only where the cadre strength is less than five and not to the cadres having a strength of five or more. In the latter case the usual procedure will be observed, i.e., the very first vacancy will be reserved for the members of Scheduled Castes etc., notwithstanding the number of vacancies available at a particular time.

It has been brought to the notice of Government that some of the Departments have got the feeling that reservation instructions issued by Government have become infructuous in view of the recent judgement of the Punjab High Court and, therefore, they are not implementing them. It is pointed out that these instructions are still in force and so long as these are not modified, these should continue to be followed by all Heads of Departments.

The receipt of this letter may be acknowledged.

## APPENDIX 17

Copy of letter No. 278-OSD(W)-67/27027, dated 19th September, 1967 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District & Session Judges, Registrar Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State, etc.

Subject.-- Reservation in service for the members of Scheduled Castes, Scheduled Tribes and Backward Classes in Classes III and IV by promotion.

In continuation of Punjab Government letter No. 208-OSD(W)-67/25406, dated the 4th September, 1967 on the subject noted above I have the honour to state that on reconsideration, the Government have decided that in order to provide suitable stages for ensuring 22 per cent reservation (20 per cent for Scheduled Castes/Tribes and 2 per cent for Backward Classes), the following method should be adopted for filling up of the reserved vacancies in a block of vacancies :--

3, 8, 13, 18, 23, 28, 33, 38, 43, 48, 53, 58, 63, 68, 73, 78, 83, 88, 93, 98.

In other words, it would mean that every 3rd vacancy for promotion out of 5 should be treated as reserved for Scheduled Castes employees in Class III and IV posts. The vacancies at No. 15 and 75 will be treated as reserved for the Backward Classes.

2. In Punjab Government letter No. 6486-5W-GII-63/19183, dated 12th September, 1963 Government provided for the first time, 10 per cent reservation to be filled by promotion for members of Scheduled Castes/Tribes and Backward Classes. Provided the Scheduled Castes employees possess the minimum necessary qualifications and have at least a satisfactory record of service. This 10 per cent reservation in promotion for these classes was raised to 22 per cent in Class III and IV posts,--vide Punjab Government letter No. 6872-4-WGI-66/24917, dated 23rd August, 1966.

3. In para 4(a) of the Punjab Government letter No. 6872-4WGI-66/24917, dated 23rd August, 1966 every appointing authority was required to maintain Model Rosters to give proper effect to the prescribed reservation. The Roster should be maintained in the form of a running account, year by year, showing conspicuously the posts offered to Scheduled Castes and others for promotion.

4. A large number of complaints have been pouring in that some of the appointing authorities do not keep regular Rosters in respect of different categories, with the result that the Scheduled Caste/Backward Class employees do not get proper reservation provided for them by Government and in the absence of any regular Rosters, there is apprehension of the posts reserved for Scheduled Castes being diverted to the non-Scheduled Caste employees. Government takes a serious view of non-implementation of these instructions and for not maintaining regular Rosters and also, for diversion of posts to non-Scheduled Caste employees. It is pointed out that reservation in promotion for members of Scheduled Castes has been made by the Government in pursuance of

directions given in Article 16(4) of the Constitution of India. Strict compliance of the Government instructions is, therefore a constitutional obligation. Government, therefore, expects that all the appointing authorities would strictly adhere to the block system as prescribed in para 1 of this letter. It will be the personal responsibility of the Heads of Departments/Appointing Authorities to ensure proper implementation of these instructions. They should further check the rosters once in a quarter and append a certificate showing that due reservation in promotion is being provided to the Scheduled Castes etc. employees in Classes III and IV posts as per the vacancies reserved for them in block of 100 or the 3rd vacancy out of every 5 vacancies.

## APPENDIX 25

Copy of letter No. 421 OSD (N)-67/28921, dated 4th October, 1967, from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Department to all Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District & Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

**Subject.**-- Grant of protection to Schedule Castes and other Backward Classes employees against retrenchment, reversion, in view of their lean representation in services.

With a view to safeguarding the interest of the Scheduled Castes/Backward Classes employees in services, Government have been issuing instructions from time to time *inter alia* that there should be no retrenchment or reversion of these employees so long as their total strength does not exceed the prescribed limit of reservation in a cadre. Despite clear instruction issued with Punjab Government letter No. 28400-WG-5-8090, dated the 9th November, 1956, repeated with Punjab Government letter No. 193-SW/GII-63/3141, dated 7th February, 1963, Finance Department's letter No. 2295-BC-63/2231, dated the 22nd March, 1963 and Punjab Government letter No. 1016/4WGI-66, dated the 16th February, 1966, instances have come to the notice of Government that in certain Departments, the Scheduled Castes/Backward Classes employees have been retrenched/reverted on one ground or the other or on the basis of interpretation of the clarifications made in Punjab Government letter No. 4533-WGI-66, dated 4th/5th June, 1966.

2. Attention is invited to Punjab Government letter No. 4533-WGI.66, dated 4th/5th June, 1966, which elucidates three types of cases. i.e. (i) promotions of the Scheduled Castes employees against short-term leave vacancies or posts vacated by deputationists; (ii) promotion against posts created on temporary basis for a limited period for special purpose/assignments, the term of which is extended for more than a year or from year to year; (iii) or the creation of posts on *ad hoc* basis, the Scheduled Caste/Backward Class employees promoted against these categories of posts are to be given protection only till such time as these temporary posts last. If on the other hand, Scheduled Castes/Backward Classes employees are promoted against the regular posts created in connection with the main Schemes and activities of the Department are extended from year to year, they cannot be reduced in rank, retrenched or reverted on the abolition of these posts if they are otherwise qualified suitable and against them there are no complaints and so long as their total strength does not exceed the prescribed limit of reservation in a cadre as provided in Punjab Government letter No. 1016-4WGI-66, dated 16th February, 1966.

3. Instances have come to notice of Government that in certain Departments (e.g. Irrigation) Scheduled Castes employees who were promoted against regular posts of certain Circles were reverted when some of the posts were abolished by giving a twisted interpretation to the instances mentioned in Punjab Government letter No. 4533-WGI-66, dated 4th/5th June, 1966, that the Scheduled Castes/Backward Classes employees could not claim protection because the term of such posts is extended from year to year. The reversions/retrenchments of Scheduled Castes/Backward Classes employees is uncalled for as their cases fall under the general instructions issued with Punjab Government letter

No. 1016-4WGI-66, dated 16th February, 1966, the relevant portion of which is reproduced below :--

- (1) "the members of the Scheduled Castes, Tribes and Backward Classes who are in services and otherwise qualified and suitable and against whom there are no complaints should not be reduced in rank or retrenched so long as their total strength does not exceed the prescribed limits of reservation in a cadre."

The above instructions apply to all types of cases excepting (i) promotions of Scheduled Castes/Backward Classes employees against short-term leave vacancies or posts vacated by deputationist; (ii) promotion against the posts created on temporary basis for a limited period of special purpose/assignment, the period of which is extended for more than a year or from year to year; (iii) or the creation of posts on ad hoc basis.

4. The Government has, therefore, decided that prior order should be obtained from the Government (in the Scheduled Castes and Backward Classes Department) before reverting the Scheduled Castes/Backward Classes employees from a higher post to a lower post just as in the case of retrenchment, prior orders are required to be taken as per Chief Secretary's letter No. 193-5-WGII-63/3141, dated the 7th February, 1963 the relevant portion of Punjab Government letter No. 1016-4WGI-66, dated 16th February, 1966, after addition of the above provision, would read as below :--

"The members of Scheduled Castes/Scheduled Tribes and Backward Classes who are in service and otherwise qualified and suitable and against whom there are no complaints, should not be reduced in rank or retrenched so long as their total strength does not exceed the prescribed limit of reservation in a cadre. No reversion of Scheduled Castes/Backward Classes employees should be made without first obtaining the orders of the Secretary to Government, Punjab Scheduled Castes and Backward Classes Department."

5. The Department while applying for permission for reversion of the Scheduled Castes/Backward Classes employees should clearly state the number and nature of posts in a cadre, number of Scheduled Castes/Backward Classes employees working in that cadre, their existing percentage and reasons for reversion. The reversion of the Scheduled Castes/Backward Classes employees already made by any Department should be reviewed in the light of the above decision.

6. Government have noted with regret that in the case of retrenchment Heads of Departments/Appointing Authorities have rarely approached Government for obtaining prior orders in the matter of retrenchment of Scheduled Castes/Backward Classes employees. Government take a serious note of such a laxity in the non-observance of the instructions issued in this behalf. It would be the personal responsibility of the Heads of Departments/Appointing Authorities to ensure that no undue reversion or retrenchment of Scheduled Castes/Backward Classes employees in violation of the instructions issued by Government from time to time granting protection to the Scheduled Castes/Backward Classes employees in view of their lean representation in services.

Please acknowledge the receipt of this letter.

ਕਾਰੀ ਪੱਤਰ ਨੰ: 962-ਵਿ.ਕ.ਅ.(ਭ)-68/15050, ਮਿਤੀ 25 ਮਈ, 1968 ਵਲੋਂ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪੱਛਤੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਇਲਾਹਾ ਬੈਨਕ ਆਫ਼ ਟ੍ਰੇਡਿੰਗ ਆਫ਼ ਮੈਂਬਰਸ (ਸਿਵਲ)।

ਵਿਧਾ:— ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਕਬੀਲਿਆਂ ਅਤੇ ਪੱਛਤੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਲਈ ਨੌਕਰੀਆਂ ਵਿੱਚ ਰਾਖਵੀਆਂ ਥਾਵਾਂ-ਇਸ ਕੰਮ ਨੂੰ ਵੇਖਣ ਲਈ ਸੰਪਰਕ ਅਫਸਰਾਂ ਦੀ ਨਿਯੁਕਤੀ।

ਸ਼੍ਰੀਮਾਨ ਜੀ,

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਮੈਨੂੰ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਸਬੰਧਤ ਨੀਤੀ ਦਾ ਹਵਾਲਾ ਦਿੱਤੇ ਹੋਏ ਆਪ ਜੀ ਨੂੰ ਇਹ ਦਸਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਜਿਹੜੀਆਂ ਕਿ ਸਦੀਆਂ ਤੋਂ ਪੱਛਤੀਆਂ ਹੋਈਆਂ ਸਨ ਉਹਨਾਂ ਨੂੰ ਤਰੱਕੀ ਦੇਣ ਲਈ ਅਤੇ ਸਮਾਜ ਵਿੱਚ ਅੱਗੇ ਲਿਜਾਣ ਵਾਸਤੇ ਵਿਧਾਨ ਵਿੱਚ ਖਾਸ ਧਾਰਾ ਬਣਾਈਆਂ ਗਈਆਂ ਸਨ। ਵਿਧਾਨ ਦੀ ਧਾਰਾ 16(4) ਅਤੇ ਧਾਰਾ 335 ਦੇ ਅਧੀਨ ਰਾਜ ਸਰਕਾਰਾਂ ਇਹਨਾਂ ਜਾਤੀਆਂ ਅਤੇ ਫਿਰਕਿਆਂ ਵਾਸਤੇ ਨੌਕਰੀਆਂ ਵਿੱਚ ਰਾਖਵੀਆਂ ਥਾਵਾਂ ਰੱਖ ਸਕਦੀਆਂ ਹਨ। ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਸ਼੍ਰੇਣੀ 1, 2, 3 ਅਤੇ 4 ਵਿੱਚ ਸਿੱਧੀ ਭਰਤੀ ਵੇਲੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਵਾਸਤੇ 20% ਅਸਾਮੀਆਂ ਰਾਖਵੀਆਂ ਰੱਖੀਆਂ ਹਨ ਅਤੇ ਇਹਨਾਂ ਜਾਤੀਆਂ ਦੇ ਬੱਚਿਆਂ ਵਾਸਤੇ ਸ਼੍ਰੇਣੀ 3, 3-ਏ ਅਤੇ 4 ਵਿੱਚ ਤਰੱਕੀ ਸਮੇਂ ਵੀ 20% ਅਸਾਮੀਆਂ ਰਾਖਵੀਆਂ ਰੱਖੀਆਂ ਹਨ। ਇਸੇ ਤਰ੍ਹਾਂ ਪੱਛਤੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਵਾਸਤੇ 2% ਅਸਾਮੀਆਂ ਰਾਖਵੀਆਂ ਰੱਖੀਆਂ ਹਨ। ਪਰ ਤਜਰਬੇ ਤੋਂ ਪਤਾ ਲਗਦਾ ਹੈ ਕਿ ਕੇਵਲ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕਰਨ ਨਾਲ ਹੀ ਇਹਨਾਂ ਜਾਤੀਆਂ ਵਾਸਤੇ ਸਖਾਵੀਆਂ ਥਾਵਾਂ ਪੂਰੀਆਂ ਨਹੀਂ ਭਰੀਆਂ ਜਾਂਦੀਆਂ।

2. ਭਾਰਤ ਸਰਕਾਰ ਨੇ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀ ਪੁਰਣਤਾ ਨੂੰ ਵੇਖਣ ਵਾਸਤੇ ਆਪਣੇ ਹਰ ਵਿਭਾਗ ਵਿੱਚ ਇਕ ਸੰਪਰਕ ਅਫਸਰ ਨਿਯੁਕਤ ਕੀਤਾ ਹੈ ਅਤੇ ਰਾਜ ਸਰਕਾਰ ਨੂੰ ਵੀ ਪ੍ਰੇਰਣਾ ਕੀਤੀ ਹੈ ਕਿ ਉਹ ਇਸੇ ਤਰ੍ਹਾਂ ਹੀ ਆਪਣੇ ਮਹਿਕਮਿਆਂ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀ ਪੁਰਤੀ ਵੇਖਣ ਵਾਸਤੇ ਸੰਪਰਕ ਅਫਸਰ ਲਗਾਉਣ। ਭਾਰਤ ਸਰਕਾਰ ਨੇ ਆਪਣੇ ਹਰ ਇਕ ਮਨਿਸਟਰੀ ਅਤੇ ਵਿਭਾਗ ਵਿੱਚ ਉਪ ਸਕੱਤਰ ਪ੍ਰਸ਼ਾਸਨ ਜਾਂ ਜਿਹੜਾ ਵੀ ਕੋਈ ਅਮਲੇ ਦਾ ਇੰਚਾਰਜ ਹੈ, ਨੂੰ ਸੰਪਰਕ ਅਫਸਰ ਨਿਯੁਕਤ ਕੀਤਾ ਹੈ ਤਾਂ ਕਿ ਉਹ ਨੌਕਰੀਆਂ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀ ਪੂਰੇ ਤੌਰ ਤੇ ਦੇਖ ਭਾਲ ਕਰ ਸਕਣ। ਇਹਨਾਂ ਅਫਸਰਾਂ ਦੀਆਂ ਡਿਊਟੀਆਂ ਦਾ ਵੇਰਵਾ ਇਸ ਪ੍ਰਕਾਰ ਹੈ :-

- (ੳ) ਇਹ ਵੇਖਣਾ ਕਿ ਰਾਖਵੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਤੇ ਫਿਰਕਿਆਂ ਨੂੰ ਪੂਰੀ ਰਿਜ਼ਰਵੇਸ਼ਨ ਮਿਲਦੀ ਹੈ ਜਾਂ ਨਹੀਂ।
- (ਅ) ਇਹਨਾਂ ਜਾਤੀਆਂ ਬਾਰੇ ਰਿਜ਼ਰਵੇਸ਼ਨ ਅਨੁਸਾਰ ਅੰਕੜੇ ਇਕੱਠੇ ਕਰਨੇ।
- (ੲ) ਕੁੱਝ ਮੰਤਰਾਲਾ ਨੂੰ ਸਲਾਹ ਅੰਕੜੇ ਇਸ ਸਬੰਧੀ ਭੇਜਣੇ।
- (ਸ) ਆਪਣੇ ਵਿਭਾਗ ਅਤੇ ਕੁੱਝ ਮੰਤਰਾਲਾ ਵਿਚਕਾਰ ਸੰਪਰਕ ਸਬੰਧ ਕਾਇਮ ਰੱਖਣੇ।

3. ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਪਹਿਲਾਂ ਹੀ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀ ਦੇਖ ਭਾਲ ਕਰਨ ਵਾਸਤੇ ਇਕ ਵਿਸ਼ੇਸ਼ ਕਾਰਜ ਅਫਸਰ (ਭਲਾਈ) ਨਿਯੁਕਤ ਕੀਤਾ ਹੋਇਆ ਹੈ। ਪਰ ਭਾਰਤ ਸਰਕਾਰ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੇ ਮਾਮਲੇ ਨੂੰ ਖਾਸ ਵਿਸ਼ੇਸ਼ਤਾ ਦਿੰਦੀ ਹੈ ਅਤੇ ਚਾਹੁੰਦੀ ਹੈ ਕਿ ਹਰ ਤਰ੍ਹਾਂ ਨਾਲ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਜਿਹੜੀਆਂ ਥਾਵਾਂ ਰਾਖਵੀਆਂ ਰੱਖੀਆਂ ਜਾਂਦੀਆਂ ਹਨ, ਉਹ ਭਰੀਆਂ ਜਾ ਸਕਣ। ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਉਪਰੋਕਤ ਨਵੀਂ ਹਦਾਇਤ ਨੂੰ ਪ੍ਰਵਾਨ ਕਰਦੇ ਹੋਏ ਇਹ ਐਲਾਨ ਕੀਤਾ ਹੈ ਕਿ ਸਾਡੇ ਵੀ ਹਰ

ਮਹਿਕਮੇ ਵਿਚ ਅਮਲਾ ਅਫਸਰ ਜਾਂ ਪ੍ਰਸ਼ਾਸਕੀ ਅਫਸਰ ਜਿਹੜਾ ਕਿ ਅਮਲੇ ਸਬੰਧੀ ਕੰਮ ਕਰਦੇ ਹਨ ਉਨ੍ਹਾਂ ਨੂੰ ਸੰਪਰਕ ਅਫਸਰ ਨਿਯੁਕਤ ਕਰੇ ਜਿਸ ਨਾਲ ਇਨ੍ਹਾਂ ਜਾਤੀਆਂ ਨੂੰ ਪੂਰਾ ਹਿੱਸਾ ਦਿਵਾਉਣ ਵੱਲ ਵਿਸ਼ੇਸ਼ ਧਿਆਨ ਦਿਤਾ ਜਾਵੇ।

4. ਇਸ ਲਈ ਮੈਨੂੰ ਆਪ ਜੀ ਨੂੰ ਇਹ ਬੇਨਤੀ ਕਰਨ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਆਪਣੇ ਦਫਤਰ/ਮਹਿਕਮੇ ਵਿੱਚ ਇਕ ਸੰਪਰਕ ਅਫਸਰ ਛੇਤੀ ਤੋਂ ਛੇਤੀ ਨਿਯੁਕਤ ਕਰਕੇ ਸੂਚਨਾਂ ਘਲ ਕੇ ਕਿਰਤਾਰਥ ਕਰੋ। ਇਹਨਾਂ ਸੰਪਰਕ ਅਫਸਰਾਂ ਦੇ ਨਾਂ ਅਤੇ ਦਫਤਰੀ ਅਹੁਦੇ ਵੇਰਵੇ ਨਾਲ ਇਸ ਵਿਭਾਗ ਨੂੰ ਭੇਜੇ ਜਾਣ ਤਾਂ ਕਿ ਉਹਨਾਂ ਨਾਲ ਪੂਰੀ ਤਰ੍ਹਾਂ ਨਾਲ ਸੰਪਰਕ ਸਬੰਧ ਕਾਇਮ ਕੀਤੇ ਜਾ ਸਕਣ। ਅਜਿਹੇ ਸੰਪਰਕ ਅਫਸਰਾਂ ਦੀਆਂ ਡਿਊਟੀਆਂ ਵਿਸਥਾਰ ਪੁਰਬਕ ਇਸ ਤਰ੍ਹਾਂ ਨਿਯੁਕਤ ਕੀਤੀਆਂ ਜਾਣ :-

- (ੳ) ਇਹ ਵੇਖਣਾ ਕਿ ਰਾਖਵੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਨੂੰ ਪੂਰੀ ਰਿਚਰਵੇਸ਼ਨ ਮਿਲਦੀ ਹੈ ਜਾਂ ਨਹੀਂ। ਸਬਾਰਡੀਨੇਟ ਸੇਵਾਵਾਂ ਚੋਣ ਬੋਰਡ, ਪੰਜਾਬ ਲੋਕ ਸੇਵਾਵਾਂ ਕਮਿਸ਼ਨ ਨੂੰ ਆਸਾਮੀਆਂ ਦੀ ਸੂਚਨਾਂ ਭੇਜਣ ਸਮੇਂ ਰਾਖਵੀਆਂ ਆਸਾਮੀਆਂ ਦਾ ਵੇਰਵਾ ਦੇਣਾ ਅਤੇ ਰੈਸਟਰ ਦੇ ਅਨੁਸਾਰ ਰਾਖਵੀਆਂ ਆਸਾਮੀਆਂ ਦਾ ਠੀਕ ਹਿੱਸਾ ਦੇਣਾ ਤੇ ਸਿਫਾਰਸ਼ ਅੰਦ ਤੇ ਸਰਕਾਰੀ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਰਾਖਵੀਆਂ ਆਸਾਮੀਆਂ ਨੂੰ ਭਰਨਾ।
- (ਅ) ਇਹਨਾਂ ਜਾਤੀਆਂ ਬਾਰੇ ਰਿਚਰਵੇਸ਼ਨ ਅਨੁਸਾਰ ਅੰਕੜੇ ਇਕੱਠੇ ਕਰਨ।
- (ੲ) ਅ.ਜਾ. ਅਤੇ ਪ. ਸ. ਵਿਭਾਗ ਨੂੰ ਸਮੇਂ ਤੇ ਅੰਕੜੇ ਇਸ ਸਬੰਧੀ ਭੇਜਣੇ।
- (ਸ) ਆਪਣੇ ਦਫਤਰ-ਵਿਭਾਗ ਅਤੇ ਅ.ਜਾ./ਪ. ਸ: ਵਿਭਾਗ ਵਿਚਕਾਰ ਸੰਪਰਕ ਸਬੰਧ ਕਾਇਮ ਰਖਣੇ ਅਤੇ ਮੰਗੀਆਂ ਗਈਆਂ ਰਿਪੋਰਟਾਂ 15 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਭੇਜਣੀਆਂ।
- (ਹ) ਆਪਣੇ ਦਫਤਰ-ਵਿਭਾਗ ਦੇ ਅਨੁਸੂਚਿਤ ਜਾਤਾਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਸ਼ਿਕਾਇਤਾਂ ਦੀ ਪੜਚੋਲ ਕਰਕੇ ਟਿੱਪਣੀ ਨਾਲ ਇਸ ਦਫਤਰ ਨੂੰ ਇਕ ਮਹੀਨੇ ਦੇ ਅੰਦਰ ਭੇਜਣਾ।

5. ਇਸ ਖੇਤਰ ਦੀ ਪਹੁੰਚ ਹਸੀਦ ਭੇਜਣ ਦੀ ਖੋਜਲ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਸੰਪਰਕ ਅਫਸਰਾਂ ਦੀ ਨਿਯੁਕਤੀ ਦੀ ਸੂਚਨਾਂ 15 ਦਿਨਾਂ ਦੇ ਵਿੱਚ ਵਿੱਚ ਖੋਲੀ ਜਾਵੇ।



## APPENDIX 29

Copy of Letter No. 7509-5II (5)-68/31797, dated the 17th October, 1968, from Chief Secretary to Government, Punjab to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners in the Punjab, High Court of Punjab and Haryana, District and Sessions Judges and Sub-Divisional Officers (Civil) in the State etc.

Subject.-- Representation of members of Scheduled Castes/Tribes and Backward Classes in services of the Punjab State Government--Effective arrangements to ensure proper representation according to the instructions issued from time to time.

I am directed to address you on the subject noted above and to say that Government are particularly anxious to ensure that members of the Scheduled Castes/Tribes and Backward Classes are given due representation in the service and posts under the State Government and that their grievances are promptly looked into and redressed. For this purpose, it is essential that the Heads of Departments should take effective steps to ensure that Government instructions in this context are carefully observed so that members of the Scheduled Castes/Tribes and Backward Classes are given due representation in services at the time of initial recruitment and also at the stage of promotion, and that due protection should be given to them against unjust and unauthorised retrenchment or reversion.

2. With a view to watching the interests of the Scheduled Castes/Tribes and Backward Classes in the matter of their representation in the State Services Government have appointed an Officer on Special Duty (Welfare) at the Secretariat level with a special cell attached to him. His main functions *inter alia* will be to collect figures to recruitment of Scheduled Castes/Tribes and Backward Classes from the Department, either by correspondence or at personal level, to verify that due representation is given to such persons to the extent of reservation made by Government from time to time, both at the initial stage of recruitment as well as cases of promotion. He will also collect details to ensure that there is no unnecessary retrenchment or reversion of personnel belonging to the Scheduled Castes/Backward Classes.

In this connection he may also requisition the relevant files of the Department concerned, after obtaining orders, of the Secretary to Government Punjab, Welfare of Scheduled Castes and Backward Classes Department. In all such requisitions, the fact of the approval of the Secretary, Welfare Department, having been obtained will be specially mentioned by the Officer on Special Duty (Welfare).

3. It is essential that all representations in regard to grievances of Scheduled Castes/Backward Classes in service matters addressed to the Heads of Departments and other concerned authorities should be expeditiously looked into and suitable steps, taken to redress the same promptly. Where representation from employees belonging to Scheduled Castes and Backward Classes are not disposed of and no replies are sent to the representations concerned within a period of two months the aggrieved employees may make a complaint to the Officer on Special Duty (Welfare) who would call for comments of the Department concerned to reach him within a month. The employees of the State Government sending representations to their departmental authorities in respect of service matters concerned can send advance

copies of their representations to the Officers on Special Duty (Welfare) who, after expiry of two months may call for comments from the Departments concerned.

The Officer on Special Duty (Welfare) may discuss grievances of members of the Scheduled Castes and Backward Classes about service matters with in departmental authorities concerned during his visits to the Departments Institutions, etc.

4. I am directed particularly to emphasise that the instructions issued by the government from time to time in regard to reservation for the Scheduled Castes/Backward Classes in services should be faithfully implemented and a close watch should be kept at the time of recruitment and promotion to see that the members of these communities get their due share and that the reserved posts are not somehow diverted to general line. The importance of this work may be kept in view and the things arranged in such a manner that members of these communities should not have a cause for any grievance and that the Government need not have to remain the departmental authorities again and again.

5. The receipt of this communication may please be acknowledged.

## APPENDIX- 23

Copy of letter No. 719-050(W)-69/18194, dated 19th July, 1969 from Secretary to government Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Regarding fixation of seniority of those Scheduled Castes and Backward Classes persons who are appointed on reserve points at the time of initial recruitment.

I am directed to address you on the subject noted above. According to the Punjab Government instructions, 20% vacancies are reserved for Scheduled Castes and 2% are reserved for Backward Classes. According to the Government Circular letter No. 2360-4-WG-1-64/4860, dated 24th March, 1964. No. 1, 6, 11, 16..... are reserved for these categories on the prescribed roster. So many departments have sought clarification whether the seniority of Scheduled Castes/Backward Classes is to be fixed according to the merit list or on the basis of Roster.

2. This matter has been considered and it is made clear that the seniority of the general category people is to be determined according to the merit list prepared/recommended by Punjab Public Service Commission, Selection Committees. But where there are reserved vacancies for the candidates belonging to Scheduled Castes and Backward Classes, they should be appointed on the reserve points irrespective of the fact of their position in the merit list. So it is clear and necessary that even if the names of Scheduled Castes and Backward Classes persons are down in the merit list, they should be appointed on the reserved points i.e. 1, 6, 11, 15, and according to this their seniority may be fixed. But it should be kept in mind that if their position in the general merit list is higher then that position should not be changed i.e. they should be placed on the higher position.

The receipt of this communication may kindly be acknowledged.

## APPENDIX-24

Copy of letter No. 1071-OSD(W)-69/22340, dated 8th September, 1969 from Secretary to Government, Punjab, Departments of Welfare of Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State (etc.)

Subject --Regarding appointment of Scheduled Castes and Backward Classes on the particular reserved vacancies at the time of direct recruitment.

I am directed to invite your attention to the instructions issued,--vide Punjab Government circular letter No. 2649-WG-2-63/24786, dated 26th December, 1963 on the subject noted above and to say that it has come to the notice that the names of the general category candidates and the names of Scheduled Castes candidates are included in the list sent by Punjab Public Service Commission prepared on the merit basis. Generally the names of the Scheduled Caste and Backward Classes persons are placed down in the lists sent to the departments by the Punjab Public Service Commission and there are no separate lists of Scheduled Castes and General category people. The departments issue appointments on the basis of joint merit list sent by the Commission. By doing so the Scheduled Castes and Backward Class persons do not get the prescribed vacancies reserved on the rosters (i.e., on the points reserved 1, 5, 11, 16....) according to the Government instructions No. 2360-4-WGI-1.64/4860 dated 24th March, 1964. This method is contrary to the above instructions of the Government.

2. To implement these instructions more effectively it has been decided that while sending the requisition to fill the vacancies by the department to the Commission the departments should clearly mention in the requisition form that out of total vacancies which are to be filled, particular points are reserved for the members belonging to Scheduled Castes and Backward Classes. Alongwith this the department should also clearly write to the Commission that they should prepare the merit list according to the above Government reservation instructions so that the Commission should recommend the names of reserved category candidates in such a way that they may get the reserve points, reserved for these categories according to the prescribed roster.

3. For example if the department send the requisition for the recruitment of 6 candidates to the Commission then according to the Roster point 1 and 5 are to be given to the Scheduled Caste candidates and the department should clearly mention in the requisition form that out of 6 vacancies point No. 1, and 5 are reserved for Scheduled Caste persons and the Commission may be informed that only Scheduled Caste persons should be recommended against these reserve points.

4. It is requested that these instructions should be implemented meticulously and the copy of the requisition should be sent to this Department as has been requested,--vide the instructions in question.

## APPENDIX 33

Copy of letter No. 364-OSD.(W)-2-70877, dated 12th March, 70 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Deptt. to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, Distt. & Session Judges, Registrar Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State, etc.

**Subject.**--Payment of travelling allowance to the members of Scheduled Castes and Scheduled Tribes called for interview or written tests etc.

I am directed to invite a reference to the Punjab Government Finance Department Circular letters noted in the margin on the subject noted above where it is laid down that.--

(i) No. 1090/FRI-61/1504, dated 9th February, 1961 when the Scheduled Castes/Scheduled Tribes candidates are called for interview for appointment to Class III and Class IV advertised posts or through the Employment Exchanges, the recruiting authorities may allow such candidate single 3rd class rail fares chargeable by passenger train, by the shortest route from the place of normal residence to the place of interview or test and back to the same station provided the distance travelled each way exceed fifty miles. In respect of road journey between stations not connected by rail, the recruiting authority may allow such candidates actual bus fares or road mileage as admissible to Government servants, under Punjab Civil Services Rules, Vol. III (T.A. Rules), whichever is less provided the distance covered by the road is more than 20 miles each way etc. These instructions further enjoin that the payment should be made on the spot from the contingent expenditure or permanent advance etc., as the case may be, after the interview/written test is over and if owing to administrative difficulty the payment is not made on the spot, the amount may be remitted to the candidate at the Government cost. In this context, it has come to the notice of Government that the above-mentioned instructions as contained in the Manual of Finance Department Instructions, 1968 (Para 3.116) are not being followed by some departments meticulously and the departments or Departmental Recruiting Committees while inviting applications for post (s) do not mention in their advertisements that T.A. will be admissible to Scheduled Castes and Scheduled Tribes candidates called for interview/written tests, etc.

2. It may however, be made clear that the Scheduled Castes/Scheduled Tribes candidates will be entitled to Travelling Allowance when called for interview or written test as per instructions mentioned above. The departments, offices or the Departmental Recruiting Committees should invariably notify in their advertisements that T.A. will be admissible to Scheduled Castes/Scheduled Tribes candidates when called for interview & written test as per Government instructions referred to.

3. I am, therefore, to request you to ensure that these instructions should be strictly complied with and the Government need not have to remind the departmental authorities on the subject again and again. These instructions may also be brought to the notice of the Subordinate Officers for guidance.

4. The receipt of this communication may please be acknowledged.

## APPENDIX 9

Copy of letter No. 975-OSD-(W)-2-70/2633 dated 28th April, 1970 from Secretary to Government of Punjab Welfare of Scheduled Castes & Backward Classes Department to all Heads of Department Commissioners of the Divisions, Deputy Commissioners, Distt. & Session Judges, Registrar, Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

According to the instructions issued by the Government from time to time on the subject noted above, reservation of vacancies in all State Services, filled through the method of direct recruitment or appointments by transfer from other departments, has been made for the members of Scheduled Castes/Tribes and Backward classes to the extent of 20 per cent and 2 per cent, respectively. The same percentage of reservation has also been made for them in respect of recruitment made by promotion in Class III (IIIA, IIIB), and Class IV Services. With a view to safeguarding their interests, further instructions were issued to ensure that due representation was given to members of these classes at the time of initial recruitment as also appointments by promotion by following 'carry forward' and 'ad hoc appointment' formula strictly, so that the percentage of reservation is maintained in their case and that the vacancies brought forward could also be given to them. It has, however, come to the notice of Government that quite a number of educated and trained young men belonging to these communities are unemployed. The District/Tehsil Welfare Officers have, therefore, been directed to maintain liaison with the Employment Exchange and other offices, collect information regarding vacant posts and to supply the same to the unemployed educated persons residing in remote areas there by enabling them to apply for the vacancies reserved for them. The Employment Exchanges and the Heads of Offices at District level were requested that while filling up vacancies information regarding reserved vacancies should particularly be supplied to the District Welfare Officers. The Employment Officers were also asked to place the District Welfare Officers on their mailing lists and to supply them with information regarding vacant posts so that the Welfare Officers could inform the educated unemployed persons belonging to the Scheduled Castes and Backward Classes, who, in turn could apply against the reserved or other vacancies for which they were found suitable. In spite of all this, the statistics received by the Government from the different departments indicate that members of these castes are still inadequately represented in Class I and II services in particular and in Class III in general. This is apparently due to the fact that either the departments, at the time of initial recruitment or at the time of filling up of vacancies by promotions did not adhere to the reservation policy and that the vacancies reserved for them were diverted to general line or no suitable candidate belonging to Scheduled Castes/Tribes and Backward Classes were available for recruitment.

2. The matter has thoroughly been considered by the Government and with a view to ensuring due representation to members of these classes and also to provide employment to the unemployed educated persons belonging to Scheduled Castes/Tribes and Backward Classes, the following decisions have been taken :--

- (1) A 'Scheduled Castes Employment Cell' has been set up in the Directorate of Welfare of Scheduled Castes and Backward Classes to register the names of un-employed educated persons of these classes throughout the State, who are in

possession of certificates in respect of academic/technical qualifications. Those persons who have already got their names registered in the Employment Exchanges can also get themselves registered with this special Cell. But the Employment Exchanges would continue their usual efforts to find jobs for such Scheduled Castes and Backward Classes candidates against reserved as well as general vacancies and would not cease their efforts in this direction. Whenever the Departments (whether at Headquarters or at District/Tehsil level) advertise any permanent, temporary or short-term vacancies, to be filled up through the Department Committees or place requisitions for this purpose with the Public Service Commission/Board/Employment Exchanges, a copy of such an advertisement/requisition should invariably be sent to this Special Cell, and the Cell in turn, would forward the names of suitable persons on its list to the department/Recruiting Agency concerned. The recruiting authorities/Organisations will consider such candidates along with others in order to select suitable candidates belonging to Scheduled Castes and Backward Classes according to their need. The Department shall have to obtain a non-availability certificate from the "Scheduled Castes Employment Cell" before the vacancies reserved for Scheduled Castes/Backward Classes are offered to other candidates. The persons belonging to Scheduled Castes and Backward Classes can send their applications on the enclosed *pro forma* No. 1 direct to the Director, Welfare of Scheduled Castes and Backward Classes Department, Chandigarh to enable the Department to make best efforts to secure employment for them.

- (i) **For Welfare Officers.**--The District and Tehsil Welfare Officers should give due publicity by visiting remote places personally so that the educated unemployed residents in such area could derive the maximum benefit out of this scheme. The District Welfare Officers will also maintain such lists and forward the names of suitable candidates to the local offices from time to time for consideration. The local offices will consider the names of Scheduled Castes/Tribes and Backward Classes candidates supplied by the Welfare Officers along with the candidates sent by the Employment Exchanges and the reserved vacancies will be filled up by suitable candidates belonging to these classes only.
- (ii) **For Employment Exchanges.**--The Employment Officers in the State are requested to send in the enclosed *pro forma* No. 2 details of candidates belonging to Scheduled Castes and Backward Classes who have got themselves registered with their offices and have not got any employment so far, to the Director, Welfare of Scheduled Castes and Backward Classes Department, Punjab, Chandigarh within 15 days of the receipt of this letter to enable this Cell to start functioning. This may be treated as urgent.

3. I am directed to say that the above instructions may be brought to the notice of all concerned for strict compliance. The receipt of this communication may please be acknowledged to the Secretary to Government, Punjab, Welfare of Scheduled Castes and Backward Classes Department.

## APPENDIX 34

Memo No. 1622-DSD (W)-2-69/11246, dated 5th May, 1970 from Secretary to Government Punjab, Department of Welfare of Scheduled Castes and Backward Classes to Secretary, Punjab Public Service Commission, Patiala.

**Subject.**--Reservation for the members of Scheduled Castes and Backward Classes in State Services.

Your attention is invited to your letter No. 198/69/CAG, dated 22nd December, 1969 on the above subject.

2. It is clarified that instructions issued vide Punjab Government letter No. 39-25-6-SW-69/9778, dated 14 May, 1969 are also applicable to recruitment made through the interview or other sources except the recruitment made through competitive examination, for the vacancies being filled through examination the Scheduled Castes and Backward Class candidates will be considered, for reserve vacancies who attain the minimum qualification prescribed for the examination and test of their qualification will be among themselves.

3. The instructions contained in the afterward letter are clear in respect of vacancies filled through interview or other sources. Where candidate of Scheduled Castes and Backward Classes possessing minimum qualification are available then they should not be deprived of appointment on any other reason and no other test or examination to be conducted to test any other qualification except Educational qualification and experience, etc.

4. It is also stated if there are more qualified candidates of these castes and classes as than the vacancies reserved for them then in such cases candidates with higher qualification should be recommended in accordance with the available service vacancies.



## APPENDIX--16

Copy of letter No. 1241-OSD (W)-2-70/12585, dated 20th May, 1970, from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Deptt. to all Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, Distt. & Session Judges, Registrar, Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--To give proper representation in Services to members of Scheduled Castes and Backward Classes.

I am directed to refer to the subject cited above and to say that High Power Committee under the Chairmanship of the Chief Minister had decided that each Department should maintain register as per Government instructions on reservation and the Officer on Special Duty (Welfare) should check the roster of each Department.

2. Every Department should maintain roster Register for direct recruitment or posts filled by promotion in accordance with the current instructions of the Punjab Government so that the person/employees belonging to Scheduled Castes and Backward Classes should get proper representation as per Government instructions. The roster register are to be maintained for direct recruitment or transfer from 18th October, 1949 and for promotion from 12th September, 1963. This roster would be in running account from year to year so that the Scheduled Castes and Backward Classes should get proper representation in the vacancies so filled.

3. Keeping in view decision of the Committee you are requested that officers of your department and the offices under you, who are empowered to make appointments or promotions (appointing authority) should maintain roster register complete in all respect in respect of each cadre as per instructions issued by Government. These roster register will be checked by the Officer on Special Duty-cum-Under Secretary, Social Welfare Department of Punjab Government or officer specially appointed for this purpose. Government attach great importance to this matter and all type of co-operation may be extended to the Special Officer. These instructions may be brought to the notice of all the officers/employees.

## APPENDIX--20

Copy of letter No. 1146-OSD-(W)-2-70/13370, dated 28th May, 1970 from Secretary to Government, Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

I am directed to address you on the subject noted above and to say that the meeting to High Powered Committee was held under the Chairmanship of Chief Minister for giving due representation to the Scheduled Castes and it has been decided along with other matters that the vacancies which are reserved for the Scheduled Castes cannot be de-reserved without the approval of Secretary to Government of Punjab, Department of Welfare. The Departments who sought such approval must state clearly the reasons for not filling the reserved vacancies by Scheduled Castes and also should state that what measures have been taken for filling the reserved vacancies by suitable Scheduled Castes candidates.

2. According to Government instructions, No. 7509-Services-2(5)-68/31797, dated 17th October, 1968, No. 278-OSD(W)-67/27027, dated 19th September, 1967 in no way the reserved vacancies for Scheduled Castes and Backward Classes should be filled by non-Scheduled Castes and non-Backward Classes. To implement these instructions more effectively and by accepting the decision of the Committee, it has been decided:--

- (1) According to Government letter NO. 2360-4-W.G. 1-64 /4860, dated 24th March, 1964 and No. 278-OSD-(W)-67/27027, dated 19th September, 1967, reserved vacancies should not be un-reserved in no way and against the reserved vacancies non-Scheduled Castes/Backward Class candidates should not be appointed. To fill the reserve vacancies by non-Scheduled Castes candidates prior approval of the Government of Punjab (Department of Welfare of Scheduled Castes and Backward Classes) must be taken all the times to come.
- (2) While getting approval for de-reservation of reserved vacancies, the departments should clearly state the reasons for not filling the reserved vacancies by Scheduled Castes and Backward Classes and what measures/methods have been adopted to fill the reserved vacancies by Scheduled Castes and Backward Classes only.
- (3) The instructions may kindly be brought to the notice of all the employees and the departments working under you and should be implemented in letter and spirit.

The receipt of this communication may please be acknowledged.

Copy of letter No. 1244-05D(W)-2-70/19996, dated 30th July, 1970 from Secretary to Government Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Divisions District and Session Judges Deputy Commissioners and Registrar Punjab High Court and Copy to others.

**Subject.**—Reservation for the members of Scheduled Castes and Backward Classes in services—Measures to make up deficiency.

I am directed to invite a reference on the subject noted above and to say that the Government is wedded to the policy of providing adequate representation to the members of Scheduled Castes and Backward Classes in services on the basis of their population in the State and accordingly 22 per cent reservation (20 per cent for Scheduled Castes and 2 per cent of Backward Classes) has been made in direct recruitment to all classes of State services and the same percentage of reservation is also applicable in promotion in classes III and IV services despite the issue of repeated instructions on the subject from time to time, the representation of these castes and classes in services of the State continues to be inadequate and in most cases it falls short of prescribed percentage.

2. Certain references have been received from various quarters seeking clarification as to whether the members of the Scheduled Castes/Backward Classes who get selected to particular posts on the basis of merit against the vacancies meant for the general pool or those who become eligible by promotion to higher posts by virtue of their seniority-cum-fitness may or may not be included in the percentage of reservation meant for them. The matter has been carefully examined by the Government and it has been decided that the 22 per cent reservation in services only indicates the board-based policy of the Government to provide the requisite quantum of reservation in services but there is no bar to a larger number of posts being secured by the members of the Scheduled Castes/Backward Classes. In consequence the members belonging to the Scheduled Castes/Backward Classes who get selected on merits in the general list (in the case of direct recruitment) and those who become eligible for promotion to next higher posts by virtue of their seniority-cum-fitness should not be included, while calculating percentage of the reservation meant for Scheduled Caste/Backward Classes. These instructions may kindly be got strictly implemented by the Departments/Officers under you and the receipt of this letter may please be acknowledged.

## APPENDIX NO. 3

Copy of letter No. 3180-SWI-70/893, dated 11th January, 1971 from Shri R.S. Phoolka, I.A.S., Secretary to Government, Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Reservation in promotions for the members of Scheduled Castes and Backward Classes in Services and posts under Punjab Government.

I am directed to invite a reference to Punjab Government letter No. 10181-4WGI-63/795, dated the 14th January, 1964, on the subject cited above and to say that the appeal filed by the State of Punjab before the Supreme Court of India against the decision of the Punjab and Haryana High Court in Civil Writ No. 271 of 1966-Hira Lal versus The State of Punjab etc. has been accepted and the reservation policy of the State Government in the matter of promotions has been upheld by the Supreme Court of India, as constitutionally, valid. The Government have, therefore, decided to supercede its earlier instructions circulated, --vide para 1 of Punjab Government letter No. 278-OSD(W)-67/27027, dated the 19th September, 1967 and restore the original instructions contained in letter No. 6486-5WGII-63/19193, dated the 12th September, 1963 read with para 2(e) of letter No. 10181-4GI-63/795, dated the 14th January, 1964.

2. In consequence thereof :--

- (i) As against the ten per cent reservation effective from the 12th September, 1963 to the 22nd August, 1966 the vacancies at serial numbers 1, 11, 21, 31, 41, 51, 61, 71, 81, and 91 in a lot of 100, as filled from time to time shall be treated as reserved for the members of Scheduled Castes/Backward Classes, as laid down in para 2(e) of Punjab Government letter No. 10181-4-WGI-63/795, dated the 14th January, 1964; and
- (ii) the percentage of reservation having been raised from 10 to 22 per cent with effect from the 23rd August, 1966, the vacancies occurring at serial numbers 1, 5, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, and 96, in a lot of 100 as filled or may be filled from time to time shall be treated as reserved for the members of Scheduled Castes as laid down in Punjab Government Circular letter No. 2360-4-WGI-64/4860, dated 24th March, 1964 read with para (2) (4)(a) of Circular letter No. 6872-WGI-66/24917, dated the 23rd August, 1966, Vacancies at numbers 15 and 75 only shall be treated as reserved for the members of Backward Classes.

3. As already indicated,--vide para 2 of Punjab Government letter No. 1241-OSD(W)-2-70/12585, dated the 20th May, 1970 the roster of vacancies irrespective of numbers of vacancies, filled or to be filled from time to time, in each cadre in Classes III and IV posts, has to be maintained in the form of a running account year to year, from the 12th September, 1963.

4. I am to request that all cases of promotions made on or after the 19th September, 1967 in accordance with instructions  
No. 6872-WG-66/24917

circulated,--vide Punjab Government letter No. 278-OSD(W)-67/27027, dated the 19th September, 1967, should be reviewed and such Scheduled Castes, officials who were entitled to promotions as per instructions, dated the 12th September, 1963 read with instructions, dated the 14th January, 1964 and those case covered under para 2(4)(a) of the instructions, dated the 23rd August, 1966, referred to above, but were denied their right to promotion as a result of impugned order of the Punjab and Haryana High Court and the revised instructions contained in para 1 of letter, dated the 19th September, 1967, be promoted and assigned seniority against the reserved points specified above from the date they became eligible for promotion in accordance with the roster to be maintained,--vide Punjab Government instructions, dated the 29th May, 1970, referred to above.

5. These instructions may kindly be brought to the notice of all Establishment Officers working under you for faithful implementation.

6. The receipt of this communication may please be acknowledged.

## APPENDIX 37

Copy of letter No. 6758-45W-73/27469, dated 16th November, 1973 from the Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Enhancement of the income limit from Rs. 3,600 to Rs. 6,000 per annum of the parents of the Scheduled Castes students for grant of education facilities.

I am directed to say that the matter regarding the enhancement of income limit of Rs. 3,600 per annum fixed with Punjab Government No. 8451-ISW-69/26609, dated 15th December, 1969 for the parents of the students belonging to the Scheduled Castes for grant of education facilities, has been engaging the attention of Government for sometime past. After thorough consideration of the matter the Governor of Punjab is pleased to enhance the income ceiling of the parents of students belonging to Scheduled Castes, for being eligible to avail of educational concession up to school level, from Rs. 3,600 per annum to Rs. 6,000 per annum with immediate effect.

2. This issues with the concurrence of the Finance Department received,--vide No. 756-6FGII-73, dated 22nd February, 1973 and with the approval of the Council of Ministers.

## APPENDIX 40

*Circular No. 7066-65W-73/1145, dated 31st January, 1974, from the Secretary to Government, Punjab, Social Welfare Department to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Session Judges in the State and Registrar, Punjab and Haryana High Court.*

*Subject.--Inclusion of Dhaula or Soni-Bradri in the list of Backward Classes.*

I am directed to refer you to the subject cited above and to say that the Government have decided to declare Dhaula or Soni-Bradri within the Castes residents of the State of Punjab, as Backward Class irrespective of their religion.

## APPENDIX 4

Copy of D.O. No. 986-SWI-74/5791, dated 29th March, 1974 from Shri Joginder Singh, I.A.S., Secretary to Government, Punjab, Department of Welfare of Scheduled Castes and Backward Classes to Administrative Secretaries.

Subject:--Reservation in matter of appointments and promotions in services for members of Scheduled Castes and Backward Classes in Public Sector Undertakings and other autonomous Bodies, Municipal Committees, Panchayat Samitis, Zila Parishads, etc.

I am desired to write to you on the subject relating to the implementation of Government policy in the matter of recruitment and promotions for the members of Scheduled Castes and Backward Classes in the services of Public Sector undertakings and all other Autonomous Bodies in the State. This matter was placed before the Council of Ministers in its meeting held on 6th March, 1974 and it was decided that :--

"Where Government have the power of issuing a directive in this matter all Government sponsored Corporations, Autonomous Bodies and Boards, Municipal Committees, Panchayat Samitis, Zila Parishads, etc. should be directed to adopt Government Policy in the matter of recruitment and promotions for members of Scheduled Castes and Backward Classes in their respective organisations. Where this power is not available at present urgent steps should be taken to secure or assume this power through an amendment of the relevant Articles of Association, Rules, Regulations or Statutes as the case may be."

2. I would request you to take urgent necessary steps to implement the above decision in the services of the concerned institutions under your administrative control. I am further to request you to inform this department of the action taken within 15 days positively.

Yours Sincerely,

(Sd/-) . . . .

(Joginder Singh)



Copy of letter No. 938-SWI-74/6152, dated 8th April, 1974, from Secretary to Government of Punjab, Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners, of Divisions, District & Session Judges, Deputy Commissioners and Registrar, Punjab High Court and Copy to others.

**Subject.**--Reservation in the ranks of Foot Constables and Patwaris for the members of Scheduled Castes and Backward Classes.

I am directed to refer you on the subject noted above and to say that Government have decided that the percentage of reservation of members of Scheduled Castes and Backward Classes for appointment as Constables and Patwaris should be at the rate of 40% and 10% respectively in each category till their strength in these categories reaches the prescribed proportion of reservation i.e. 25% and 5% for members of Scheduled Castes and Backward Classes respectively.

2. I am further directed to request that a review of the reservation for these categories may be undertaken after every 6 months in order to ascertain the percentage of reservation which has been attained in each category. A detailed report of the latest percentage of reservation arrived at may kindly be sent to this Department by the 15th October and 15th February each year without fail.

3. This will take effect from the 6th March, 1974.

## APPENDIX NO. 2

Copy of letter No. 1494-SW-1-74/8105 dated 4th May, 1974 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Reservation for the members of Scheduled Castes and Backward Classes in the cases of promotion.

In continuation of Punjab Government Circular letter No. 1411-SWI-74/7421, dated 26th April, 1974, I am directed to refer to the subject noted above and to say that at present reservation for Scheduled Castes and Backward Classes is applicable in promotion to and within class III and IV only. Since these Castes/Classes are poorly represented in various higher services in the State Government, it has been under the active consideration of the State Government that some reservation in promotions within higher services as well should be made for them. It has now been decided that except in the case of All India Services, 15% of the posts to be filled by promotion to or within Class I and II services under the State Government should be reserved for members of Scheduled Castes and Backward Classes (14% for members of Scheduled Castes and 2% for members of Backward Classes) subject to the following conditions :--

- (a) the persons to be considered must possess the minimum necessary qualifications, and
- (b) they should have a satisfactory record of service.

2. In a lot of 100 vacancies occurring from time to time, those falling at serial numbers mentioned below should be treated as reserved for the members of Scheduled Castes :

1,7,15,22,30,37,44,51,58,65,72,80,87,94 and so on. Vacancies falling at serial numbers 26 and 76 should be treated as reserved for the members of Backward Classes.

3. The reservation prescribed shall be given effect to in accordance with a roster to be maintained in each Department. The roster will be implemented in the form of a running account from year to year.

4. Reservation in promotion for Scheduled Castes and Backward Classes in Class III and IV services should continue to be followed as laid down in Punjab Government circular letters issued from time to time.

5. The above instructions will take effect from the 6th March, 1974 and vacancies arising in Class I and II Services under the State Government, existing or arising after the 4th May, 1974 should be filled up in accordance with these instructions.

6. The receipt of this letter may please be acknowledged.

## APPENDIX No. I

Copy of letter No. 890-SWI-74/10619, dated 6th June, 1974 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

**Subject.**--Increase in the percentage of reservation in services for the members of Scheduled Castes and Backward Classes in all State Services.

I am directed to invite a reference to Punjab Government letter No. 8088-5WG-II-63/18244, dated the 7th September, 1963, and letter No. 1945-WG-54/17246, dated the 17th March, 1964, on the subject noted above and to say that the matter regarding the increase in the percentage of reservation in Government services for the members of Scheduled Castes and Backward Classes on the basis of the latest figures of population, as enumerated in the last census operation, has been under consideration of Government for some time past. It has now been decided to increase the percentage of reservation in direct recruitment in all services from 20% to 25% in the case of members of Scheduled Castes and from 2% to 5% in the case of members belonging to Backward Classes.

2. The reservation in services will, however, continue to be subject to the condition that minimum qualification prescribed for a post would not be lowered with a view to accommodating any candidate, as also other conditions laid down in Government instructions issued from time to time.

3. I am also directed to invite a reference to Punjab Government letter No. 2360-4WG-I-64/4860, dated the 24th March, 1964 and to say that vacancies to be reserved for the members of Scheduled Castes in a lot of 100 vacancies would be at the points specified below :--

1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93 and 97 and so on.

Vacancies at Serial Nos. 15, 35, 55, 75 and 95 should be treated as reserved for the members of Backward Classes.

4. I am further directed to clarify that the Roster already existing would not be, abandoned, but would now be maintained in continuation from the vacancy in the existing Roster last filled up according to the new pattern of reservation that has been prescribed in the foregoing paragraphs.

5. These orders take effect from 6th June, 1974.

6. The receipt of this communication may kindly be acknowledged.

APPENDIX 61

Circular No. 6816-65W-12 HC-74/13359, dated 12th July, 1974 from the Secretary to Government, Punjab Social Welfare Department, to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges, All Sub-Divisional Officers in Punjab and the Registrar, Punjab and Haryana High Court.

Subject.--Inclusion of Gujjar Community in the list of Backward Classes.

I am directed to refer to the subject noted above and to state that the Government have decided to declare Gujjar Community resident within the State of Punjab, as a Backward Class for a period of five years, irrespective of their religion, with immediate effect.

A copy is forwarded for information and necessary action to all Financial Commissioners and All Administrative Secretaries to Government, Punjab.

## APPENDIX 30

Copy of letter No. 4101-SW-II-74/14741, dated 12th August, 1974 from Secretary to Government of Punjab, Welfare of Scheduled Castes/Backward Classes Deptt. to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, Distt. Session Judges, Registrar Punjab/Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Appointment of Liaison Officers.

I am directed to refer to the subject cited above and to say that Government have decided that there should be Liaison Officers in each Administrative Department for ensuring effective implementation of the reservation policy of the State Government.

2. I, am, therefore desired to request you to nominate an officer not below the rank of Deputy Secretary to Government, Punjab, in your Department to function as Liaison Officer who will be responsible for--

- (i) ensuring due compliance by the subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes, Scheduled Tribes and Backward Classes and other benefits admissible to them ;
- (ii) ensuring submission, scrutiny and consolidation of annual returns relating to representations of Scheduled Castes and Backward Classes ;
- (iii) specially watching the cases of suppression in promotions of Scheduled Castes and Backward Classes ;
- (iv) ensuring the extension of necessary assistance to the Secretary to Government, Punjab, Department of Welfare of Schedule Castes and Backward Classes, in the investigation of complaints received by that department in regard to service matters ;
- (v) conducting annual inspection of the rosters maintained by various authorities with a view to ensuring proper implementation of reservation order ; and
- (vi) acting as a Liaison Officer between his department and the department of Welfare of Scheduled Castes and Backward Classes for supply of other information, answering questions and queries and clearing doubts, in regard to matters covered by the reservation orders.

3. The name, designation and telephone No. of the officer nominated may please be sent to the undersigned immediately.

4. The receipt of this letter may kindly be acknowledged.

Copy of letter No. 2185-66-W-10Nisc-74/30815, dated 10th October, 1974 from Secretary to Government, Punjab Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Divisions, District and Session Judges Deputy Commissioners and Registrar Punjab and Haryana High Court and copy to others.

Subject.-- Inter-caste marriage--Clarification thereof.

I am directed to refer to the subject cited above and to say that a question arose recently whether if a scheduled caste woman marries a non-scheduled caste person, she would continue to enjoy the benefits and privileges allowed to the Scheduled Castes. The advice of Government of India, which the State Government have accepted, is that a Scheduled Caste Women marrying a caste hindu man, according to law, continues to enjoy the status of Scheduled Caste and she is entitled to all the benefits which are available to the person belonging to Scheduled Castes.

This may kindly be brought to the notice of all concerned.

## APPENDIX 18

Copy of letter No. 5184-SWI-74/20947, dated 11th October, 1974 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, Distt. and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

**Subject:--**Reservation for members of Scheduled Castes and Backward Classes.

I am directed to refer to the instructions contained in paragraph 2 (4) (b) of Punjab Government circular letter No. 6872-WG-66/24917, dated the 23rd August, 1966 read with instructions contained in Paragraph 2(iii) of Punjab Government circular letter No. 3378-SW (ASO)-67/22108, dated the 5th August, 1967. According to these instructions, in a cadre of less than five Posts, if there be only one vacancy, it should be treated as 'UN-RESERVED', but if on this account a reserved point is treated as un-reserved, the reservation is to be carried forward to the subsequent two recruitment years. In view, however, of the Judgement of the Supreme Court of India in the case of Arti Ray Choudhary V/s, Union of India, it has now been decided that the reservation with respect to the solitary vacancy so un-reserved and carried forward must be given effect to on the occasion next arising when a solitary vacancy occurs in the same cadre.

2. The afore-mentioned instructions may be considered as having been modified to the extent indicated above.

3. The receipt of this communication may kindly be acknowledged.

## APPENDIX 35

Copy of letter No. 4933-SWI-74/21145, dated 6th November, 1974 from Secretary to Government, Punjab Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

**Subject.**--Increase in the percentage of reservation of seats for the members of Scheduled Castes and Backward Classes in all Educational, Technical and Professional Institutions for admission.

I am directed to invite a reference to Punjab Government letter No. 1946-WG-54/17248, dated 17th March, 1954 and letter No. 1637-WCI-ASO2-54/4289, dated 6th/13th March, 1964 on the subject cited above and to say that at present 20% and 2% seats are reserved for the members of Scheduled Castes/Tribes and Backward Classes in Educational, Technical and Professional Institutions at the time of admission.

2. Keeping in view the latest population figures which have been shown an increase of 5% the Government decided to increase reservations quota in Educational, Technical and Professional Institutions from 20% to 25% in case of members of Scheduled Castes and from 2% to 5% in case of members of Backward Classes for admission purpose in these institutions.

3. The receipt of this communication may kindly be acknowledged.



## APPENDIX 21

Copy of letter NO. 1097-SWI-74/23071, dated 19th November, 1974 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to all Heads of Departments, Commissioners of the Divisions, Deputy Commissioners Distt. & Session Judges, Registrar, Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Adoption of a Block System for the recruitment of Scheduled Castes and Backward Classes.

I am directed to refer to Punjab Government circular letter No. 9525-WG-53/94449, dated the 8th December, 1963 wherein it is laid down that in case it is not possible to fill a reserved vacancy in a Particular block, it is to be carried forward to the succeeding block and that in case it is not possible to fill both the resulting vacancies in this block, then only one of the two reserved vacancies will be carried forward to the third block. The instructions under reference go on to say "In other words not more than one reserved vacancy will carried over from one block to the next in any case".

2. It has been brought to the notice of this Department that afore cited instructions are being interpreted to mean that in case it becomes not possible to fill several reserved vacancies on any particular occasion, not more than one reserved vacancy is to be carried forward from one block to next and that the remaining vacancies lapse.

3. I am, however, directed to emphasize that as laid down in Punjab Government Circular letter No. 193--5WG--1--63/3141, dated the 7th February, 1963, all reserved vacancies must eventually be given effect to. Thus, since not more than two vacancies can be treated as reserved in any block of four (then five) vacancies two vacancies in each block would continue to be reserved till such time as all reserved vacancies which could not be filled up earlier by Scheduled Castes candidates on account of their non-availability are given effect to.

4. The receipt of this communication may please be acknowledged.

## APPENDIX 27 (a)

Copy of letter No. 5420-SW-1-74/23309, dated 19th November, 1974 from Secretary to Government of Punjab, Welfare of Scheduled Castes/Backward Classes Deptt. to All Heads of Departments, Commissioner of the Divisions, Deputy Commissioners, Distt. and Session Judges, Registrar, Punjab Haryana High Court and Sub-Divisional officers (Civil) in the State etc.

Subject.--Classification of certain classes of people as Backward Classes other than the Scheduled Castes and Scheduled Tribes.

I am directed to refer to Punjab Government Circular letter No. 2662-SWGII-62/6934, dated the 20th April, 1963, on the subject cited above, and to say that the Government have decided to raise both the income limits of Rs. 1,000 per annum and Rs. 1,800 per annum contained in paragraphs (a) and in respectively thereof, to Rs. 3,500 per annum.

2. The instructions contained in the circular letter under reference may be considered to have been modified to the extent indicated above.

3. The receipt of this communication may kindly be acknowledged.

Copy of letter No. 5410-SMT-74/23477, dated 26th November, 1974 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar Punjab High Court and Copy to others.

Subject.--Reservation in service for the members of Scheduled Castes and Backward Classes and maintenances of Reservation Rosters.

I am directed to refer to Punjab Government instructions contained in circular letter No. 278-OSD(W)-67/27027, dated the 19th September, 1967 on the subject noted above, where in it was stressed that regular rosters in respect of different categories of personnel be maintained and checked by appointing authorities regularly.

2. For the proper implementation of Reservation Policy and maintenance of Rosters, all District Welfare Officers in the State have been authorised to check rosters in all the Government offices in their respective district. You are requested to please extend maximum co-operation to the District Welfare Officer in the checking of the Rosters pertaining to your department/office so that Government policy for providing due representation to the members of Scheduled Castes and Backward Classes is implemented in the State in letter and spirit.

3. The receipt of this communication may please be acknowledged.

## APPENDIX 38

Copy of letter No. 9642-4SN-74/24222, dated 26th November, 1974 from the Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.-- Enhancement of the income limit from Rs. 3,600 per annum of the parents of the students belonging to Backward Classes for grant of educational facilities.

In Continuation of Punjab Government circular letter No. 1438-4/SW-74, dated the 21st March, 1974, on the subject cited above, I am directed to convey the sanction of the Governor Punjab to the enhancement of the income limit of the parents of students belonging to Backward Classes in the matter of their admission into Colleges from Rs. 1,800 to 6,000 per annum with immediate effect.

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Copy of letter No. 3039-SWI-74, dated 6th December, 1974, from the Secretary to Government, Punjab, Welfare of Scheduled Castes and Backward Classes addressed to the All Heads of Departments, Commissioners of Divisions, Registrar, Punjab and Haryana High Court, District and Sessions Judges, and Sub-Divisional Officers (Civil), in Punjab State.

**Subject.**--Reservation in services for members of Scheduled Castes, Scheduled Tribes and Backward Classes, Inter Changeability of reserved posts between them.

1 am directed to refer to Punjab Government circular letter No. 1346-SWI-74/1491, dated the 20th June, 1974, on the subject cited above, therein it was laid down that a vacancy reserved for a Scheduled Caste candidate should, in the event of non-availability of such candidate, first be offered to candidate belonging to the backward classes, before it is thrown open for general recruitment, but only after the carry forward has been exhausted.

2. It has been brought to the notice of this department that there is some doubt as to the meaning of the exhaustion of the carry forward rule. The term refers to instructions contained in paragraph 2(4) (b) of the Punjab Government circular letter, dated the 23rd August, 1966, in accordance with which it is possible that circumstances may arise in which a vacancy reserved for the Scheduled Caste is being carried forward for only two subsequent recruitment years. It is clarified that a part from the aforementioned circular letter, there is no provision for the exhaustion of the carry forward rule in the instructions issued on the subject from time to time.

3. The receipt of this communication may please be acknowledged.

## APPENDIX 39

Copy of letter No. 79-SW(18-Health)-75/1723, dated 21st January, 1975 from the Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments Commissioners of the Division, Deputy Commissioners, District and session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject --Increase in the percentage of reservation of seats for the members of Scheduled Castes and Backward Classes in all Education, Technical and Professional Institutions for admission.

I am directed to refer to Punjab Government letter No. 4933-SWII-74/21145, dated 6th November, 1974 on the subject cited above and to clarify that the instructions contained therein are applicable also to Post Graduate classes in all Technical and Professional Institutions.

The receipt of this communication may kindly be acknowledged.

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## APPENDIX 10

Copy of letter No. 1818-SWI-75/10451, dated 5th May, 1975 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to all Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject. --Reservation for members of Scheduled Castes/Tribes in Services under the State Government.

I am directed to refer to the subject noted above and to say that Government have decided that henceforth, 50 per cent vacancies of the quota reserved for Scheduled Castes should be offered to Balmikis and Mazhibi Sikhs, if available, as a first preference from amongst the Scheduled Caste candidates.

## APPENDIX-13

Copy of letter No. 2622-5W2-75/20614, dated 2nd September, 1975 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject -- Appointments to post for conducting research.

I am directed to refer to paragraph 3 of Punjab Government circular letter No. 6872-WG-66/24917, dated the 23rd August, 1966 in terms of which reservation for the Scheduled Castes and other Backward Classes stand withdrawn in the case of appointments to posts for conducting research or organising, guiding and directing research.

2. It has been brought to the notice of this department that the term 'research' is being widely interpreted by various departments to include therein even such posts where qualifications and training in the Sciences is not required and laboratory research is not involved. There are several posts in various departments whose incumbents are designated as 'Research Officers' but whose duties comprise simply the collection of statistical data and its tabulation, compilation and publication. The instructions referred to above were not intended to apply to such posts. It is clarified that the above mentioned instructions apply only to posts for conducting research or organising, guiding and directing research in a Science Laboratory along scientific lines and with scientific instruments.



Copy of letter No. 1786-3WI-75/23005, dated 19th September, 1975 from Secretary to Government, Punjab Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Divisions District & Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and copy to others.

**Subject.**—Reservation for members of Scheduled Castes/Tribes in Services under the State Government.

I am directed to refer to Punjab Government letter No. 1818-SWI-75/10451, dated the 5th May, 1975 on the subject noted above and to say that Government have now decided that henceforth, 50% vacancies of the quota reserved for Scheduled Castes should be offered to Balmikis and Mazhbi Sikhs, if available, as first preference from amongst the Scheduled Castes Candidates, in direct recruitment only and not in promotion cases. It has also been decided that promotion cases already decided in the light of aforesaid instructions are not to be opened. Receipt of this letter may please be acknowledged.

## APPENDIX—15

Copy of letter No. 3568-SW-1-75/31810, dated 5th December, 1975 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Deptt. to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District & Session Judges, Registrar, Punjab & Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject--Representation of the members of Scheduled Castes/Tribes and Backward Classes in the State Services. Application of the reservation orders in filling up temporary and short terms vacancies-maintenance of Roster.

I am directed to refer to Punjab Government circular letter No. 24-4-WGI-66/3772, dated the 16th February, 1966, *vide* which reservation policy was introduced in the case of short-term leave vacancies and temporary vacancies in initial recruitment on the subject noted above and to say that introduction of reservation policy in the short-term has been mis-interpreted by some of the Departments of the Government. It has come to the notice of the Government that members of the Scheduled Castes/Backward Classes have been promoted on short-terms vacancies against reserved point and thereafter reserved points have been considered to have been exhausted. To avoid this situation it has been decided that two types of Reservation Rosters in the prescribed *pro forma* be maintained i.e. one for the regular vacancies and the other for the short-term vacancies. It is, therefore, requested that the requisite Reservation Rosters be prepared immediately.

Its receipt may please be acknowledged.

## APPENDIX--22

Copy of letter No. 771-SWI-76, dated 6th April, 1976 from Secretary to Government of Punjab, Welfare of Scheduled Castes & Backward Classes Department to All Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

Subject.--Reservation in services for the members of Scheduled Castes and Backward Classes--Interchangeability of reserved posts between them.

I am directed to refer to Punjab Government letter No. 1346-SWI-74/11491, dated the 20th June, 1974 on the subject noted above and to say that interchangeability in between the members of Scheduled Castes and Backward Classes was thereby introduced in services subject to certain conditions.

2. On receipt of references from various Departments whether interchangeability of reserved posts was admissible in a Cadre of less than five posts only or was admissible in a Cadre of more than five posts also the concerned Departments were advised that interchangeability was admissible to a Cadre of less than five posts only. The Government have now decided to allow interchangeability in all Cadres irrespective of the fact whether the Cadre is of less than five posts or more than five posts. The instructions issued, vide Punjab Government letter, dated 20th June, 1975 mentioned above are clarified as follows :--

- (i) A vacancy upon its being de-reserved on account of non-availability of a Scheduled Castes person be offered to a Backward Class person but the vacancy so de-reserved would be carried forward for the Scheduled Castes just as is done at present.
- (ii) The vacancy next reserved for the Backward Classes would in case a person belonging to Backward Classes has already availed of a vacancy meant for the Scheduled Castes be thrown open to non-Scheduled Caste.
- (iii) The same conditions would apply to cases in which vacancies reserved for the Backward Classes are offered to Scheduled Castes on account of non-availability of persons belonging to the former category.
- (iv) Subject to the instructions contained in Punjab Government circular letter dated the 30th July, 1970, the percentage prescribed for each category in a lot of 100 vacancies would not be exceeded in any case.
- (v) In the case of promotion 2nd vacancy should only be given to members of Backward Classes if the Roster has crossed 50 points. Similarly, in the case of direct recruitment 2nd vacancy should be given to the members of Backward Classes after Roster has crossed 20 points 3rd vacancy after Roster has crossed 40 points and so on.

3. Its receipt may please be acknowledged.

Copy of letter No. 1510-SA-2-77/19018, dated 20th July, 1977 from Secretary to Government, Punjab Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Division, District & Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and copy to others.

Subject.--Admission in State Medical Colleges on the basis of false certificate.

The case was referred to Director Prosecution and litigation for advice who has advised as under :--

Advice sought on

Advice given

- |  |  |
|--|--|
| 1. Candidates who got admission on the basis of false certificates and passed the examination before they were detected. | The <i>Prima facie</i> commission of an offence under section 420 I.P.C. is indicated which is cognizable by the police.     |
| 2. Candidates who are still studying in colleges.  | As at (1) above.   |
| 3. Those who attempted to get admission but were detected before admission.  | The <i>Prima facie</i> commission of an offence under section 420/511 I.P.C. is indicated which is cognizable by the police. |

2. All these cases be got registered under the signatures of the Chairman, Selection Committee of Medical College concerned.

3. You are, therefore, requested to take action accordingly.

Copy of letter No. 2895-SWI-77/1853, dated Chandigarh, 31st January, 1978 from Under Secretary, Welfare for Secretary to Government, Punjab, Scheduled Castes and Backward Classes, Welfare Department to All the Heads of the Departments, Commissioners of Division, Deputy Commissioners, Registrars, Punjab and Haryana High Court, District and Session Judges and Sub-Divisional Officers (Civil) in Punjab State.

Subject.--Writ petition in High Court/Supreme Court in connection with reservation under Punjab Government service for Scheduled Caste and Backward Classes.

I am directed to refer to the subject noted above and to say that it has been come to the notice of the Government that often litigants do not implead this Department as a party while attacking the vires of the instructions on the reservation policy or seeking a judgement in their favour on the basis of the instructions on reservation by making their own interpretations. The defending/concerned Department files written statement in the concerned court without consulting this Department even on the point attacking the reservation policy. Proper defence may not be come possible if the instructions are not interpreted correctly. In view of this, I am to request you to consult this Department before filing a written statement in the Court as and when any interpretation of the reservation policy is involved or these instructions are under attack.

Copy of letter No. 2/524/78-ਸ.ਕ.ਅ-1/210, dated 11th January, 1978 from Secretary to Government, Punjab, Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and Copy to others.

**ਵਿਸ਼ਾ:-** ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਵਲੋਂ ਦਿੱਤੀ ਗਏ ਨੂੰ ਲਾਗੂ ਕਰਨ ਬਾਰੇ-ਸਮਾਂ ਨਿਸ਼ਚਿਤ ਕਰਨ ਬਾਰੇ ।

ਮੈਨੂੰ ਆਪ ਦਾ ਧਿਆਨ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਵਲ ਦਿਵਾਉਣ ਅਤੇ ਇਹ ਕਾਰਜ ਦਾ ਹੁਕਮ ਹੋਇਆ ਹੈ ਕਿ ਕਈ ਵਾਰ ਵੱਖ ਵੱਖ ਵਿਭਾਗਾਂ ਵਲੋਂ ਰਿਜ਼ਰਵੇਸ਼ਨ ਬਾਰੇ ਇਸ ਵਿਭਾਗ ਵਲੋਂ ਦਿੱਤੀ ਗਏ ਨੂੰ ਲਾਗੂ ਕਰਨ ਵਿਚ ਟਾਲ ਮਟੋਲ ਤੋਂ ਕੰਮ ਲਿਆ ਜਾਂਦਾ ਹੈ ਅਤੇ ਕਈ ਵਾਰੀ ਇੰਨਾਂ ਨੂੰ ਲਾਗੂ ਹੀ ਨਹੀਂ ਕੀਤਾ ਜਾਂਦਾ । ਇਸ ਤਰ੍ਹਾਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦੇ ਹੱਕਾਂ ਤੋਂ ਵਾਂਝੇ ਰੱਖਿਆ ਜਾਂਦਾ ਹੈ । ਇਹ ਉਚਿਤ ਨਹੀਂ ਹੈ । ਇਸ ਵਿਭਾਗ ਵਲੋਂ ਦਿੱਤੀ ਗਏ ਨੂੰ ਬਿਨਾਂ ਕਿਸੇ ਦੇਰੀ ਦੇ ਤਰ੍ਹਾਂ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ, ਜੇਕਰ ਸਬੰਧਤ ਵਿਭਾਗਾਂ ਨੂੰ ਇਸ ਵਿਭਾਗ ਵਲੋਂ ਦਿੱਤੀ ਗਈ ਗਏ ਦਾ ਕੋਈ ਕਿੱਤੂ ਹੈ । ਤਦ ਇਸ ਬਾਰੇ ਵਿਭਾਗ ਨੂੰ ਮੁੜ ਲਿਖ ਸਕਦਾ ਹੈ । ਪਰੰਤੂ ਇਹ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦੀ ਯੋਜ ਨਹੀਂ ਹੈ ਕਿ ਦਿੱਤੀ ਸਲਾਹ ਨੂੰ ਲਾਗੂ ਹੀ ਨਾ ਕੀਤਾ ਜਾਵੇ । ਇਸ ਲਈ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਇਸ ਵਿਭਾਗ ਦੀ ਗਏ ਨੂੰ ਤਿੰਨ ਮਹੀਨੇ ਦੇ ਅੰਦਰ-ਅੰਦਰ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਲਾਗੂ ਕਰਨ ਉਪਰੰਤ ਇਸ ਵਿਭਾਗ ਨੂੰ ਵੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾਵੇ ।

ਇਸ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ ।

Copy of letter No. 2/116/78-SWI, dated 24th January, 1978 from Secretary to Government Punjab, Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Divisions, District & Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and Copy to others.

**Subject.--**Reservation in services for the Scheduled Castes and Backward Classes--Relaxation in age over and above the General Category.

I am directed to refer to the subject cited above and to say that age concessions as under over and above the age limit prescribed for appointment in services under the State Government are available for the categories as mentioned against each :--

- |                                      |   |
|--------------------------------------|---|
| 1. Scheduled Castes/Backward Classes | 5 years over and above the normal recruitment age.  |
| 2. Ex-Servicemen                     | To the extent of Service rendered in the military plus three years. This concession is available for posts which are not to be filled by open competition.                                  |
| 3. Physically handicapped persons    | 10 years over and above the normal age.   |
| 4. Released Armed forces personnel   | His age at the time of joining military service or training prior to the Commission as the case may be, does not exceed the upper age limit prescribed for direct recruitment to such post. |

Copy of letter No. 2799-SWI-77/9517, dated the 4th April, 1978 from Secretary to Government Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar, Punjab and Haryana High Court and copy of others.

**Subject :** Verification of claims of Candidates belonging to Scheduled Castes and Backward Classes--Form of Certificate-amendments.

I am directed to say that the form of certificate in respect of Scheduled Castes and Backward Classes as prescribed vide Punjab Government letter No. 460-WG-56/4/99, dated 25th January, 1956, has been amended. I am to enclose the revised form to request that the revised form of certificates may be brought to the notice of the authorities who are empowered to issue such certificates.

Copy of letter No. 2090-SWI-78/1, dated the 8th September, 1978 from Secretary to Government Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar, Punjab and Haryana High Court and copy to others.

**Subject :** Reservation in Government, Semi-Government and other private organisation--counting of temporary income of Backward Classes Candidates.

I have been directed to invite a reference to this Department letter No. 5420-SWI-74/2309, dated the 19th November, 1974 according to which only those individuals can be treated as Backward Class whose income does not exceed Rs. 3,600 per annum. The individuals whose income exceeds Rs. 3,600 cannot benefit from the concessions available in direct notice of Government that *ad hoc*/Temporary employees working in Government or Semi-Government organisations whose income may exceed Rs. 3,600 per annum and which is purely temporary and may end at any time are not treated Backward Classes and they cannot take advantage of benefits being available to Backward Classes when the Services of *ad hoc*/Temporary employees are terminated, their income documents and then they become entitled to the benefits being given to Backward Classes. Keeping this difficulty in view it has been decided that the income of *ad hoc*/Temporary employees working in Government or Semi-Government Organisations shall not be taken into account for the purpose of Income Ceiling of Backward Classes.

2. Its receipt may please be acknowledged.

5. Ad hoc employees. To the extent of service rendered on ad hoc basis plus 3 years.
6. (i) A member of the family of the deceased Government employees retired on medical grounds To the extent of 45 years.
- (ii) A members of the family of the defence Services personnel killed in action or who are severely disabled and totally unfit for re-employment Ditto
7. (i) Widows, divorced or legally separated women Up to 37 years of age.
- (ii) Wives of serving Military personnel or those who are disabled while in Military Services Ditto

A doubt arose whether the age concession available to other categories viz. Scheduled Castes can be clubbed together or not. It has been decided in consultation with Govt. of India that age concession given above for various categories can be clubbed with the concession given to the Scheduled Castes. It is further clarified with the example that handicapped Scheduled Castes persons shall be allowed, the age concession for 15 years, 5 years his being Scheduled Castes and 10 years for his being a handicapped.

## APPENDIX 43

## PUNJAB GOVERNMENT

Welfare of Scheduled Castes and Backward Classes Department  
Circular No. 1235 (SWA-3)-79/2248 dated Chandigarh, the 27th April,  
1979, to all Heads of Departments, Commissioners of Divisions, Deputy  
Commissioners, District and Session Judges in the State and the  
Registrar, Punjab and Haryana High Court.

Subject.--Inclusion of Kamboj Community in the list of Backward Classes.

I am directed to refer to the subject mentioned above,--vide  
letter No. 1783-6SW-4 BC-74/5144, dated the 22nd March, 1974, the  
Kamboj Community was declared backward for a period of five years  
only. The matter has been reconsidered and it has now been decided  
that the persons belonging to the Kamboj Community and having an  
annual income of not more than Rs. 3,600 will be considered as  
Backward Classes with immediate effect for an indefinite period.



*Copy of letter No. 2/246/78-SW3/7416, dated 18th December, 1978 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division District & Session Judges Deputy Commissioners and Registrar Punjab & Haryana High Court and Copy to others.*

**Subject--Reservation in services for members of Scheduled Castes and Backward Classes--Interchangeability of reserved posts between them.**

I am directed to invite a reference of Punjab Government letter No. 1346-SWI-74/11491, dated 20th June, 1994 and letter No. 771-SWI-76, dated 6th April, 1976, on the subject noted above, and to say while giving the benefits of interchangeability to a Backward Class candidate and vice-versa, the Department do not obtain No-objection Certificate from the Department of welfare of Scheduled Castes and Backward Classes despite clear provision in the instructions. To make it clear, under the instructions No-objection Certificate is a must before the vacancy meant for Scheduled Castes person is offered to a Backward Class candidate and vice-versa.

2. Its receipt may please be acknowledged.

*Copy of letter No. 4/2/79-SWI/7649, dated the 7th January, 1989 from Secretary to Government Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar, Punjab and Haryana High Court and copy to others.*

**Subject :** Reservation for the members of Scheduled Castes and Backward Classes in services--Measures to remove deficiency in.

I am directed to invite your attention to Punjab Government letter No. 1244-DSD(W)-2-70/19996, dated 30th July, 1980, on the subject noted above, wherein it has been laid down that Scheduled Castes/Backward Classes candidates who get selected on merits in the general list in direct recruitment and those who become eligible for promotion to next higher posts by virtue of their seniority-cum-fitness, should not be counted for purposes of reservation and to say that there is a practice in some of the Departments where candidates/employees belonging to Scheduled Castes/Backward Classes who secure appointment against a reserve point on the basis of their merit-cum-seniority are counted for the purpose of reservation. It is not proper. The representation of Scheduled Castes/Backward Classes in services is already much below the prescribed percentage. Keeping this in view, it is made clear that those Scheduled Castes/Backward Classes employees who got appointment/promoted against reserved points on the basis of their merit/seniority should not be counted for the purpose of reservation but that reserve point should be carried over to the next point on the roster and filled by a candidate/employee belonging to Scheduled Castes/Backward Classes so that the deficiency of representation in services is made up.

## APPENDIX 27(b)

Copy of circular No. 2/223/79-SW-I/1198, dated 11th February, 1980 from Welfare Department (Reservation Cell), Government of Punjab, to all the heads of Department, Commissioners of Divisions, Deputy Commissioner's etc.

Subject.-- Competent authority to issue the Backward Classes certificate

I am directed to draw your attention on the above cited subject and to say that a form of affidavit was prescribed by Punjab Government,--vide letter No. 5376-5WGII-83, dated 4th July, 1963 after adoption of economic criteria for backward classes, which was to be attested by the Magistrates 1st Class. A new form (copies again attached) of certificates and applications showing caste and family income of the applicant was prescribed,--vide Punjab Government letter No. 2799-SWI-77/9517, dated 4th April, 1978 instead of affidavit. It was not stated therein who is the competent authority to issue this certificate. This matter has been considered and decided that like the persons belonging to Scheduled Castes, the members of Parliament of Punjab and Members of Assembly and Gazetted Officers (With the seal of his offices) are authorised to issue Backward Class certificate to the backward classes vide Punjab Government letter No. 5420-SWI-74/23309, dated 19th November, 1974 the income limit has been fixed at rupees 3,600 per annum for backward classes of general categories and on caste basis.

It is, therefore, necessary for the certificate issuing authority that he is aware of the economic condition of the person at the time of issuing Backward Classes certificate that income of his family from all sources is more than rupees 3,600 per annum at the time of issuing certificate so that possibility of obtaining a Backward Classes certificate on the basis of wrong facts to avail of the facility extended to them can be checked.

Its receipts may be acknowledged.

## APPENDIX 8-A

Copy of letter No. 1/2/80-SWI/13339, dated the 12th June, 1980 from Secretary to Government of Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar Punjab & Haryana High Court and copy to others.

Subject.-- Regularisation of services of *ad-hoc* employees.

I am directed to invite a reference to circular letter No. 975-OSD-(W)-2-70/2633, dated the 28th April, 1970 and circular letter No. 1146-OSD-(W)-2-70/13370, dated the 28th May, 1970,--vide which it was laid down that before offering a reserve point to a general category candidate non-availability certificate from the Director, Welfare of Scheduled Castes and Backward Classes, Department and non-objection certificate from the Government in the Department of Welfare, respectively should invariably be obtained. These instructions were reiterated,--vide Punjab Government letter No. 206-SWI-76/3787, Dated the 19th February, 1976 and No. 838-SW 2-76/9341, dated the 29th March, 1976. However, it has come to the notice of the Department of Welfare that while regularising the services of *ad-hoc* employees in the Punjab Government service, in accordance with the instructions contained in order of the President circulated,--vide No. 6541-3-GSI-77/18051-52, dated the 3rd May, 1977, the roster point/reserve point reserved for the Scheduled Castes/Backward Classes employees were regularised without obtaining N.A.C. and N.O.C. from the Department of Welfare. Even the reserve points on the roster for the Scheduled Castes/Backward Classes were given to general category employees. This created a number of anomalies. The Scheduled Castes and Backward Classes waiting for their appointment against reserve points on the live register maintained in the Employment Cell in the Directorate of Welfare of Scheduled Castes and Backward Classes remained un-adjusted and the percentage of Scheduled Castes/Backward Classes employees could not be achieved. This was not in the interest of the Scheduled Castes/Backward Class Employees. After careful consideration of the whole position, it has now been decided that while regularising the services of *ad-hoc* employees in future, the reserve points on the roster should be kept in view and no reserve point should be offered to general category employee without obtaining NAC/NOC from the Director, Welfare of Scheduled Castes and Backward Classes and, Government in the Department of Welfare respectively. If a Scheduled Caste/Backward Class candidate for the reserve post is not available with the department, it should not be offered to a general category Candidate till NAC/NOC is obtained from the competent authority.

2. The receipt of this communication may please be acknowledged.

Copy of letter No. 1/5/60-SWI/13129, dated the 13th June, 1960 from Secretary to Government of Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Divisions, District and Session Judge's, Deputy Commissioners and Registrar Punjab and Haryana High Court and Copy to others.

**Subject.**—Representation of Scheduled Castes and Backward Classes in Services--Maintenance of Roster.

1 am directed to refer to the subject cited above and to say that question has arisen whether the roster for the implementation of reservation policy for Scheduled Castes and Backward Classes in Government Services should be maintained from the date of the original issue of instructions regarding reservation viz. 18th October, 1949 for reservation in direct recruitment and 12th September, 1963 for reservation in promotion as required,—vide Punjab Government letter No. 1241-95D(W)-2-70/12585, dated the 28th May, 1970 or from 1st November, 1966 when the reorganised state of Punjab came into being. In view of the trifurcation of personnel which took place at the time of reorganisation, it would neither be practical nor legally in order to implement reservations on the basis of rosters reflecting the position prior to 1st November, 1966.

2. In view, of the position explained above it has been decided that the roster for direct recruitment in all classes and reservation in promotion for Class III and IV are to be prepared/maintained with effect from the 1st November, 1966. The roster for reservation in promotion for Class I and II, would, however, have to be maintained from the 4th May, 1974 when reservation in these classes of posts were reintroduced.

3. The receipt of this communication may be acknowledged.

## APPENDIX 28

Copy of Welfare Department (Reservation cell) Government of Punjab letter No. 2/223/79-SWI/15045, dated the 12th August, 1980 to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners etc.

Subject.--Competent authorities to issue the Backward Class certificate.

I am directed to draw your attention to this Department letter No. 2/223/79-SWI/1198, dated the 11th February, 1980 on the above cited Subject,—vide which power to issue the Backward Classes certificate was given to Members of Parliament from Punjab, M.L.A. and Gazetted Officers (with the seal of his office). As the family income is to be kept in view to determine the Backwardness of a person and these authorities have no sources to check the income of family so the matter has been considered again and it has been decided that the power to issue the certificate of Backward Classes should be entrusted only to Sub-Divisional Officer (c) Executive Magistrate, Tehsildar, Naib Tehsildar, Block Officer, District Revenue Officer who have the necessary sources to check property and annual income of the person who ask for the Backward Classes certificate. In future, please accept the certificate issued by these authorities.

The receipt of this may be acknowledge.

Copy of letter No. 13/6/81-SWI/2304 dated 2nd April, 1981 from Secretary to Government Punjab, Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division Distt. and Session Judges Deputy Commissioners and Registrar Punjab and Haryana High Court and copy to others.

Subject : Waiving of income limit for the Backward Classes in the case of Reservation in promotion.

I am directed to address you on the subject noted above and to say that it was decided by Government vide circular letter No. 4651-SWI-74/17691, dated the 4th September, 1974 that there should be no income limit for employees belonging to the Backward Classes in the cases of the availing by them the concession of Reservation in promotion. After careful consideration, the Government have decided that in future this benefit of reservation for Backward Classes will be made available only to those persons who at the time of their initial entry into service were eligible for reserve point i.e. they were fulfilling the income limit. In other words the reservation in promotion will be made available only to those Backward Classes employees, who were either recruited against a reserve vacancy or whose family income was within the prescribed limit at the time of their initial entry into service so as to make them eligible for the reserve point.

2. Instructions contained in the circular letter mentioned in para 1 above may be considered to have been modified to the extent indicated above.

3. You are requested to bring this decision to the notice of all concerned.

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## APPENDIX 42

Circular No. 5(III)SWA-3-81/153, dated Chandigarh, the 7th January, 1982 from the Department of Welfare of Scheduled Castes and Backward Classes, to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges in the State and the Registrar, Punjab and Haryana High Court, Chandigarh.

Subject.--Inclusion of Swarankar Community in the List of Backward Classes-Extension of period thereof.

I am directed to refer to this Department Circular letter No. 5(III)-SWA-3-80/1182-1183, dated the 8th/11th February, 1980 on the subject noted above and to say that the Swarankar Community was declared Backward Class for a further period of two years with effect from the 30th January, 1980. The matter has been reconsidered by Government now and it has been decided to extend this period by another year. Accordingly, the Swarankar Community will continue to be treated as Backward Class up to and including the 29th January, 1983, irrespective of their religion.

## APPENDIX 33(a)

Copy of letter No. 2/399/78-SMI/6616, dated 26th July, 1982, from Secretary to Government, Punjab, Scheduled Castes and Backward Classes to All Heads of Departments, Commissions of Divisions, District and Session Judges, Deputy Commissioners and Registrar, Punjab High Court and copy to others.

Subject Payment of travelling allowance to the members of Scheduled Castes called for interview or written test etc. for Class I and II posts recruitment to which is made through sources other than Punjab Public Service Commission.

I am directed to refer to the subject cited above and to say that as per provisions made,—vide Instructions No. 364-OSD-(W)-2-70/877, dated the 12th March, 1970 for payment of travelling allowance to the members of Scheduled Castes for Class III and IV posts the State Government have also decided to extend this facilities to the members of Scheduled Castes called for interview/test for class I and II posts recruitment to which is made through sources other than the Public Service Commission via. the recruiting authority may allow such candidate single second class Rail Fare chargeable by passenger train for the shortest route from the place of normal residence to the place of interview/test and back to the same station provided the distance travelled each way exceed 80 K.M. In respect of road Journey between station not connected by Rail the recruiting authority may allow such a candidate actual Bus fare or road mileage as admissible to Government servants under the Punjab Civil Services Rules Vol. III (T.A. Rules) which ever is less provided the distance covered by the road is more than 32 K.M. each way. These instructions further enjoins that the payment should be made on the spot from the contingent expenditure or permanent advance as the case may be after the interview/written test is over and if owing to the Administrative difficulty the payment is not made on the spot the amount may be remitted to the candidates at Government cost.

2. The Department offices or Departmental Recruitment Committee should invariably notify in their advertisement that T.A. will be admissible to Scheduled Castes candidates when called for interview/written test as per Government instructions.

3. This issues with the concurrence of the Finance Department conveyed by them,—vide their U.O. No. 31/123/80-7ER, dated the 17th May, 1982.

4. Please acknowledged receipt of this communication.



## APPENDIX-19

Copy of letter No. 15(4)-ISC(N)-78/7704, dated 30th August, 1982 from Secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes Department to all Heads of Departments, Commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers (Civil) in the State etc.

**Subject:**--Implementation of reservation policy in direct recruitment and promotion in Government Service and other Public Sector Undertakings, Autonomous Bodies, Boards etc., under the control of the State Government.

1 am directed to refer to the subject noted above and to say that in fulfilment of constitutional obligations contained in Article 16(4), 46 and Article 335 of the Constitution of India, the State Government have made reservation in an appointments made by direct recruitment, transfer and by promotions in all Services and in all the Public Undertakings, Municipal Corporations and Municipal Committees under the State. These reservations are implemented by means of 100-point running rosters. Every appointing authority is required to treat vacancies occurring from time to time as reserved or Un-reserved in accordance with the prescribed 100-point rosters. As a matter or rule of reservation, vacancies reserved for the members of Scheduled Castes and Backward Classes falling against reserved points specified for them in the rosters should necessarily be filled by the members of Scheduled Castes and Backward Classes and those should not be de-reserved or carried forward by the departments at their own. But in case, a Scheduled Castes/Backward Class employees is not available for appointment/promotion against vacancies reserved for them, such reserved vacancies can be got de-reserved with the prior approval of the Department of Welfare after obtaining 'Non-Availability Certificate' and 'No Objection Certificate' from this Department explaining the special efforts/measure taken by the Department to fill such reserved vacancies. Punjab Government have also laid down that it will be personal responsibility of the heads of departments/appointing authorities to ensure proper implementation of the reservation instructions issued by the Department of Welfare and they should also check the roster once in a quarter and append a Certificate showing that due reservations have been provided to the members of Scheduled Castes and Backward Classes as per the vacancies reserved for them in the 100-Point roster.

2. For the purpose of ensuring that the Government policy of reservation is being followed in the departments and the public undertakings under the control of State Government, the State Government have set up Reservation Cell to look after the representation/grievances regarding service matters of the members of Scheduled Castes and Backward Classes and Roster Inspection Cells at the Government level to check the roster registers maintained by the Department for the implementation of the reservation policy. From the inspection reports of the Roster Checking Cells, it has been found that mostly vacancies have been de-reserved and carried forward by the appointing authorities at their own level without obtaining the prior approval of this Department as required under the instructions of the Government issued in this regard. It has also been observed that whenever Roster Inspection Parties are sent to check the rosters of the Departments, the roster registers are found incomplete or in some cases roster registers have not been prepared by the departments/offices or registers have not been signed by the Appointing Authorities according to the instructions.

3. The whole matter has been considered thoroughly by the Government and it has been decided :—

- (i) All the departments of the Government and Corporations/Boards under the control of respective departments have been divided into three categories i.e. A, B and C. The category wise lists of Departments for the purpose of roster checking are enclosed at Annexure I, II and III;
- (ii) Roster Registers of the Departments and other autonomous bodies under the control of the respective department, listed in category, 'A' will be checked once in a year;
- (iii) Roster registers of the departments and autonomous bodies included in category 'B' list, will be checked by the Roster Checking Parties once in 1½ year; and
- (iv) The departments and autonomous bodies included in category 'C' list, will be checked by the Roster Checking Parties once in two years.

4. It has further been decided to issue a Questionnaire with a proforma regarding implementation of reservation policy to the Administrative Secretaries (being appointing authority of Class-I and II services) and the Heads of Departments/Offices and the Corporations/Boards and Municipal Committees in the State. A copy each of the Questionnaire and proforma of Roster Inspection are enclosed at Annexure IV and V. The Department(s) will be given notice for checking rosters maintained by them and the departments in turn will send back the Questionnaire and the proforma duly filled, complete in all respects which must reach this Department within a fortnight from the issue of notice and thereafter the Roster Checking Party will be deputed to inspect the roster registers maintained by the concerned administrative departments/Heads of the Departments/Head of the offices etc.

5. It has further been decided that half-yearly progress reports in regard to appointments made by—

- (a) direct recruitment or by transfer, and
- (b) by promotions

should be sent by the appointing authorities to this Department. Copies of proforma are enclosed at Annexure VI and VII. The Information relating to half-yearly return ending 30th June, of every year should reach the Department of Welfare within a month by 31st July of the year. Second half yearly return ending 31st December of every year should reach this Department within one month i.e. 31st January of current year. Information regarding appointments made by post by transfer and by promotions should be sent separately on the prescribed proforma.

6. It is reiterated that in case of violation of reservation instructions issued by this Department, the responsibility of the same will rest upon the appointing authority and disciplinary action will be taken against the concerned authority found at fault. These instructions should be brought to the notice of all concerned.

7. The receipt of this communication may be acknowledged.

Copy of letter No. 5(III)-SWA-3-81/10561, dated the 26th November, 1982 from Deputy Secretary, Social Welfare addressed to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges in the State and the Registrar, Punjab and Haryana High Court, Chandigarh.

Subject : Inclusion of Swarankar Community in the list of Backward Classes- Extension of period thereof.

I am directed to refer to this Department's Circular letter No. 5(III)-SWA-3-81/153-54, dated the 7th and 8th January, 1982 on the subject noted above and to say that the Swarankar Community was declared Backward Class for a further period of one year with effect from 30th January, 1982. The matter has been reconsidered by the Government now and it has been decided to extend this period by another five years. Accordingly, the Swarankar Community will continue to be treated as Backward Class up to and including the 29th January, 1988, irrespective of their religion.

Copy of Letter No. BC-16014/1/82-BC & BCD-I from Sh. B.K. Sarkar, Joint Secretary to the Government of India, Ministry of Home Affairs addressed to the Chief Secretaries of All State Governments and U.T. Administrations.

Subject : Verification of claim of candidates belonging to Scheduled Castes and Scheduled Tribes and migrants from other States/Union Territories-Form of certificate-Amendment to.

I am directed to refer to this Ministry's letter of even number dated the 18th November, 1982 and the Department of Personnel and Administrative Reforms letter No. 36012/6/76-Est. (SCT), dated the 29th October, 1977 on the above subject and to say that the form of Scheduled Caste/Scheduled Tribe certificate enclosed with the aforesaid letters has been further revised consequent upon coming into force of the Scheduled Castes and Scheduled Tribes orders (Amendment) Act, 1976 and keeping in view the difficulty being experienced by the persons belonging to the Scheduled Castes and Scheduled Tribes in obtaining community certificates on migration from their States of origin to another for the purpose of employment, education etc. The revised Caste/Tribe form of certificate, is enclosed herewith. It is requested that a copy of the revised form of certificate may please be brought to the notice of all the competent authorities who have been empowered to issue such certificates. The list of competent authorities who have been empowered to issue the Scheduled Caste/Scheduled Tribe certificates circulated by the Department of Personnel and Administrative Reforms in their letter No. 13/2/74-Est. (SCT), dated the 5th August, 1975 has also been incorporated in the enclosed revised form.

2. The instructions issued in this Ministry letter of even number dated the 18th November 1982 will continue. It is however, clarified that the Scheduled Caste/Scheduled Tribe person on migration from the State of his origin to another State will not lose his status as Scheduled Caste/Scheduled Tribes but he will be entitled to the concessions/benefits admissible to the Scheduled Castes/Scheduled Tribes from the State of his origin and not from the State where he has migrated. All competent authorities may be advised under intimation to this Ministry to issue the Scheduled Caste/Scheduled Tribe certificates on the revised form of certificate henceforth after satisfying themselves of correctness of the certificate after proper verification based on the revenue record through reliable enquiries. The list of the competent authorities empowered and incorporated in the form may please be followed strictly. No other authority may be authorised to issue the Scheduled Caste/Scheduled Tribes certificates.

- # The Constitution (Goa, Daman & Diu) Scheduled Castes, Order, 1968.
- @ The Constitution (Goa, Daman & Diu) Scheduled Tribes Order, 1968.
- # The Constitution (Nagaland) Scheduled Tribes Order, 1970
- @ The Constitution (Sikkim) Scheduled Castes Order, 1978.
- @ The Constitution (Sikkim) Scheduled Tribes Order, 1978.
- §2 Applicable in the case of Scheduled Castes/Scheduled Tribes persons who have migrated from one State/Union Territory Administration.

This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati \_\_\_\_\_  
 father/mother of Shri/Shrimati/Kumari \_\_\_\_\_  
 of Village/Town \_\_\_\_\_  
 in District/Division \_\_\_\_\_  
 of the State/Union Territory \_\_\_\_\_  
 who belongs to the \_\_\_\_\_  
 Caste/Tribe which is recognised as a Scheduled Caste/Scheduled Tribe \_\_\_\_\_  
 in the State/Union Territory \_\_\_\_\_  
 issued by the \_\_\_\_\_  
 (name of prescribed authority), vide their No. \_\_\_\_\_

Dated \_\_\_\_\_,

§3 Shri/Shrimati/Kumari \_\_\_\_\_  
 and/or his/her family ordinarily reside (s) in Village/Town \_\_\_\_\_  
 of \_\_\_\_\_  
 District/Division of the State/Union Territory of \_\_\_\_\_

Signature \_\_\_\_\_

Designation \_\_\_\_\_

(with seal of office)

Place \_\_\_\_\_ State/Union Territory \_\_\_\_\_

Date \_\_\_\_\_

\* Please delete the words which are not applicable.

@ Please quote specific Presidential order.

\$ Delete the Paragraph which is not applicable.

Note The term "Ordinarily reside (s) used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

\*\* List of authorities empowered to issue Scheduled Caste/Scheduled Tribe Certificates:-

1. District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/City Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.

\*\* (not below the rank of 1st class Stipendary Magistrate.)

2. Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.

3. Revenue Officers not below the rank of Tehsildar.

4. Sub-Divisional Officer of the Area where the candidate and/or his family normally resides.

5. Administrator/Secy. to Administrator/Development Officer (Lakshadweep Islands).

*Copy of letter No. 5651-PP-82/16552, dated 29th December, 1982 from Department of Personnel & Administrative Reforms (Personnel Policies Branch) All Heads of Departments, Commissioners of Divisions District and Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and Copy to others.*

**Subject :** Applicability of State Government instructions on policy of reservation to cadres consisting of a solitary post.

I am directed to refer to the subject cited above and to state that following the judgement of the High Court of Punjab and Haryana in Letters Patent Appeal No. 651 of 1980, in Civil Writ Petition No. 836 of 1980, it has been decided by Government that henceforth none of the instructions issued by the State Government on the subject of reservation of vacancies in services for persons belonging to the Scheduled Castes and Backward Classes would be applicable in the case of a cadre consisting of only one post.

2. The receipt of this communication may please be acknowledged.

*Copy of letter No. 277-PP-81/543 dated 14th January, 1985 from to Department of personnel and Administrative Reforms (Personnel Policies Branch) to All Heads of Departments, Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar Punjab & Haryana High Court and Copy to others.*

**Subject :** Reservation for the members of Scheduled Castes and Backward Classes in Services—measures to make up deficiency—implementation of Supreme Court decision regarding.

I am directed to invite a reference to the policy instructions of the Government in the matter of reservation in direct recruitment and in promotion wherein it has been laid down that the vacancies occurring

from time to time in all classes of Services should be reserved on the basis of appropriate 100-point running rosters and the Scheduled Castes and Backward Class persons appointed on the basis of their merit (in case of direct recruitment) and promoted on the basis of their seniority-cum-merit, should not be counted for the purpose of percentage of reservation.

2. These instructions were challenged in C.W.No. 3882 of 1981 Joginder Singh Sethi and Ors. vs. State of Punjab and Ors. in the Punjab and Haryana High Court and the writ petition was allowed. The State Government and a respondent Shri Makhanjit Singh filed Special Leave Petitions and Stay Applications in the Supreme Court of India against the decision of the Hon'ble High Court. A Civil Writ No. 7729 of 1982 involving a similar matter has also been filed in the Supreme Court which is to be heard alongwith above referred two SLPs. These cases came up for hearing in the Supreme Court of India on 19th October, 1982. The Hon'ble Supreme Court has granted Special Leave and has ordered that there will be stay against reversion of any of the persons already appointed, on the basis of instructions to be issued by the Government of Punjab and if any further appointments or promotions are made, the same will be subject to the result of the Writ Petition pending in the Supreme Court.

3. The above orders of the Supreme Court may please be kept in view for strict compliance.

Receipt of this letter may please be acknowledged.

Item No. 11

Court No. 2

Section IV

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

PETITIONER(S) APPELLANT(S)

CMP Nos 3569-70/83  
in (ca. Nos. 3326 & 3327/82)  
THE STATE OF PUNJAB

Joginder Singh Sethi & Others.

RESPONDENT(S)

(for clarification of court's order date 19.10.1982)

Date: 8.2.1983

: This matter was called on for hearing today)

CORAM:

Hon'ble Mr. Justice P.N. Bhagwati  
Hon'ble Mr. Justice B.S. Pathak  
Hon'ble Mr. Justice Amarendra Nath Sen

For the petitioner(s) Appellant(s) Mr. Sukhdev Khanna.

For the Respondent,

Mr. G.E. Basal Advocate.

Mr. S.C. Birla, Advocate.

For the Petitioner

Mr. L.N. Sinha, Attny. Genl.

Mr. D.D. Sharma, Adv.

For the Respondent(S)

Mr. P.P. Rao, Sr. Adv.

For the Respondent.

M/s R.C. Bhatia, PG Kapoor Advs.

Mr. P.K. Jain, Adv.

UPON HEARING COUNSEL THE COURT MADE THE FOLLOWING.

## ORDER

We made it clear by our order, dated 19-10-1982 that there will be an interim order of stay against reversion of any of the persons already appointed on the basis of instructions issued by the Government of Punjab which have been held to be invalid by the judgement of the High Court impugned in these appeals and writ petitions we do not think that there is any doubt in regard to what we said, namely that no scheduled caste and scheduled tribe employee who has already been appointed or promoted pursuant to the instructions of the Government of Punjab shall be reverted but so far as the future appointments/promotions are concerned these shall be made according to the judgement of the High Court and those will be ultimately subject to the result of the writ petition and the appeals. If the government makes any appointment/promotion in accordance with the judgement of the High Court the State Government will make it clear in the letter of appointment/promotion that the appointment/promotion is subject to the result of the writ petition and the appeals so that there is no difficulty in future in case the High Court judgement is reversed by this court. It appears that certain doubts were raised in regard to the last part of our orders as a result of which applications for contempt have been taken out against the State Government and its officers. We are making this order in order to clear doubts, if any, so that the State Government and its officers may be in a position to carry out our order without any difficulty. We have already directed that appeals and writ petitions will be heard on 30.11.1982 subject to overnight part heard matter but unfortunately due to heavy pressure of work it has not been possible to place them on board for final hearing on 30.11.1982. We would direct that appeals and writ petitions be heard promptly subject to overnight part heard matter on 8.3.1983.

Advocate for the respondent states before us that in view of the clarification given by us the respondents will withdraw their application for contempt.

(Sd.) . . . .

Court Master

copy of the order may be given immediately to those concerned.

*Copy of letter No 882-PP-83/1781 dated 18th February, 1983 from Department of Personnel and Administrative Reforms (Personnel Policies Branch). All Heads of Departments Commissioners of Division District & Session Judges Deputy Commissioners and Registrar Punjab High Court and Copy to others.*

**Subject:-** Reservation for the members of Scheduled Castes and Backward Classes in Services—measures to make up deficiency—implementation of Supreme Court decision regarding.

I am directed to invite a reference to Punjab Government circular letter No. 277-PP-83/543, dated the 14th January, 1983, on the subject

noted above and to say that, as already intimated, the policy instructions of the Government, that in the matter of reservation in direct recruitment and in promotion in all classes of services, reservation should be made on the basis of appropriate 100-point running rosters, and the Scheduled Castes and Backward Classes persons appointed on the basis of their merit (in case of direct recruitment) and promoted on the basis of their seniority-cum-merit, should not be counted for the purpose of percentage of reservation, had been challenged in the Punjab and Haryana High Court in Civil Writ petition No. 3882 of 1981—Joginder Singh Sethi and others versus the State of Punjab and others. The Hon'ble High Court allowed the writ petition vide their judgement dated 25th May, 1982, a copy of which is enclosed as Annexure-A.

2. An S.L.P. against the said Judgment of the Hon'ble High Court has been filed by the State Government and another one by Sh. Makhanjit Singh an employee of the Irrigation Department of Punjab in the Supreme Court of India. These SLPs pertain to reservation in Class III and IV services. A writ petition—Yash Pal Sharma Versus the State of Punjab, has also been filed in the Supreme Court praying that the judgment dated 25th May, 1982 of the Hon'ble High Court referred to above, be made applicable also in Class I and II services.

3. These two SLPs and writ petition came up for hearing on 19 October, 1982 and the order passed by the Hon'ble Supreme Court was duly communicated to you,--vide letter under reference.

4. Since a doubt had arisen with regard to the actual import of the said order of the Hon'ble Supreme Court, a petition for clarification was filed by the State Government in the Supreme Court of India. This petition came up for hearing before the Hon'ble Supreme Court on 8th February, 1983 and the Hon'ble Supreme Court was pleased to pass a clarificatory order dated 8th February, 1983, according to which, *inter alia* no person who has already been appointed or promoted pursuant to the instruction of the Government of Punjab shall be reverted, but so far as future appointments and promotions are concerned, these shall be made according to the judgement of the Hon'ble High Court and these will be ultimately subject to the result of the writ petition and appeals pending in the Supreme Court. The order also lays down that the letter of appointment/promotion, made in accordance with the High Court judgement, the State Government will make it clear that the appointment/promotion is subject to the result of the writ petition and the appeals. A copy of the said order is enclosed as Annexure B.

5. In the circumstances, I am to request that the judgement of the Hon'ble High Court and the order dated 8th February, 1983 of the Hon'ble Supreme Court be brought to the notice of all concerned for information and compliance.

Kindly acknowledge.

ਕਾਪੀ ਖੋਤਰ ਨੰ: 2/573/78-ਸ ਭ 1/4781, ਮਿਤੀ 12 ਮਈ, 1983 ਵੱਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਸਬਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਚਿੱਲ੍ਹਾ ਤੇ ਸੈਬਨ ਜੱਜ ਅਤੇ ਰੂਪ ਮੰਡਲ ਅਫ਼ਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ - ਮਜ਼ੂਰੀ ਸਿੱਖਾਂ ਅਤੇ ਬਾਲਾਮੀਕੀਆਂ ਲਈ ਰਿਜ਼ਰਵੇਸ਼ਨ ।

ਸਿੱਖਾਂ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 1818-ਸਭ 1-78/10451 ਮਿਤੀ 5 ਮਈ, 1975 ਅਤੇ ਨੰ: 2/573/78-ਸਭ 1/11318, ਮਿਤੀ 8 ਅਪ੍ਰੈਲ, 1980 ਵੱਲ ਧਿਆਨ ਦਿਵਾਉਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ।



2. ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਮਿਤੀ 5 ਮਈ, 1975 ਦੀਆਂ ਹਦਾਇਤਾਂ ਰਾਹੀਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਵਿੱਚੋਂ 50% ਅਸਾਮੀਆਂ ਬਾਲਮੀਕੀ/ਮਜ਼ਦੂਰੀ ਸਿੱਖਾਂ ਨੂੰ ਬਤੌਰ ਪਹਿਲੀ ਤਰਜੀਹ ਦਿੱਤੀਆਂ ਜਾਣ ਹਿੱਤ ਹਦਾਇਤਾਂ ਕੀਤੀਆਂ ਗਈਆਂ ਸਨ ਅਤੇ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਨੂੰ ਅਮਲ ਵਿੱਚ ਲਿਆਉਣ ਸਬੰਧੀ ਸਪਸ਼ਟੀਕਰਣ ਮਿਤੀ 8 ਅਪ੍ਰੈਲ, 1980 ਦੀਆਂ ਹਦਾਇਤਾਂ ਰਾਹੀਂ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਬਾਲਮੀਕੀ/ਮਜ਼ਦੂਰੀ ਸਿੱਖਾਂ ਅਤੇ ਦੂਜੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਦੀ ਸਾਂਝੀ ਮੈਰਿਟ ਨੂੰ ਡਿਸਟਰਬ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ। ਮੈਰਿਟ ਲਿਸਟ ਵਿੱਚ ਜੋ ਬਾਲਮੀਕੀ/ਮਜ਼ਦੂਰੀ ਸਿੱਖਾਂ ਦਾ ਨਾਮ ਖੋਲ੍ਹੇ ਹੋਏ ਤਾਂ ਉਸਨੂੰ 50% ਦੇ ਆਧਾਰ ਤੇ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਵਿੱਚੋਂ ਪਹਿਲ ਦੇ ਤੌਰ ਤੇ ਪਹਿਲੀ, ਤੀਜੀ, ਪੰਜਵੀਂ, ਸੱਤਵੀਂ ਆਦਿ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਤੇ ਰੱਖਿਆ ਜਾਵੇ ਅਤੇ ਦੂਜੀ, ਚੌਥੀ, ਛੇਵੀਂ, ਅੱਠਵੀਂ ਆਦਿ ਰਾਖਵੀਆਂ ਅਸਾਮੀਆਂ ਦੂਜੀ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਦਿੱਤੀਆਂ ਜਾਣ। ਇਹ ਵੀ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦਾ ਅਸਰ ਉਦੋਂ ਹੀ ਦੇਣਾ ਹੈ ਜਦੋਂ ਬਾਲਮੀਕੀਆਂ/ਮਜ਼ਦੂਰੀ ਸਿੱਖਾਂ ਦੇ ਨਾਮ ਚੋਣ ਉਪਰੰਤ ਮੈਰਿਟ ਵਿੱਚ ਸ਼ਾਮਲ ਹੋਣ। ਜੇਕਰ ਬਾਲਮੀਕੀ/ਮਜ਼ਦੂਰੀ ਸਿੱਖਾਂ ਦੀਆਂ ਅਸਾਮੀਆਂ ਲਈ ਨਾ ਚੁਣਿਆ ਗਿਆ ਹੋਵੇ ਜਾਂ ਛੱਟ ਚੁੱਕੇ ਹੋਏ ਹੋਣ ਤਾਂ ਇਹਨਾਂ ਦੀਆਂ ਬਣਦੀਆਂ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਤੇ ਜਾਂ ਬਣਦੀਆਂ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਵਿਰੁੱਧ ਦੂਜੀਆਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਲਿਯੋਕਤੀ ਦੇ ਦਿੱਤੀ ਜਾਵੇ ਪਰ ਬਾਲਮੀਕੀ/ਮਜ਼ਦੂਰੀ ਸਿੱਖ ਉਮੀਦਵਾਰਾਂ ਦੁਆਰਾ ਨਾ ਤਰੀਖਾਂ ਗਈਆਂ ਅਸਾਮੀਆਂ ਕੈਰੀਫਾਰਵਰਡ ਨਹੀਂ ਹੋਣਗੀਆਂ।

3. ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿੱਚ ਆਇਆ ਹੈ ਕਿ ਮਹਿਕਮਿਆਂ ਵੱਲੋਂ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਪਾਲਣਾ ਠੀਕ ਢੰਗ ਨਾਲ ਨਹੀਂ ਕੀਤੀ ਜਾ ਰਹੀ। ਇਸ ਲਈ ਆਪ ਜੀ ਨੂੰ ਮੁੜ ਬੇਨਤੀ ਹੈ ਕਿ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਨੂੰ ਭਰਦੇ ਸਮੇਂ ਉਪਰੋਕਤ ਢਿੱਕਰ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਦੀ ਇਲਖਿੰਨ ਪਾਲਣਾ ਕੀਤੀ ਜਾਇਆ ਕਰੇ।

*Copy of letter No. 1249-SWA/6,-83/5058, dated 20th May, 1983 from Secretary to Government, Punjab Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Divisions, Distt. & Session Judges, Deputy Commissioners and Registrar, Punjab &aryana High Court and copy to others.*

*Subject :- Enhancement of the income limit of the parents of the students belonging to Backward Classes, and Scheduled Castes/Scheduled Tribes, for grant of educational facilities both at school/college level.*

In supersession of all circulars/instructions issued earlier by Government of Punjab, Department of Welfare on the above subject/subjects, I am directed to convey the sanction of the Governor of Punjab to the enhancement of income limit from Rs. 3,500 to Rs. 6,000 per annum of the parents of students belonging to Backward Classes and from Rs. 6000 to Rs. 9,000 per annum, of the parents of students belonging to the scheduled castes/scheduled tribes, for grant of educational facilities, both at school/college levels with immediate effect.

*Copy of letter No. 1/11/83-SWA/6239 dated 17th June, 1983 from Secretary to Government, Punjab, Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Division, Distt. & Session Judges, Deputy Commissioners and Registrar, Punjab &aryana High Court and copy to others.*

*Subject : Effective implementation of policy of reservation for Scheduled Castes and Backward Classes in services under the State and the other autonomous bodies, etc. functioning under the administrative control of state government in Punjab.*

I am directed to address you on the subject noted above and to say that in fulfilment of provisions enshrined in the Constitution of India, The Government of Punjab as provided reservation in all government

services and in services in Corporations, Boards, and all other autonomous bodies etc. under its administrative control for the members of Scheduled Castes and Backward Classes. Instructions have been issued from time to time by the State Government for the implementation of reservation in the services under the state. As per the statistics regarding representation of Scheduled Castes in services supplied by the Department of Economics & Statistical, Punjab, the Scheduled Castes are still very poorly represented i.e. 9.9% in Class-I, 10.1% in Class II and 13.8% in Class-III services leaving aside Class-IV services which generally comprise of sweepers and Scavengers and other manual posts. From the inspection reports of the Roster Checking parties, it seems that the policy of reservation has not been followed properly with one reason or the other especially due to little knowledge of the policy of reservation to the dealing hands.

2. With a view to bring to the notice of the appointing authorities, Compendium for the information and guidance of the appointing authorities were issued. Further, a Manual of reservation (1982) on reservation for Scheduled Castes and Backward Classes in the running matter containing the present policy of the State Government in this regard, has also been issued with the object of bring the reservation policy for the guidance and implementation by the all officials/officers dealing with establishment matter a consolidated circular containing the salient features of the policy of reservations, for members of Scheduled Castes and Backward Classes has again been given below so that it could be implemented properly by all concerned. However, for the purpose of interpretation of these instructions the original text of relevant instructions issued from time to time would form the basis :--

3. At present the following reservations are in force in favour of Scheduled Castes and Backward Classes in filling vacancies occurring from time to time in all category of posts in all services under the Government of Punjab and all Public Sector undertakings and other autonomous bodies under the administrative control of the State :--

	Scheduled Castes	Backward Classes
<b>(i) Reservation</b>		
(a) Direct recruitment in Class I, II, III and IV Services	25%	5%
(b) Promotion to or within Class I and II services	14%	2%
(c) Promotion to or within Class III and IV Services	20%	2%

**(ii) Roster System :**

To give proper effect to the reservation as prescribed, every appointing authority is required to treat vacancies unreserved or reserved for Scheduled Castes and Backward Classes according to 100 point roster prescribed to be maintained in the form of a running account, year to year. Roster registers for each category of posts are required to be maintained.

On the rosters reserved points for the Scheduled Castes and the Backward Classes are as under :—

	Scheduled Castes	Backward Classes
(a) Direct recruitment in all class services	1,5,9,13,17,21,25, 29,33,37,41,45,49, 53,57,61,65,69,73, 77,81,85,89,93 and 97 and so on.	15,35,55,75 and 95
(b) Promotion in Class I & II and IV services	1,7,15,22,30,37,44, 51,58,65,72,80,87, 94, and so on.	26 & 76
(c) Promotion in Class III and IV services.	1,6,11,16,21,26,31, 36,41,46,51,56,61, 66,71,76,81,86,91, 96 and so on.	15 and 75

**Note (i):** While implementing reservation instructions contained in circular letter No. 882-PP-83, dated 18th February, 1983 already circulated should be kept in view according to which no person who has already been appointed/promoted in pursuant to the instructions shall be reverted, but so far as future appointments and promotions are concerned, these shall be made according to the judgment of the Hon'ble High Court already circulated vide the above said communication and these will be ultimately subject to the decision of the Hon'ble Supreme Court of India in that case.

**Note (ii) :** In the matter of direct recruitment 50% of the reserved vacancies for the members of Scheduled Castes will be offered to the members belonging to Mazhabi Sikhs/Balmikis, if available as a first preference. If, the requisite number of candidates belonging to Mazhabi Sikhs/Balmikis are not available, vacancies fallen to their share will be filled by the members of other Scheduled Castes. This 50% of the reserved vacancies will be given by offering reserved vacancies alternatively e.g. if, vacancy falling at point No. 1 is given to Mazhabi Sikhs/Balmikis next reserved point will go to the other Scheduled Castes and so on. This will however, not be applicable in promotions.

**(iii) Carry Forward of reserved vacancies :**

In case Scheduled Castes/Backward Classes person is not available for appointment/promotion against the reserved points due to their non-availability, after all out efforts, the reservation will be carried forward to the next vacancy/block/recruitment as the case may be as per instructions contained in Manual of Reservation. All the carried forward vacancies will be given effect to subject to the condition that only one such reserved vacancy should be accommodated in a block.

**Explanation :** Block of vacancies are constituted on the basis of roster prescribed and a block constitute from a reserved point to the point preceeding to the next reserved point.

**(iv) Ad hoc Reservations :**

The posts vacated by the members of Scheduled Castes and Backward Classes due to their terminations etc. are to be filled up by the members of these Castes and Classes only and the resultant vacancies are not to be included in the normal pool of vacancies to be filled in accordance with the roster. In other words the intention is that posts vacated by members of Scheduled Castes/Tribes and Backward Classes should remain earmarked and be filled up by members belonging to these Classes.

**(v) Proforma Promotions :**

Proforma promotions will also be counted for the purpose of reservation.

**(vi) Eligibility :**

(a) Candidates belonging to Scheduled Castes and Backward Classes possessing the minimum prescribed qualifications will be considered for appointment against the reserved posts and such candidates will not be rejected in favour of non-Scheduled Caste candidates even though they may be having higher qualifications.

(b) In the case of promotions the Scheduled Castes/Backward Classes persons having minimum prescribed qualifications in the departmental service Rules and satisfactory record of service will be considered against the vacancies reserved for them.

**(vii) Assignment of Seniority :**

The Scheduled Castes and Backward Classes persons appointed/promoted against reserved vacancies on the basis of reservation will be assigned seniority in the order of reserved points on the roster prescribed. These persons of Scheduled Castes and Backward Classes who are appointed/promoted on the basis of their merit/seniority in the general list will be assigned their original seniority and if they secure higher position in merit that should be maintained. If a SC/BC person is appointed/promoted against a reserved point on the basis of his merit/seniority, that reserved point will be carried forward and the very subsequent point following such reserved point will be treated reserved in such cases.

**Note :** But Government instructions contained in circular letter dated 18th February, 1983 will be taken into consideration for strict compliance also.

**(viii) De-reservation of vacancies :**

The vacancies falling against reserved points will not be de-reserved. Prior approval of the Secretary to Government, Punjab, Welfare of Scheduled Castes and Backward Classes Department is required to be obtained invariably before a reserved vacancy is de-reserved. In case proposal is to be sent to Government that invariably be sent in the prescribed proforma indicating specifically the efforts/measure taken by the Department to fill the reserved vacancy.

**(ix) Periodical statements :**

Every Department is required to submit annual and half yearly statement of representation of Scheduled Castes and Backward Classes

and vacancies filled by direct recruitment and promotions to the Government (in the Welfare Department).

**(x) Age Relaxation :**

The maximum age limit prescribed for appointment to a service or post is increased by 5 years in favour of members of Scheduled Castes and Backward Classes.

**(xi) Fee-concession :**

One fourth (1/4th) of the fee prescribed for application/examination for a post will be charged from the Scheduled Castes and Backward Classes.

**(xii) Travelling Allowance for interview or test :**

The Scheduled Castes and Backward Classes persons who are called for interview or test are given fare from normal place of residence to the place of interview and back.

**(xiii) Liaison Officers :**

Officer of the rank of Deputy Secretary at the Secretariat level and Establishment Officer/Administrative Officer in other Departments through whom establishment cases of recruitment and promotions pass are required to be nominated to work as Liaison Officers by the Department. The Liaison Officers are specifically responsible for :--

- (a) ensuring that the Scheduled Castes and Backward Classes are given prescribed percentage of reservation according to the reservation instructions issued from time to time;
- (b) sending correct number of reserved vacancies according to prescribed roster in the advertisement being sent to the Punjab Public Service Commission and Subordinate Services Selection Board and to fill up the reserved vacancies according to the reservation instructions on receiving the recommendations from them;
- (c) collecting data regarding representation of Scheduled Castes and Backward Classes;
- (d) finishing of data to the Welfare of Scheduled Castes and Backward Classes Department in time;
- (e) maintaining liaison between the concerned department and the Welfare Department and sending the requisite returns within 15 days; and
- (f) sending comments after verification on the representations of the employees of their department within a period of one month.

**(xiv) Protection from Reversion/Retrenchment :**

The members of the Scheduled Castes/Scheduled Tribes and Backward Classes who are in service and are otherwise qualified and suitable and against whom there are no complaints, should not be reduced in rank and retrenched so long as their total strength does not exceed the prescribed reservation. No reversion of a Scheduled Castes and Backward Classes employee should be made without first obtaining the orders of the Secretary to Government Punjab, Department of Welfare.

**(xv) Officer on Special Duty (Welfare)/Special Welfare Cell :**

With a view to watching the interests of the Scheduled Castes/Tribes and Backward Classes in the matter of their representation in the State Services, Government appointed an Officer on Special Duty (Welfare)-cum-Under Secretary at the Secretariat level,--vide instructions dated 17th October, 1968, with a Special Welfare Cell attached to him. His functions are briefly as follows :--

- (i) to collect figures of recruitment of Scheduled Castes/Tribes and Backward Classes from the Departments, either by correspondence or at personal level;
- (ii) to verify that due representation is given to Scheduled Castes/Tribes and Backward Classes persons to the extent of reservation made by Government from time to time, both at the initial stage of recruitment as well as in cases of promotion;
- (iii) to also collect details to ensure that there is no unnecessary retrenchment or reversion of personnel belonging to the Scheduled Castes and Backward Classes;
- (iv) to requisition the relevant files of the Department concerned;
- (v) to discuss grievances of members of the Scheduled Castes and Backward Classes about service matters with the departmental authorities concerned during his visits to the Departments; institutions, etc. and
- (vi) to ensure that rosters are checked and reservation is implemented as per Government instructions.

**(xvi) Scheduled Castes Employment Cell :**

With a view to ensuring due representation to the members of Scheduled Castes and Backward Classes and also to provide employment to the unemployed educated persons belonging to these Castes and Classes. The Government has established 'Scheduled Castes Employment Cell' in the Directorate of Welfare of Scheduled Castes and Backward Classes to register the names of unemployed educated persons of these classes throughout the state, who are in possession of certificate in respect of academic/technical qualifications. These persons who have already got their names registered in the Employment Exchanges can also get themselves registered with this Special Cell. But the Employment Exchanges would continue their usual efforts to find jobs for such Scheduled Castes and Backward Classes candidates against reserved as well as general vacancies and would not cease efforts in this direction. Whenever the Departments (whether at Headquarters or at District/Tehsil level) advertise any permanent, temporary or short-term vacancies, to be filled up through the Department Committees or place requisitions for this purpose with the Public Service Commission/Board/Recruiting Employment Exchanges, a copy of such an advertisement requisition should invariably be sent to this Special Cell. The Cell, in turn, would forward the names of suitable persons on its list to the Department/Recruiting Agency concerned. The recruiting authorities/organisations will consider such candidates along with others in order to select suitable candidates belonging to Scheduled Castes and Backward Classes according to their need. The Department shall have to obtain a non-availability certificate from the Scheduled Castes Employment Cell before the vacancies RESERVED FOR Scheduled Castes/Backward Classes are offered to OTHER CANDIDATE. The persons belonging to Scheduled

Castes and Backward Classes can send their applications on the prescribed proforma direct to the Director, Welfare of Scheduled Castes and Backward Classes Department, Chandigarh, to enable the Department to make best efforts to secure employment for them.

(xvii) Interchangeability of vacancies :

Interchangeability of vacancies permissible,--vide Government instructions No. 771-SWI-76, dated 6th April, 1976 as under :--

- (i) A vacancy upon its being de-reserved on account of non-availability of a Scheduled Caste person be offered to a Backward Classes person but the vacancy so de reserved would be carried forward for the Scheduled Caste just as is being due at present.
- (ii) The vacancy next reserved for the Backward Classes would, in case a person belonging to Backward Classes has already availed of a vacancy meant for the Scheduled Caste be thrown open to non-Scheduled Caste.
- (iii) The same condition would apply to cases in which vacancies reserved for the Backward Classes are offered to a Scheduled Caste on account of non-availability of persons belonging to the former category.
- (iv) Subject to the instructions contained in Punjab Government Circular letter dated the 30th July, 1970 the percentage prescribed for each category in a lot of 100 vacancies would not be exceeded in any case.
- (v) In the case of promotion 2nd vacancy should only be given to the members of Backward Classes if the Roster has crossed 50 points. Similarly, in the case of direct recruitment 2nd vacancy should be given to the members of Backward Classes after Roster has crossed 20 points, 3rd vacancy after Roster has crossed 40 points and so on.

*Copy of letter No. 2/223/79-SWI/7144 dated 18th July, 1983 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division, Distt. & Session Judges Deputy Commissioners and Registrar Punjab & Baryana High Court and Copy to others.*

*Subject.--Issue of Scheduled Caste/Scheduled Tribes Certificate to migrants from other States/Union Territories.*

I am directed to enclose herewith a copy of Government of India (Ministry of Home Affairs/instructions No. BC-160014/11/82-SC & BCD-I/ dated 18th November, 1982 for guidance and necessary action.

*Copy of letter No. 2/236/79-SWI/8105 dated 18th August, 1983 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar, Punjab & Baryana High Court and Copy to others.*

*Subject.--Reservation for Scheduled Caste and Backward Classes in work-charged establishments/daily rated staff etc.*

I am directed to invite a reference to Punjab Government instructions contained in circular letter No. 890-SWI-74/10619, dated 6th June, 1974, wherein it has been laid down that in case of direct recruitment in all

class of services, 25% of the vacancies will be reserved for the members of Scheduled Castes and 5% for the members of Backward Classes. These instructions were not applicable on the work-charged establishments/daily rated staff etc. being employed by the Government Departments and the other autonomous bodies/organisations under the administrative control of the State Government. The matter of providing reservation in recruitment in all categories of vacancies to be filled in work-charged establishments/daily rated staff etc. has been considered by the Government at length and it has been decided that 25% of vacancies to be filled by direct recruitment in all categories/class of services in work-charged establishments/daily rated staff etc. will be reserved for Scheduled Castes and 5% for Backward Classes on the basis of the above said instructions.

2. These reservations will be implemented in accordance with the 100-Point rosters as contained in Annexure VI, page 41 of the Manual of Punjab Government instructions on Reservation for Scheduled Castes and Backward Classes issued by the Government, (a copy of the same is enclosed for ready reference) at the time of filling such vacancies. Separate rosters in respect of such categories of posts should be prepared in accordance with the existing instructions issued by the Government from time to time.

3. Reservation of vacancies in work-charged establishments/daily rated staff etc. will not be applicable in appointments/engagements made against vacancies required for emergencies like flood, relief work, accident, restoration and relief etc.

4. In case, Scheduled Castes and Backward Classes are not available after making necessary efforts to fill the reserved vacancies by reserved category candidates, the case for de-reservation for such vacancies is not required to be sent to the Department of Welfare for getting Non-availability Certificate and No Objection Certificate as required in other cases but before de-reservation and carrying forward of such reserved vacancies, it has to be ensured that full efforts in this regard are made by the Appointing Authorities to fill reserved vacancies by the reserved categories by seeking candidates from Employment Exchange and Directorate of Welfare of Scheduled Castes and Backward Classes, Punjab.

These instructions are applicable on all categories vacancies to be filled in work-charged establishment or the daily rated staff engaged on contracts basis etc. by the Government Departments and the other autonomous bodies/organisations under the administrative control of the State Government with effect from the date of issue of these instructions.

*Copy of letter No. 1/14/83-SWI/8646 dated 6th September, 1983 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar Punjab & Baryana High Court and copy to others.*

*Subject.*—Implementation of reservation policy procedure of de-reservation of reserved posts in the eventuality of non-availability of suitable Scheduled Castes and Backward Classes in direct recruitment services.

I am directed to draw your kind attention to the Government instructions No. 975-OSD(w)2-70/2633, dated 28th April, 1970 wherein it is laid down that while sending requisitions to the PPSC/S.S.S. Board/ Employment Exchanges or any other recruiting agency/Committee, a copy



of the same should invariably be sent to the Director, Welfare of Scheduled Castes and Backward Classes, Department (in the Special Employment Cell) for sending the names of eligible persons belonging to Scheduled Castes and Backward Class to the concerned authorities for considering such sponsored candidates for appointment and in case eligible SCs/BCs candidate/person were not available for reserved vacancies, in spite of the best efforts de-reservation could be considered by this Department subject to the Employment Cell of the Directorate issuing Non-availability certificate.

2. It has come to the notice of the Government that the Employment Cell of the Directorate sometimes delayed the issue of Non-availability certificate, causing difficulty to the needy Departments. It has been decided that in future the Departments or Corporations etc. while making reference for Non-availability Certificate to the Special Employment Cell in the Directorate of Welfare, should invariably send a copy to this Department so that in case of delay on the part of the direct de-reservation may be considered at the Government level presuming the NAC of the Directorate.

### 3. For Scheduled Caste Special Employment Cell :

It may be ensured that on receiving proposals from the Departments, either suitable candidates belonging to SCs/BCs for the respective posts are sponsored to the concerned Departments or NAC is issued within a period of 30 days from the receipt of such proposals under intimation to this Department failing which it will be presumed by the Government that the Special Employment Cell may be objection to issue NAC/NOC to the Department.

Receipt of letter may be acknowledged.

*Copy of letter No. 3226-SMA(3)-84/13 dated 2nd January, 1984 from the Deputy Secretary Government of Punjab Department of Welfare Addressed to All the Heads of Departments, All the Deputy Commissioners, Commissioners of Divisions, District and Sessions Judges, All Sub-Divisional Officers in Punjab and Registrar, Punjab andaryana High Court.*

*Subject.—Inter Caste Marriage-Clarification.*

I am directed to refer to the subject cited above and to say that recently a question arose as to whether a women from the general Classes on marrying a husband belonging to the Scheduled Castes becomes entitled to the benefits and privileges allowed to the Scheduled Castes. The matter has been considered at length in consultation with the Legal Rememberancer and Secretary to Government, Punjab. Department of Legal and Legislative Affairs. The reservation favouring Scheduled Castes and Backward Classes is meant to ameliorate the Social, economic and educational backwardness which has nothing to do with mere technical acquisition of a caste through marriage. It has, therefore, been decided that in this respect the instructions issued by the Government of India, the relevant extract from which is re-produced below, should be strictly followed in future.

"The guiding principle is that no person who was not Scheduled Caste or a Scheduled Tribe by birth will be deemed to be member of a Scheduled Caste or a Scheduled Tribe merely because he or she had married a person belonging to Scheduled Caste or a Scheduled Tribe.

Similarly a person who is member of a Scheduled Caste or a Scheduled Tribe would continue to be a member of the Scheduled Caste or Scheduled Tribe as the case may be even after his or her marriage with a person who does not belong to a Scheduled Caste or Scheduled Tribe."

2. This supersedes the instructions contained in the Scheduled Castes and Backward Classes Welfare Department letter bearing No. 3354-SWA(ASO)68/16238, dated 13th August, 1968 and may please be brought to the notice of all concerned.

*Copy of letter No. 2/97/77-SWI/1260 dated 28th February, 1984 from secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar Punjab & Haryana High Court and Copy to others.*

*Subject.*--Measures to provide due representation in services to the members of Scheduled Castes and Backward Classes and to ensure employment to the educated and suitable un-employed persons of these castes and classes--Establishment of Special Employment Cell.

I am directed to refer to the Punjab Government letter No. 975-OSD-(W)-2-70/2633, dated 28th April, 1970 on the subject noted above and to say that in these instructions, a provision for the "Scheduled Castes Employment Cell" had been made which has been functioning in the Directorate of Welfare of Scheduled Castes and Backward Classes to register the names of un-employed educated persons belonging to these castes and classes throughout the State and provide them employment assistance. These instructions, inter-alia, further lay down that whenever the departments (whether at the Headquarters or at District level/ Tehsil level) advertise any permanent, temporary or short term vacancy, to be filled up through Departmental Committees or place requisitions for this purpose with the Public Service Commission/SSS Board/Employment Exchange, a copy of such advertisement/requisition should invariably be sent to the Special Employment Cell and the Cell, in turn, would forward the names of suitable persons belonging to Scheduled Castes/ Backward Classes on its list to the departments/recruiting agencies concerned for consideration alongwith other candidates.

2. In the case of Recruitments made by the Departments through the Employment Exchange(s), the names of the Scheduled Castes and Backward Classes candidates sent by the Scheduled Castes Employment Cell at the Headquarter or/and at the District level can be considered alongwith other candidates for recruitment as heretofore but in the case of recruitments made through the Subordinate Service Selection Board or the Punjab Public Service Commission, it has not been practicable to consider the names of such candidates belonging to these castes/classes sponsored by the Special Employment Cell etc. direct to these recruiting agencies because such candidates did not apply on the prescribed pro forma in accordance with the procedure laid down by these agencies.

3. The matter has been considered by the Government and it has been decided that the copies of the advertisements/requisitions may invariably be sent to the Scheduled Castes Employment Cell in the Directorate/at the district level by the Subordinate Services Selection Board/Punjab Public Service Commission and in turn the Scheduled

Castes Employment Cells at the headquarter and district level shall intimate/advise the candidates belonging to these castes/classes on their live registers for the category of post for which they are eligible to apply to the concerned agency on the prescribed form in accordance with the procedures laid down by the concerned agency.

4. The above-said instructions dated 28th April, 1970 on the subject should be treated to have been amended to this extent.

*Copy of letter No. 1/8/82-SWT/2557 dated 4th April 1984 from Secretary to Government Punjab Scheduled Castes and Backward Classes to All Heads of Departments Commissioners of Divisions District and Session Judges Deputy Commissioners and Registrar Punjab & Haryana High Court and Copy to others.*

**Subject.--Reservation for the members of Scheduled Castes and Backward Classes in Services-clarification regarding.**

I am directed to invite a reference to Punjab Government circular letter No. 882-PP-83/1781, dated 18th February 1983, on the subject noted above whereby copies of the judgement of the Hon'ble Punjab and Haryana High Court in CWP No. 3882 of 1981 decided on 25th May, 1982 and order dated 8th February, 1983 of the Hon'ble Supreme Court were brought to the notice of all concerned for their information and compliance while implementing the reservation policy for the members of Scheduled Castes and Backward Classes in appointments and promotions. The instructions, *inter alia*, provide that no person who has already been appointed or promoted pursuant to the instructions of the Government of Punjab shall be reverted, but so far as future appointments and promotions are concerned, these shall be made according to the judgement of the Hon'ble High Court and these will be ultimately subject to the result of the writ petition and Appeals pending in the Supreme Court. The order also lays down that in the letter of appointment/promotion made in accordance with the High Court judgement, the State Government will make it clear that the appointment/promotion is subject to the result of the writ petition and the appeals.

2. In Civil Writ petition No. 2792 of 1983-Manmohan Singh and Ors. Vs. State of Punjab and Ors. following stay orders were passed by the Hon'ble High Court of Punjab and Haryana :--

"Stay promotion of Scheduled Castes/Scheduled Tribes employees in excess of the number of the posts reserved for them under the instructions.

3. The State Government through Civil Misc. No. 3202 of 1983 sought specific clarification of the stay orders from the Hon'ble Punjab and Haryana High Court as to whether the stay granted on promotions of Scheduled Castes/Tribes etc. in excess of reservation quota is in respect of promotions made on reservation basis against the reserve points only or the stay is also in respect of promotions of Scheduled Castes/Tribes employees on seniority-cum-merit basis, which accrues to them on appointment to higher posts as equal to their promotions against reserve points. The Hon'ble High Court of Punjab and Haryana has clarified as under :--

"The learned counsel for the parties agree that it should be open to the State Government to make promotions in accordance with the rule of seniority-cum-merit in contradistinction with the promotion on the basis of roster."

This Clarification is made accordingly."

However, a copy of the clarificatory order dated 30th January, 1984 is also enclosed herewith for information and compliance.

Copy of Letter No. 2/14/78-SWI/2560 dated 4th April, 1984 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Divisions District and Session Judges Deputy Commissioners and Registrar Punjab & Haryana High Court and Copy to others.

Subject.--Definition of short term vacancies for the purpose of maintenance of short term rosters.

I am directed to refer to this Department's circular No. 2/14/78-SW3 dated 22nd December, 1980 on the subject noted above and to say that by superseding the instructions conveyed in circular under reference, the State Govt. have decided to further amend the nature of short term vacancies for maintaining short term rosters as under as required in this department's letter No. 3568-SWI-75/31610, dated 5th December, 1975 ;—

- (i) Leave vacancies which occur as a result of somebody proceeding on leave;
- (ii) Vacancies caused as a result of suspension;
- (iii) Vacancies which occur as a result of deputation. The extension in term of deputation shall not amount to creation of a fresh vacancy; and
- (iv) Vacancies which occur as a result of official/officer going for training in India or abroad.

2. This issues with the concurrence of the department of personnel and Administrative Reforms, Punjab, conveyed vide their U.O.No. 11/14/80-IGE, dated 6th March, 1984.

3. The receipt of this letter may please be acknowledged.

Copy of letter No. 3/8/83-SWII/4129, dated 17th May, 1984 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar Punjab High Court and Copy to others.

Subject.--Reservation for the members of Scheduled Castes and Backward Classes in services - Clarification regarding its implementation.

In a case referred to by the Revenue Department, a question arose as to whether the quota of reservation for the members of Scheduled Castes its distinctly separate to that of quota prescribed for the members of Backward Classes for all intents and purposes or the two quotas have to be clubbed together for working out the desired strength of Scheduled Castes and Backward Classes, as per the reservation provided for them. The matter was considered at length by the State Government and a clarification was sought from the Hon'ble High Court. As per the clarification given by the Hon'ble High Court, Backward Classes and Scheduled Castes have their separate quota and are entitled to be promoted according to the reservation policy on the basis of Roster when the Roster is a mean to implement the prescribed percentage of reservation for each category. The clarification sought by the welfare Department is brought to your notice for future guidance in the matter.

Copy of letter No. 2/298/78-SWI/1264 dated 16th February, 1985 from Secretary to Government Punjab, Scheduled Castes and Backward Classes to All Heads of Departments Commissioners of Divisions, District and Session Judges Deputy Commissioners and Registrar Punjab & Margara High Court and copy to others.

Subject.--Payment of Travelling Allowance to the members of Scheduled Castes and Backward Classes called for interview/tests etc.

I am directed to refer to the Welfare Department's communications noted in the margin, on the subject noted above, which *inter alia* provide that all the members of Scheduled Castes and Backward Classes called for interview/tests for Class I, II, III and IV services, recruitment to which is made through source other than the P.P.S.C./S.S.S. Board, may be allowed single second class Rail fare chargeable by passenger train for the shortest route from the place of normal residence to the place of interview/test and back to the same station provided the distance travelled each way exceed 80 K.M. In respect of Road journey between stations not connected by Rail, the Recruiting Authority may allow such candidates actual Bus fare or road mileage as admissible to Government servants under the Punjab Civil Service Rules Vol. III (T.A. Rules) whichever is less, provided the distance covered by the Road is more than 32 K.M. each way.

2. The State Government have further considered the matter of grant of T.A. to the members of Scheduled Castes and Backward Classes persons and it has been decided that the candidates belonging to Scheduled Castes/Scheduled Tribes and other Backward Classes called for interview/test for appointment to Class I, II, III and IV advertised posts recruitment to which is made departmentally may be reimbursed second class rail fare or bus fare chargeable by the shortest route from Railway Station/Bus Stand nearest to their normal place of residence or from which they actually perform the journey, whichever is nearer to the place of interview and back to the same station, provided that the fare of first 30 K.M. in both cases (i.e. Rail or Road) is borne by the candidates, and the reimbursement to the travelling expenses will be restricted to the fare in respect of the balance of the distance exceeding 30 K.Ms. both ways.

2. This issues with the concurrence of the Finance Department, Punjab, conveyed, *vide* their U.O. No. 31/123/80-FR(7), dated 23rd November, 1984.

[Extract from the Punjab Government Gazette (Extra.), dated the 6th March, 1985]

**GOVERNMENT OF PUNJAB**  
**DEPARTMENT OF WELFARE**  
**(RESERVATION CELL)**

*Corrigendum*

The 6th March, 1985

No. 12/29/80-SWI/1223.—In notification No. 12/29/80-SWI/11530, dated 29th November, 1983, issued by the Welfare Department after Sr. No. 10 following is added as Sr. No. 10 A :—

"Secretary Finance

.. Member".

RAVNEET KAUR,

Secretary to Government, Punjab,  
Department of Welfare.

Copy of letter No. 15/5/85-SWI/5451, dated 19th June, 1985 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Divisions, District and Session Judges Deputy Commissioners and Registrar Punjab & Haryana High Court and Copy to others.

Subject.--Regularisation of services of ad hoc employees.

I am directed to invite a reference to Welfare Department letter No. 1/2/80-SWI/13330, dated 12th June, 1980, on the subject noted above in which it was laid down that while regularising the services of ad hoc employees in future, the reserve points in the roster meant for Scheduled Castes and Backward Classes should be kept in view and no reserve point should be offered to general category employee without obtaining NAC/NOC from Director, Welfare and the Secretary, Welfare, respectively. Now, again the State Government, --vide circular No. 12/1/82-IGE/4488, dated 29th March, 1985, have ordered for the regularisation of ad hoc/temporary employees services with effect from 1st April, 1985. While regularising the services of ad hoc/temporary employees under your control in pursuance of above said orders, it may please be ensured that the reserve point meant for Scheduled Castes and Backward Classes in the roster may be kept in view and in case no SC/BC candidate is available for the post, then no point should be offered to the general category employees unless NAC/NOC is obtained from the competent authorities, mentioned above.

[Extract from the Punjab Government Gazette (Extra) dated the 28th August, 1985]

**GOVERNMENT OF PUNJAB**  
**DEPARTMENT OF WELFARE**  
**(RESERVATION CELL)**

**Corrigendum**

The 25th July, 1985

No. 12/29/80-SWI/4549.--The words "The Department of General Administration (Parliamentary Affairs Branch)" may be read instead of the words "The Department of Personnel and Administrative Reforms (Parliamentary Affairs Branch)" in the Punjab Government corrigendum circulated, --vide endorsement No. 12/29/80-SWI/11861, dated 19th November, 1984 and published in the Punjab Government Gazette (Extra.) dated 11th December, 1984.

SADA NAND,

Secretary to Government, Punjab,  
Department of Welfare.

Copy of letter No. 3/60/85-SWA(4)/8328, dated 27th September, 1985 from under Secretary, Welfare (I) to All Heads of Departments, Commissioners of Divisions, District and Session Judges and Deputy Commissioners in the State of Punjab.

Subject.--Enhancement of the income limit of parents of students belonging to Scheduled Castes for the grant of scholarships both at School/College level.

In partial modification of the instructions issued, --vide circular letter No. 1249-SWA(4)-83/5058, dated 20th May, 1983 by the Department

of Welfare, on the subject noted above, I am directed to convey the sanction of the President of India to the enhancement of income limit from Rs. 9,000 to 15,000 per annum of the parents of students belonging to Scheduled Castes for the grant of scholarship under the Harijan Welfare Scheme from the academic year 1985-86.

*Copy of letter No. 12/30/86-IGB/5139, dated 15th April, 1986 from Secretary, to Government Punjab Scheduled Castes and Backward Classes to All Heads of Departments, Commissioners of Divisions District and Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and Copy to others.*

**Subject.**--Entrustment of the work of recruitment to the Department Selection Committees--procedure regarding.

I am directed to say that the matter regarding resumption of recruitment to Class III and Class IV posts has been engaging the attention of the Government, and after consideration it has now been decided that Departmental Selection Committees will start functioning for making recruitment to all categories of Class III and Class IV posts. This procedure will prevail for Class III posts till the S.S.S. Board is reconstituted.

## **2. Constitution of the Departmental Selection Committees :**

The Departmental Selection Committees at the State Level will be constituted by the Administrative Secretaries and shall consist of 4 members including its Chairman. The Chairman of the Committee would be the Head of the Department of the appointing authority, as the case may be. There would be 3 other members of an appropriate level including one belonging to the Scheduled Castes and another an ex-serviceman, both Government officials to be nominated by the Administrative Secretary concerned. The Departmental Selection Committee at district level will also consist of 4 members including its Chairman. The Chairman will be district head of office or the appointing authority, as the case may be, likewise, there would be 3 other members of an appropriate level, including one belonging to the Scheduled Castes and another, an ex-serviceman, both Government officials, to be nominated by the concerned Administrative Secretary.

## **3. Procedure for the Functioning of the Departmental Selection Committees :**

For Class III posts, in cases where the Head of Department have sent requisition to S.S.S. Board, the Departmental Selection Committees will send a request to the office of the S.S.S. Board specifying the number of posts which are to be filled up, indicating the qualifications and other conditions prescribed for eligibility, scale of pay, whether the posts are permanent or temporary and their category-wise break-up i.e. general category, scheduled castes, ex-servicemen etc. A copy of the requisition will be sent to the Secretary, Labour and Employment (Chairman of Central Placement Committee). The S.S.S. Board will forward names of eligible applicants as per entry in their (S.S.S. Board) record, ten times the number of posts (requisitioned) to the Departmental Selection Committee. While doing so, it will adhere to the category-wise break-up i.e. general category, Scheduled Castes, ex-servicemen etc. where vacancies were not notified to the S.S.S. Board, the names of the candidates may be obtained from the Employment Exchange or through advertisement, as the case may be.

Separately, applications and particulars of Sikh migrants, discharged Army personnel and un-employed youth have been received by the Central Placement Committee which consist of Secretary Labour and Employment, (Chairman), Secretary to Governor and Secretary Industrial Training and

Technical Education, and it constituted —vide U.O. No. 1/46/86-Cabinet, dated the 17th March, 1986. These applicants are registered with the employment exchanges or are otherwise eligible to apply. These applicants belong to special categories who will be considered alongwith others by the Departmental Selection Committees. The Departmental Selection Committees will consider all these applicants against the general (un-reserved category posts alongwith others for such posts without infringing upon 50% posts reserved for various categories such as scheduled castes, backward classes, ex-servicemen etc. However, if there is any candidate who is eligible for any reserved category posts requisitioned, then he be considered for recommendation to the Departmental Selection Committee against that post only. In fact, it is re-iterated that the Departmental Selection Committees will ensure that the percentage of reservation for various categories prescribed by Government from time to time is strictly maintained at the time of recruitment. In cases where no applications are sponsored by the office of the S.S.S. Board, the Departmental Selection Committee shall obtain from the Employment Exchange keeping in view the instructions issued by the Departmental of Labour and Employment. Educational qualifications, experience and other basic requirements as prescribed in the respective service rules or by way of service conditions for any post or service concerned should be adhered to strictly, except where specifically relaxed in the case of certain categories such as knowledge of Punjabi language and typing as in the case of Sikh migrants. The Committee will be competent to conduct written test/type test/stenography test or any other kind of test and/or interview as might be *inter alia*, required for this purpose in case there is a tie among the four members of the Committee, the Chairman shall have the casting vote, the Chairman of the Committee may, if he considers it expedient, associate an expert for conducting the recruitment of a selected category of candidates. The existing staff of the Departmental would assist the Committee in the performance of its functions. It is clarified that the afore mentioned Departmental Selection Committees will make recruitment to all posts technical and non-technical including the common category posts like Clerks, Typists, Stenotypists, Stenographers, Assistants, Draftsmen, Tracers, Drivers etc. concerning their respective department.

4. So far as Class IV posts are concerned, the Departmental Selection Committees will also consider the names sponsored by the Deputy Commissioner as Chairman of the District Level Committee (in respect of un-employed youth, discharged Army personnel and Sikh migrants). In all such cases the Deputy Commissioner shall inform the Central Placement Committee about it.

#### 5. Constitution of Common Departmental Selection Committee :

Some of the Departments are very small and it may not be worthwhile to constitute separate Departmental Selection Committees in their cases. It is, therefore, left to the discretion of the Administrative Secretary concerned to have a common Committee for more than one Department under his charge depending upon the size of the Departments.

#### 6. Relaxation and Interpretation :

If any question arises as to the interpretation and relaxation of these instructions, it will be referred by the Administrative Department concerned to the Department of Personnel and Administration Reforms for decision.



The Administrative Secretaries are requested to closely watch the functioning of the Departmental Selection Committees on the lines set out above so that as and when any difficulties are experienced in the matter of recruitment, these can be expeditiously resolved.

I am to request you to take immediate action for the constitution of the Departmental Selection Committees as indicated above, A copy of the orders constituting the Departmental Selection Committees may also be sent to the Department of Personnel and Administrative Reforms.

In case where the applicants sponsored by the Central Placement Committee are not selected, the same may be brought to the notice of the Chairman, Central Placement Committee, the Secretary Labour and Employment, Government of Punjab.

The receipt of this letter may also be acknowledged.

[Extract from the Punjab Government Gazette (Extra.), dated the 29th January 1987]

**DEPARTMENT OF WELFARE**

(RESERVATION CELL)

**Corrigendum**

The 23rd January, 1987

No. 12/29/80-SWI/901.—Consequent to appointment of Sarvshri Dalip Singh Pandhi, MLA and Gobind Singh Kanjha, MLA as Minister of State for Welfare of Scheduled Castes and Backward Classes and Parliamentary Secretary for Welfare of Scheduled Castes and Backward Classes, respectively, their names appearing amongst non-officials members in Government notification No. 12/29/80-SWI/2078, dated 28th February, 1986 are hereby deleted.

2. Entry at Sr. No. 3 under the heading "Officials members", shall be substituted by the words "Minister of State for Welfare of Scheduled Castes and Backward Classes".

3. A new entry under the same heading shall be added at Sr. No. 3-A as under :--

"3A—Parliamentary Secretary for Welfare of SC and BC—Member".

SADA NAND,

Secretary to Government, Punjab,  
Department of Welfare.

ਕਾਪੀ ਪੱਤਰ ਨੰ: 2/573/78 ਸ.ਭ. 1/11318, ਮਿਤੀ 8 ਅਪ੍ਰੈਲ, 1989 ਵਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼ ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਚਿਲਾ ਤੇ ਸੈਫਲ ਸੱਜ ਅਤੇ ਉਪ-ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸਾ :- ਮਜ਼ਬੂਤੀ ਸਿੱਖਾਂ ਅਤੇ ਬਾਲਮੀਕੀਆਂ ਲਈ ਰਿਜ਼ਰਵੇਸ਼ਨ ।

ਸਿੱਖੂ ਆਪ ਦਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੂੰ : 1818 ਸਭ-75/10451, ਮਿਤੀ 5 ਮਈ, 1975 ਵੱਲ ਦੁਆਉਣ ਦਾ ਆਦੇਸ਼ ਹੋਇਆ ਹੈ, ਜਿਸ ਰਾਹੀਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਿਜ਼ਰਵ

ਕੋਟੇ ਵਿੱਚੋਂ 50% ਅਸਾਮੀਆਂ ਬਾਲਮੀਕੀਆਂ ਅਤੇ ਮਜ਼ਬੀ ਸਿੱਖਾਂ ਨੂੰ ਜੇਕਰ ਉਪਲੱਧ ਹੋਣ, ਪਹਿਲ ਦੇ ਤੌਰ ਤੇ ਦਿੱਤੀਆਂ ਜਾਣ। ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਨੂੰ ਅਮਲ ਕਰਨ ਤਕ ਕਿਸ ਤਰ੍ਹਾਂ ਕਿਤਾ ਜਾਣਾ ਹੈ। ਇਸ ਬਾਰੇ ਕਈ ਵਿਭਾਗਾਂ ਵੱਲੋਂ ਫੁਲੇਖਾ ਪਾਇਆ ਜਾਂਦਾ ਹੈ। ਇਸ ਤੇ ਵਿਚਾਰ ਕੀਤਾ ਗਿਆ ਅਤੇ ਪੁਸ਼ੀਬਨ ਹੇਠ ਪ੍ਰਕਾਰ ਸਪਸ਼ਟ ਕੀਤੀ ਜਾਂਦੀ ਹੈ:-

1. ਦੂੱਜੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਨਾਲ ਸਬੰਧਤ ਉਮੀਦਵਾਰਾਂ ਦੀ ਥਾਂ ਬਾਲਮੀਕੀਆਂ ਅਤੇ ਮਜ਼ਬੀ ਸਿੱਖਾਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਨਿਯੁਕਤੀ ਦੇਣ ਵੇਲੇ ਸਾਰੀ ਮਿਰਿਟ ਲਿਸਟ ਨੂੰ ਡਿਸਟਰਬ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ।
2. ਬਾਲਮੀਕੀਆਂ ਅਤੇ ਮਜ਼ਬੀ ਸਿੱਖਾਂ ਨੂੰ 50% ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੇ ਅਧਾਰ ਤੇ ਪਹਿਲੀ ਰਾਖਵੀਂ ਅਸਾਮੀ ਦਿੱਤੀ ਜਾ ਸਕਦੀ ਹੈ। ਭਾਵੇਂ ਉਸ ਦਾ ਨਾਂ ਮਿਰਿਟ ਲਿਸਟ ਵਿਚ ਹੋਣਾ ਹੀ ਹੋਵੇ।
3. ਬਾਲਮੀਕੀਆਂ ਅਤੇ ਮਜ਼ਬੀ ਸਿੱਖਾਂ ਨੂੰ 50% ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੇਣ ਲਈ ਪਹਿਲੀ, ਤੀਜੀ, ਪੰਜਵੀਂ ਆਦਿ ਰਾਖਵੀਂ ਅਸਾਮੀ ਇਨ੍ਹਾਂ ਜਾਤੀਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦੀ ਉਪਲੱਧ ਦੀ ਸੁਰਤ ਵਿਚ ਪਹਿਲ ਦੇ ਤੌਰ ਤੇ ਜਾਣੇਗੀ ਅਤੇ ਦੂਜੀ, ਚੌਥੀ, ਛੇਵੀਂ, ਆਦਿ ਰਾਖਵੀਂ ਅਸਾਮੀ ਦੂੱਜੀ ਪਿਰ ਦੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਜਾਣੇਗੀ।

ਇਥੇ ਇਹ ਵੀ ਸਪਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਉਪਰੋਕਤ ਅਨੁਸਾਰ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਨੂੰ ਅਸਰ ਉਦੋਂ ਹੀ ਦਿੱਤਾ ਜਾਣਾ ਹੈ ਜਦੋਂ ਬਾਲਮੀਕੀਆਂ ਅਤੇ ਮਜ਼ਬੀ ਸਿੱਖਾਂ ਦੇ ਨਾਂ ਹੋਣ ਉਪਰੰਤ ਮਿਰਿਟ ਲਿਸਟ ਵਿਚ ਸ਼ਾਮਲ ਕੀਤੇ ਜਾਣ। ਜੇਕਰ ਇਨ੍ਹਾਂ ਅਸਾਮੀਆਂ ਜਾਤੀਆਂ ਨਾਲ ਸਬੰਧਤ ਕੋਈ ਵੀ ਉਮੀਦਵਾਰ ਜੁੜਿਆ ਨਾ ਜਾ ਸਕਿਆ ਹੋਵੇ ਜਾਂ ਘੱਟ ਚੁਣੇ ਗਏ ਹੋਣ ਤਦ ਰਾਖਵੀਆਂ ਅਸਾਮੀਆਂ ਜਾ ਚੁਣੇ ਹੋਏ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਨਿਯੁਕਤ ਕਰਨ ਤੋਂ ਬਾਦ ਬਾਕੀ ਬਣਦੀਆਂ ਰਾਖਵੀਆਂ ਅਸਾਮੀਆਂ ਤੇ ਦੂੱਜੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਤੇ ਉਮੀਦਵਾਰਾਂ ਰਾਹੀਂ ਭਰ ਲਈਆਂ ਜਾਣਗੀਆਂ, ਭਾਵੇਂ ਕੋਈ ਬਾਲਮੀਕੀਆਂ ਮਜ਼ਬੀ ਸਿੱਖਾਂ ਲਈ ਬਣਦੀ ਰਾਖਵੀਂ ਅਸਾਮੀ ਕੈਰੀਫਾਰਵਰਡ ਨਹੀਂ ਹੋਵੇਗੀ।

ਇਸ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਘੱਲੀ ਜਾਵੇ।

[Extract from the Punjab Government Gazette (Extra.), dated the 4th September, 1989]

**DEPARTMENT OF WELFARE**

(RESERVATION CELL)

**Notification**

The 4th September, 1989

No. 12/29/80-SWI/7050.—The President of India is pleased to constitute a Committee of the following to supervise the implementation of reservation policy and also to monitor the clearance of backlog of vacancies reserved for Scheduled Castes and Backward Classes :—

- |  |            |
|--|------------|
| (i) Shri R.P. Ojha, I.A.S., Chief Secretary                                  | : Chairman |
| (ii) Shri Darshan Kumar, I.A.S., Secretary,<br>Social Welfare                | : Member   |
| (iii) Shri Jagjit Singh, Ex-M.L.A., V. & P.O.<br>Dhaliwal, District Julundur | : Member   |

2. The Committee shall furnish a report in the matter in the next meeting of the High Powered Committee to be held on 4th October, 1989 at 3.00 P.M. and thereafter at regular intervals.

3. T.A./D.A. to the members will be admissible as under :--

- (i) Official members will draw T.A./D.A. as per rates admissible to them under the T.A. Rules.
- (ii) Non-official members will draw T.A./D.A. at the rates admissible to Class I Officers of the State Government.

DARSHAN KUMAR,

Secretary to Government, Punjab,  
Department of Welfare.

[Extract from the Punjab Government Gazette (Extra.), dated the 11th September, 1989]

**DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES**

**(RESERVATION CELL)**

**Corrigendum**

The 11th September, 1989

No. 12/29/80-SWI/89/7258.--In notification No. 12/29/80-SWI/7050, dated the 4th September, 1989 of Department of Welfare the following are added as members after Serial No. 3 :--

- |   |           |
|---|-----------|
| 4. Shri Shiv Chand Malout,<br>Ex-M.L.A., Punjab M.L.A. Hostel,<br>Room No. 28, Chandigarh | .. Member |
| 5. Shri Satwant Singh Mohi,<br>Ex-M.L.A., 18-C, Baradari Garden,<br>Patiala               | .. Member |

DARSHAN KUMAR,

Secretary to Government, Punjab,  
Department of Welfare of  
Scheduled Castes and Backward Classes

Copy of letter No. 20/47/89/3PFI/20211, dated Chandigarh the 6th November, 1989, from Joint Secretary Personnel, Government of Punjab, Department of Personnel (Personnel Policies I Br.) addressed to All Heads of the Departments in the State, II. Commissioners of Divisions, Deputy Commissioners in the state, III. The Registrar, Punjab and Haryana High Court, and all Administrative Secretaries and P.Cs. Punjab.

Subject.--Implementation of full Bench Judgement of Punjab and Haryana High Court regarding Scheduled Castes/Backward Classes instructions regarding.

I am directed to refer to Punjab Government Circular letter No. 882-PP-83/1781, dated the 18th February, 1983 on the subject of reservation for the members of Scheduled Castes and Backward Classes in Service, wherein attention was drawn to the clarification issued by the Hon'ble Supreme Court of India on 8th February, 1983, copy enclosed for ready reference is at Annexure 'A'.

2. The Full Bench of the High Court in Civil Writ Petition No. 10952 of 1988 Jaswant Singh and others Versus Secretary to Government Punjab, Education Department and others has taken a different view, a copy of the judgement is enclosed as Annexure 'B'. An SLP has been filed by Ajit Singh Janjua in the Hon'ble Supreme Court of India against the Full Bench Judgement of the High Court. The orders of the Supreme Court dated 11th September, 1989 were "Special leave granted. Stay asked for is refused".

3. Subsequently, in an interlocutory application I.A. No. 7 in C.A. No. 3792/1988-Ajit Singh Janjua and others Versus State of Punjab and others, the Supreme Court of India on 26th September, 1989, has passed the following orders :-

"Reversion is stayed, promotion however, could be made subject to the result of the appeal. This particular statement must be incorporated in every promotional orders.

Tag on this matter with Civil Appeal Nos. 3326-27 of 1982".

4. The above orders of the High Court and Supreme Court of India are brought to your notice for information and necessary action.

[Extract from the Punjab Government Gazette (Extra.) dated the 14th May, 1990]

**DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES  
(RESERVATION CELL)**

**Notification**

The 14th May, 1990

No.12/29/80-SWI/3566.--The President of India is hereby pleased to constitute a Special Advisory Committee to look after the Welfare of Scheduled Castes and Backward Classes with the following terms of reference :-

- (i) Policies and strategies, including development plans, concerning Scheduled Castes and Backward Classes; and
- (ii) Monitoring in respect of reservation policies for posts and seats.

2. The Committee shall be chaired by the Governor of Punjab and will have the following members :-

- |   |  |
|---|--|
| (1) Bibi Bimal Kaur Khalsa, M.P.,<br>1082, Phase V,<br>Mohali (District Ropar). | (i) ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪੇਂਡੂਰੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਨਾਲ ਸਬੰਧਤ ਨੀਤੀਆਂ ਅਤੇ ਨੀਤੀਆਂ, ਸਮੇਤ ਵਿਕਾਸ ਯੋਜਨਾਵਾਂ ਦੇ, |
| (2) Baba Sucha Singh, M.P.,<br>V.P.O. Maloya,<br>U.T., Chandigarh               | (ii) ਆਜਾਦੀਆਂ ਅਤੇ ਸੀਟਾਂ ਵਾਸਤੇ ਰਾਖਵੀਕਰਨ ਨੀਤੀ ਦੀ ਨਿਗਰਾਨੀ  |
| (3) Shri Harbhajan Lalcha, M.P.,<br>164, North Avenue, New Delhi.               |  |
| (4) Advisor (S) to Governor of Punjab.  |  |
| (5) Shri Shamsher Singh Dulo,<br>Ex-M.L.A. Khanna, District Ludhiana.           |  |

- (6) Sardar Gurdev Singh Badal,  
Ex-M.L.A., Hariindra Nagar, Faridkot.
- (7) Shri Chand Singh Chopra,  
Ex-M.L.A., Chamak Bhawan, Sangrur.
- (8) Com. Kuldu Khan, C/o Ajay Bhawan,  
345, Sector 21-A, Chandigarh.
- (9) Shri M.L. Trigatia, Advocate,  
Ex-Judicial Magistrate, Ludhiana.
- (10) S. Gobind Singh Kanjala,  
VPO Kanjala, Tehsil Malerkotla,  
District Sangrur.
- (11) Chief Secretary to Government, Punjab. .. Member-Secretary.

DARSHAN KUMAR,

Secretary to Government, Punjab,  
Department of Social and Women's Welfare and  
Welfare of Scheduled Castes and Backward Classes.

[Extract from the Punjab Government Gazette (Extra), dated the 22nd May, 1990]

DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES

(RESERVATION CELL)

Notification

The 22nd May, 1990

No. 12/29/80-SWI/3842.—In partial modification of notification No. 12/29/80-SWI/3566, dated 14th May, 1990, the President of India is pleased to add the following as members of the special Advisory Committee with immediate effect :—

1. Shri Swarna Ram, V & P.O. Behram  
Near Bange, district Jalandhar.
2. Shri Raj Mal Sandhu, Mohalla Gardev Nagar,  
Mokerian, Tehsil Dasuya, district Hoshiarpur.

DARSHAN KUMAR,

Secretary to Government Punjab,  
Department of Social and Women's Welfare, and  
Welfare of Scheduled Castes and Backward Classes.

ਬਾਪੀ ਪੱਤਰ ਨੰ: 2/223/79-ਸ ਡ 1/4337, ਮਿਤੀ 8 ਜੂਨ, 1990 ਵਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ, ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿਚ ਰਾਜ ਵਿਚ ਜਮ੍ਹੂਰ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰਾਂ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਰਾਈਕੋਰਟ, ਇਨ੍ਹਾਂ ਤੇ ਸੈਬਨ ਜੋਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਟਲ) ।

ਵਿਧਾ:— ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਬਾਰੇ ।

ਉਪਰੋਕਤ ਵਿਧੀ ਤੇ ਸੇਰੂ ਇਹ ਕਹਿਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੀਆਂ ਕੁਝ ਜਥੇਬੰਦੀਆਂ ਨੇ ਸਰਕਾਰ ਦੇ ਚਿਅਲ ਵਿੱਚ ਲਿਆਂਦਾ ਹੈ ਕਿ ਅਨੁਸੂਚਿਤ

ਜਾਤੀ/ਪਿੰਡਤੀ ਸੂਚੀ ਦਾ ਸਰਟੀਫਿਕੇਟ ਲੈਣ ਲਈ ਬਿਨੈਕਾਰਾਂ ਨੂੰ ਬਹੁਤ ਪਰੇਸ਼ਾਨ ਹੋਣਾ ਪੈਂਦਾ ਹੈ। ਕਈ ਵਾਰ ਪਟਵਾਰੀ ਆਦਿ ਤੋਂ ਰਿਪੋਰਟ ਪ੍ਰਾਪਤ ਕਰਨ ਵਿਚ ਹਿਆਦਾ ਸਮਾਂ ਲੱਗ ਜਾਂਦਾ ਹੈ ਜਿਸ ਕਰਕੇ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਵਿਚ ਬਹੁਤ ਦੇਰੀ ਹੋ ਜਾਂਦੀ ਹੈ।

2. ਉਪਰ ਦਿੱਤੇ ਐਕਟ ਦਾ ਧਿਆਨ ਕਰਦੇ ਹੋਏ ਬੇਨਤੀ ਹੈ ਕਿ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਲਈ ਸਾਰੇ ਸਮਰੱਥ ਅਧਿਕਾਰੀਆਂ ਨੂੰ (ਜਿਨ੍ਹਾਂ ਦੀ ਸੂਚੀ ਨੱਥੀ ਹੈ) ਕਿਹਾ ਜਾਵੇ ਕਿ ਉਹ ਇਸ ਤਰ੍ਹਾਂ ਦੀ ਪ੍ਰਣਾਲੀ ਅਪਣਾਉਣ ਜਿਸ ਨਾਲ ਬਿਨੈਕਾਰਾਂ ਨੂੰ ਮੁਸ਼ਕਲਾਂ ਦਾ ਸਾਹਮਣਾ ਨਾ ਕਰਨਾ ਪਵੇ ਅਤੇ ਅਨੁਸੂਚਤ ਜਾਤੀ/ਪਿੰਡਤੀ ਸੂਚੀ ਦਾ ਸਰਟੀਫਿਕੇਟ ਘੱਟ ਤੋਂ ਘੱਟ ਸਮੇਂ ਵਿਚ ਜਾਰੀ ਕਰ ਦਿੱਤਾ ਜਾਵੇ।

Competent authority to issue Caste Certificate.

(a) **Scheduled Castes :**

- (i) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class stipendary Magistrate/City Magistrate/Sub-Divisional Magistrate/Talika Magistrate/Executive Magistrate/Extra Assistant Commissioner(not below the rank of 1st Class stipendary Magistrate).
- (ii) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
- (iii) Revenue Officer not below the rank of Tehsildar.
- (iv) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.
- (v) Administrator/Secretary to Administrator/Development Officer Lakshadweep Islands.

(b) **Backward Classes :**

- (i) Sub-Divisional Officer(C)
- (ii) Executive Magistrate
- (iii) Tehsildar
- (iv) Naib Tehsildar
- (v) Block Officer
- (vi) District Revenue Officer

[Extract from the Punjab Government Gazette (Extra), dated the 20th August, 1990]

DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES  
(RESERVATION CELL)

**Notification**

The 17th August, 1990

No. 12/29/80-SW-1/6452.—In partial modification of notification No. 12/29/80-SW-1/3566, dated 14th May, 1990, the President of India is pleased to add the following as member of the Special Advisory Committee with immediate effect :—

- I. Shri Hari Mitter Hans, Ex-M.L.A.  
President, Punjab State Balmik Sabha,  
158-R, Model Town, Hoshiarpur.

**DARSHAN KUMAR,**

Secretary to Government, Punjab,  
Department to Social and Women's  
Welfare Backward Classes.

*Copys of U.O.No. 20/25/32PI/89, dated 22nd August, 1990 from Deputy Secretary Personnel/5, to All the Financial Commissioners, Punjab and All Administrative Secretaries to Government, Punjab.*

**Subject :-** Clearing of backlog of vacancies reserved for Scheduled Castes  
Launching of special recruitment drive.

All the Financial Commissioners and Administrative Secretaries to Government, Punjab may kindly refer to this Department I.D.No. 20/25/32PI/89, dated 27th February, 1990 on the subject noted above.

2. It is clarified that the instructions referred to above will not apply in cases where filling up of backlog of vacancies reserved for Scheduled Castes does not exceed 50% of the total vacancies being filled in a recruitment year provided the total reservation does not exceed 50%.

Receipt of this letter may be acknowledged.

[Extract from the Punjab Government Gazette (Extra), dated the 14th September 1990]

DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES  
(RESERVATION CELL)

Notification

The 14th September, 1990

No. 12/29/80-SWI/7278.—In partial modification of Notification No. 12/29/80-SWI/3566, dated 14th May, 1990 the President of India is pleased to add the following para after No. 2.

3. The members of Committee will draw T.A./D.A. as under :—

- (i) Non-official members will get T.A./D.A. as admissible to a 1st Grade Government employee drawing pay exceeding Rs. 5,000 at the rates detailed in Department of Finance (Finance Personnel I Branch) circular letter No. 10/77/86-FPI/10340, dated 25th November, 1988. The other conditions laid down in the Punjab Government T.A. Rules for the Government employees will also apply to journeys performed by such non-official members except where otherwise provided.
- (ii) The T.A. bill of the non-official members of the Committee will be countersigned by the Director, Welfare of Scheduled Castes and Backward Classes, Punjab.
- (iii) The official members will draw T.A./D.A. as admissible to them under T.A. Rules.

The expenditure on account of T.A./D.A. will be met out of the following Head of Account :—

Non-Plan.

Head 2225--Welfare of Scheduled Castes/Scheduled Tribes and other Backward Classes.

- 01--Welfare of Scheduled Castes.  
 001--Direction and Administration.  
 01--Direction and Administration.

**DARSHAN KUMAR,**

Secretary to Government, Punjab,  
 Department of Social and Women's Welfare,  
 Welfare of Scheduled Castes and  
 Backward Classes.

*Copy of letter No. 8/113/88-SWA(4)/9119, dated 28th November, 1990 from Secretary to Government, Punjab, Scheduled Castes and Backward Classes to All Heads of Departments Commissioners of Divisions, Distt. & Sessions Judges, Deputy Commissioners and Registrar Punjab & Sargana High Court and copy to others.*

**Subject :** Raising of income limit for the Backward Classes for the benefits of reservation in services and posts.

I am directed to refer to Punjab Government circular letter No. 2662-5WGII-62/6934, dated 20th April, 1963 and circular letter No. 5420-SWI-74/23309, dated 19th November, 1974 on the subject cited above and to say that after careful consideration, Government have decided that :

- (i) Backwardness based on caste-cum-income alone is relevant for the benefits of reservation in services and posts and the present limit of Rs. 3,600 per annum has been increased to Rs. 10,000 per annum. It has also been decided that increase in the existing limit of annual income of Rs. 3,600 to Rs. 10,000 per annum would not apply to consideration of backwardness based on income alone.
- (ii) Following proviso is inserted to paragraph(b) of the instructions dated 20th April, 1963 read with instructions dated 19th November, 1974 referred to above :--

"provided that in cases where a candidate is required to be an income-tax payer for appointment through direct recruitment to superior posts, the income (taxable) of his family should not exceed Rs. 50,000 per annum."

2. The instructions contained in the circular letter under refer once may be considered to have been modified to the extent indicated above.
3. These instructions will take effect from the date of issue of the letter. However, the proviso will take effect from 26th July, 1990.
4. The receipt of this communication may kindly be acknowledged.

ਪੰਜਾਬ ਸਰਕਾਰ  
 ਪ੍ਰੋਸੈਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ  
 (ਪੀ.ਪੀ.-1 ਸ਼ਾਖਾ)

**ਵਿਸ਼ਾ :** ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ (Backlog vacancies) ਭਰਨ ਸੰਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਮ ਚਲਾਉਣਾ।

ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਾਰੇ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ, ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਇਸ ਵਿਭਾਗ ਦੇ ਅੰ:ਵਿ:ਪ: ਨੰ: 20/25/3ਪੀਪੀ 1/89, ਮਿਤੀ 31 ਅਗਸਤ, 1989 ਅੰ:ਵਿ:ਪ: ਨੰ: 20/



25/3ਪੀਪੀ 1/89/3738, ਮਿਤੀ 27 ਫਰਵਰੀ, 1990 ਅਤੇ ਅੰ:ਵਿ:ਪ: ਨੰ: 20/25/3ਪੀਪੀ/89/15387, ਮਿਤੀ 22 ਅਗਸਤ, 1990 ਵਲ ਧਿਆਨ ਦੇਣ ਦੀ ਖੋਲ੍ਹ ਕਰਨ।

2. ਇਸ ਵਿਸ਼ੇ ਤੇ ਹੋਰ ਵਿਚਾਰ ਕਰਨ ਉਪਰੰਤ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਿਜ਼ਰਵ ਆਸਾਮੀਆਂ ਭਰੀਆਂ ਨਹੀਂ ਰਈਆਂ, ਉਨ੍ਹਾਂ ਵਿੱਚੋਂ ਇੱਕ ਭਰਤੀ ਸਾਲ ਵਿਚ ਉਪਲੱਭ ਹੋਣ ਵਾਲੀ ਆਸਾਮੀਆਂ ਵਿੱਚੋਂ 45% ਆਸਾਮੀਆਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਵਿੱਚੋਂ ਭਰ ਲਈਆਂ ਜਾਣ।

3. ਉਪਰੋਕਤ ਵਰਤਿਤ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ ਭਰਦੇ ਸਮੇਂ ਜੇ ਉਨ੍ਹਾਂ ਵਿਚ ਦੂਜੀਆਂ ਰਿਜ਼ਰਵ ਸ਼੍ਰੇਣੀਆਂ ਅਰਥਾਤ ਸਾਬਕਾ ਫੌਜੀ, ਅੰਗਰੇਜ਼ੀ ਵਿਅਕਤੀ, ਸੁਤੰਤਰਤਾ ਸੰਗਰਾਮੀਆਂ ਦੇ ਬੱਚੇ, ਖਿਡਾਰੀ ਅਤੇ ਖਿਡਾਰਨਾਂ ਆਦਿ ਦੇ ਰਾਖਵੇਂ ਨੁਕਤੇ (Roster point) ਹੋਣ ਤਾਂ ਉਨ੍ਹਾਂ ਨੁਕਤਿਆਂ ਤੇ ਉਨ੍ਹਾਂ ਸ਼੍ਰੇਣੀਆਂ ਵਿੱਚੋਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਨੂੰ ਉਪਰੋਕਤ 45% ਵਿਚ ਹੇਠ ਦਰਸਾਏ ਅਨੁਸਾਰ ਸਮੇਟਿਆ ਜਾਵੇ :--

- (ੳ) 45% ਵਿਚੋਂ 7% ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਸਾਬਕਾ ਫੌਜੀਆਂ ਲਈ
- (ਅ) 45% ਵਿਚੋਂ 1% ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਅੰਗਰੇਜ਼ੀ ਵਿਅਕਤੀਆਂ ਲਈ
- (ੲ) 45% ਵਿਚੋਂ 1% ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਸੁਤੰਤਰਤਾ ਸੰਗਰਾਮੀਆਂ ਦੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਬੱਚਿਆਂ ਲਈ, ਅਤੇ
- (ਸ) 45% ਵਿਚੋਂ 1% ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਖਿਡਾਰੀ/ਖਿਡਾਰਨਾਂ ਲਈ।

4. ਉਪਰੋਕਤ ਅਨੁਸਾਰ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ ਭਰਨ ਦੇ ਸਿੱਟੇ ਵਜੋਂ ਕੋਲ ਰਿਜ਼ਰਵ ਆਸਾਮੀਆਂ ਜਿੰਨ੍ਹਾਂ ਵਿਚੋਂ ਪੇਂਡੂਆਂ ਸ਼੍ਰੇਣੀਆਂ ਵੀ ਸ਼ਾਮਲ ਹਨ ਦੀ ਗਣਨਾ 50% ਤੋਂ ਵੱਧਣੀ ਨਹੀਂ ਚਾਹੀਦੀ।

5. ਇਹ ਹਦਾਇਤਾਂ ਕਲੰਡਰ ਸਾਲ 1991 ਲਈ ਲਾਗੂ ਰਹਿਣਗੀਆਂ ਜਿਸ ਉਪਰੰਤ ਉਨ੍ਹਾਂ ਉੱਪਰ ਮੁੜ ਵਿਚਾਰ ਕੀਤਾ ਜਾਵੇਗਾ।

6. ਜੇ ਸਾਬਕਾ ਫੌਜੀਆਂ ਵਰਗੀਆਂ ਵਿਸ਼ੇਸ਼ ਸ਼੍ਰੇਣੀਆਂ ਆਦਿ ਦੇ ਉਮੀਦਵਾਰ ਉਪਲੱਭ ਨਾ ਹੋਣ, ਤਾਂ ਰਾਖਵੀਆਂ ਆਸਾਮੀਆਂ ਆਮ ਸ਼੍ਰੇਣੀ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਦੇ ਲਈ ਉਪਲੱਭ ਹੋ ਜਾਣਗੀਆਂ।

7. ਇਹ ਹਦਾਇਤਾਂ ਕੇਵਲ ਉਨ੍ਹਾਂ ਵਿਭਾਗਾਂ ਵਿਚ ਹੀ ਲਾਗੂ ਹੋਣਗੀਆਂ ਜਿਸਨੂੰ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ ਦੀ ਪਹਿਲਾ ਹੀ ਪਛਾਣ ਕੀਤੀ ਜਾ ਚੁੱਕੀ ਹੈ।

8. ਇਸ ਖੇਤਰ ਦੀ ਪਹੁੰਚ ਰਾਸ਼ਿਦ ਭੇਜੀ ਜਾਵੇ।

ਤਾਪੀ ਖੇਤਰ ਨੰ: 20/17/89-3ਪਪ/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990 ਵਲੋਂ ਪਰਸੋਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ (ਪਰਸੋਨਲ ਪਾਲਸੀ-1 ਸ਼ਾਖਾ) ਜੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਚਿੱਲ੍ਹਾ ਤੇ ਸੈਕਨ ਜੋਜ ਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ)।

ਵਿਸ਼ਾ : ਜਸਵੰਤ ਸਿੰਘ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸ ਵਿੱਚ ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ ਦੇ ਪੂਰੇ ਬੈਂਚ ਦੇ ਹੁਕਮ ਅਤੇ ਜੋਰੀਦਰ ਸਿੰਘ ਸੇਠੀ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ--ਸਿਵਲ ਹਿੱਟ ਪਟੀਸ਼ਨ ਨੰ: 3882/81 ਵਿੱਚ ਸੁਪਰੀਮ ਕੋਰਟ ਦਾ ਹੁਕਮ ਮਿਤੀ 8 ਫਰਵਰੀ, 1983 ਥਾਹੇ।

ਸਿਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਜਾਰੀ ਹਦਾਇਤਾਂ ਨੰ: 20/47/89-3ਪੀਪੀ 1/20211, ਮਿਤੀ 6 ਨਵੰਬਰ, 1989 ਵੱਲ ਧਿਆਨ ਦਿਵਾਉਣ ਅਤੇ ਇਹ ਕਹਿਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਸੁਪਰੀਮ ਕੋਰਟ ਤੋਂ ਇਹ ਸਪੱਸ਼ਟੀਕਰਣ ਮੰਗਿਆ ਗਿਆ ਸੀ ਕਿ ਉੱਕਤ ਹਦਾਇਤਾਂ ਵਿਚ ਵਰਣਤ ਦੇਵੇਂ ਹੁਕਮਾਂ

ਅਰਥਾਤ ਜੋਗਿੰਦਰ ਸਿੰਘ ਸੇਠੀ ਦੇ ਕੇਸ ਵਿੱਚ 8 ਫਰਵਰੀ 1983 ਦਾ ਹੁਕਮ ਅਤੇ ਅਜੀਤ ਸਿੰਘ ਜੰਜੂਆ ਦੇ ਕੇਸ ਵਿੱਚ ਮਿਤੀ 26 ਸਤੰਬਰ, 1989 ਦੇ ਹੁਕਮ ਵਿੱਚੋਂ ਕਿਰਤੀ ਹੁਕਮ ਦੀ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ। ਸੁਪਰੀਮ ਕੋਰਟ ਨੇ ਸਪੱਸ਼ਟੀਕਰਣ ਦੇ ਲਈ ਦਾਇਰ ਕੀਤੀ ਗਈ ਅਰਜ਼ੀ ਉੱਪਰ ਮਿਤੀ 10 ਦਸੰਬਰ, 1990 ਨੂੰ ਹੇਠ ਲਿਖੇ ਹੁਕਮ ਪਾਸ ਕੀਤੇ ਹਨ :--

"The Interim stay is clarified with the direction that the stay order dated 8th February, 1983 granted in C.A. No. 3326-27/82 shall continue till the disposal of these appeals. The appeals be listed for hearing in the second week of March, 1991 alongwith connected appeals and also C.A. No. 3326/82 IA No. 14/89 to be listed alongwith appeals."

2. ਉਪਰੋਕਤ ਹੁਕਮਾਂ ਨੂੰ ਧਿਆਨ ਵਿੱਚ ਰੱਖਦੇ ਹੋਏ ਪੋਤਰ ਨੰ: 20/47/89-3ਪੀਪੀ 1/20211, ਮਿਤੀ 6 ਨਵੰਬਰ, 1989 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ ਹਦਾਇਤਾਂ ਸਬੰਧਤ (held in abeyance) ਕੀਤੀਆਂ ਜਾਂਦੀਆਂ ਹਨ। ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਦੀ ਅਫ਼ਸਰਾਂ/ਕਰਮਚਾਰੀਆਂ ਦੀ ਪੇਂਦਉੱਠੋਂ ਲਈ ਉਨੀ ਦੇਰ ਤੱਕ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ ਜਦੋਂ ਤੱਕ ਇਸ ਮੁਆਮਲੇ ਤੇ ਸੁਪਰੀਮ ਕੋਰਟ ਵੱਲੋਂ ਆਖਰੀ ਨਿਰਣਾ ਨਹੀਂ ਲਿਆ ਜਾਂਦਾ ਅਤੇ ਇਹ ਗਲ ਇਸ ਸਮੇਂ ਦੇ ਦੌਰਾਨ ਜਾਰੀ ਕੀਤੀ ਗਈ ਹਰ ਇਕ ਪੇਂਦਉੱਠੋਂ ਦੇ ਹੁਕਮ ਵਿੱਚ ਵਰਣਤ ਕੀਤੀ ਜਾਵੇ।

ਰਾਖੀ ਪੋਤਰ ਨੰ: 3/4/84-ਗਸ3/202, ਮਿਤੀ 4/8 ਜਨਵਰੀ, 1991, ਵਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਖ਼ੁਦੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫ਼ਸਰ (ਸਿਵਲ)।

ਵਿਧਾ.--ਸਰਕਾਰੀ ਸੇਵਾਵਾਂ ਵਿੱਚ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਤੇ ਪਛੜੀਆਂ ਖ਼ੁਦੀਆਂ ਦੀ ਰਿਜ਼ਰਵੇਸ਼ਨ ਨੀਤੀ ਸਬੰਧੀ ਅਦਾਲਤੀ ਕੇਸਾਂ ਵਿੱਚ ਜਵਾਬਦਾਵਾ ਦਾਇਰ ਕਰਨ ਬਾਰੇ।

ਸੋਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪਣਾ ਧਿਆਨ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 3/4/84-ਐਸ. ਡਬਲਿਊ. 1/4593, ਮਿਤੀ 15 ਮਈ, 1985 ਵੱਲ ਦਿਵਾਉਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ। ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਰਾਹੀਂ ਭਵਿੱਖ ਵਿੱਚ ਇਹ ਯਕੀਨੀ ਬਣਾਉਣ ਲਈ ਕਿਹਾ ਗਿਆ ਸੀ ਕਿ ਅਦਾਲਤੀ ਕੇਸਾਂ ਵਿੱਚ ਫਾਈਲ ਕੀਤੇ ਜਾਣ ਵਾਲੇ ਜਵਾਬਦਾਵਿਆਂ ਵਿਚਲੇ ਰਿਜ਼ਰਵੇਸ਼ਨ ਨੀਤੀ ਸਬੰਧੀ ਨੁਕਤਿਆਂ ਨੂੰ ਭਲਾਈ ਵਿਭਾਗ ਪਾਸੋਂ ਵੇਟ ਕਰਵਾਇਆ ਜਾਵੇ। ਇਸ ਦੇ ਬਾਵਜੂਦ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿੱਚ ਆਇਆ ਹੈ ਕਿ ਬਹੁਤ ਸਾਰੇ ਵਿਭਾਗ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਇੰਨ-ਥਿੰਨ ਪਾਲਣਾ ਨਹੀਂ ਕਰਦੇ, ਇਸ ਦੇ ਫਲਸਰੂਪ ਅਜਿਹੇ ਕੇਸਾਂ ਦੇ ਫੈਸਲਿਆਂ ਵਿੱਚ, ਬਿਨਾਂ ਕਿਸੇ, ਸਰਕਾਰ ਦੀ ਪੂਰਵ ਸੂਚਨਾਂ ਦੇ ਰਿਜ਼ਰਵੇਸ਼ਨ ਪਾਲਿਸੀ ਦੇ ਪ੍ਰਭਾਵਿਤ ਹੋਣ ਦੀ ਸੰਭਾਵਨਾ ਬਣੀ ਰਹਿੰਦੀ ਹੈ। ਸਰਕਾਰ ਇਸ ਨੂੰ ਥੱਕੀ ਗੰਭੀਰਤਾ ਨਾਲ ਲੈਂਦੀ ਹੈ। ਇਸ ਕਰਕੇ ਉਕਤ ਹਦਾਇਤਾਂ ਨੂੰ ਦੁਹਰਾਉਂਦੇ ਹੋਏ ਆਪ ਨੂੰ ਮੁੜ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਇੰਨ-ਥਿੰਨ ਪਾਲਣਾ ਹਰ ਹਾਲਤ ਵਿੱਚ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ ਅਤੇ ਕਿਸੇ ਵੀ ਤਰ੍ਹਾਂ ਦੀ ਕੋਤਾਹੀ ਤੋਂ ਗੁਰੇਜ਼ ਕੀਤਾ ਜਾਵੇ।

ਇਸ ਪੋਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜਣ ਦੀ ਬੇਚਲ ਕੀਤੀ ਜਾਵੇ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 2/223/79-ਸਭ।/1390, ਮਿਤੀ 7 ਫਰਵਰੀ, 1991 ਵਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿਚ ਰਾਜ ਵਿਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਰਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ)।

ਵਿਸ਼ਾ.--ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਤੋਂ ਧਰਮ ਪਰਿਵਰਤਨ ਕਰਕੇ ਬੋਧੀ ਬਣਿਆਂ ਨੂੰ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਦੇ ਸਿੱਧਰ ਮੰਨਣ ਸਬੰਧੀ ਲਾਗੂ ਰੋਕ ਨੂੰ ਹਟਾਉਣ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਸੈਨੂੰ ਭਾਰਤ ਸਰਕਾਰ (ਕਲਿਆਣ ਮੰਤਰਾਲਯ) ਦੇ ਪੱਤਰ ਨੰ: 12016/28/90-ਐਸ.ਸੀ.ਡੀ. (ਆਰ.ਸੈਲ), ਮਿਤੀ 20 ਨਵੰਬਰ, 1990 ਦੀ ਕਾਪੀ ਅਗਵਾਈ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿਤ ਭੇਜਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ।

*Copy of letter No. 12016/28/90-SCD (R. Cell), dated 20th November, 1990 from Government of India/Bharat Sarkar, Ministry of Welfare/Kalyan Mantralaya to the Secretary, Social Welfare Department/Department dealing with the Welfare of SC/ST of all the State Governments/U.T. Administrations.*

*Subject.--Removal of bar on the Scheduled Caste converts to Buddhism from being deemed to be members of the Scheduled Castes.*

In continuation of this Ministry's letter of even number dated 31st July, 1990 on the above subject, I am directed to say that with the amendment of the Constitution (Scheduled Castes) Orders, 1950 by the Constitution (Scheduled Castes) Orders (Amendment) Act, 1990, the Scheduled Caste communities which are included in the Presidential orders and converted to Buddhist religion shall be deemed to be a member of the Scheduled Caste.

2. While issuing the Scheduled Caste certificates to these persons, the same procedure has to be followed as applicable to the members of other Scheduled Caste communities belonging to Hindu and Sikh religions.

3. The form of caste certificate will also remain the same as applicable to other Scheduled Caste communities (Annexure).

4. All the State Government/U.T. Administrations are, therefore, requested to follow the above procedure for issuing Scheduled Caste certificates to the persons professing Buddhist religion provided :

- (a) the name of the community for which Scheduled Caste certificate is to be issued is included in the Presidential Orders specifying the Scheduled Castes in relation to the concerned State/Union Territory;
- (b) That the person and his parents actually belong to the community claimed;
- (c) That the person belongs to that State and to the area within that state in respect of which the community has been scheduled, and that

(d) the person claiming to be a Scheduled Caste professes either the Hindu, the Sikh or the Buddhist religion.

5. The certificate issuing authorities may kindly be instructed to made proper verification before issuing such certificates.

Yours faithfully,

Sd/- . . . .  
B.N. SRIVASTAVA,  
Director

**Form of certificate to be produced by a candidate belonging to Scheduled Caste or Scheduled Tribe in support of his claim**

**FORM OF CASTE CERTIFICATE**

This is to certify that Shri/Shrimati\*/Kumari\* \_\_\_\_\_  
son/daughter\* of \_\_\_\_\_ of village\*/town\* \_\_\_\_\_  
in district/Division\* \_\_\_\_\_ of the State/  
Union Territory\* \_\_\_\_\_ belongs to the \_\_\_\_\_  
Caste/Tribe\* which is recognised as a Scheduled Caste/Scheduled Tribe\*

Under :

- @ The Constitution (Scheduled Castes) Order, 1950.
- @ The Constitution (Scheduled Tribes) Order, 1950.
- @ The Constitution (Scheduled Castes) (Union Territories) Order, 1951.
- @ The Constitution (Scheduled Tribes) (Union Territories) Order, 1951.
- [as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North Eastern Areas (Reorganisation) Act, 1971 and Scheduled Tribes Orders (Amendment) Act, 1976].
- @ The Constitution (Jammu & Kashmir) Scheduled Castes Order, 1956.
- @ The Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989.
- @ The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959.
- @ The Constitution (Dadra and Nagar Haveli) Scheduled Castes, Order, 1962.
- @ The Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962.
- @ The Constitution (Pandicherry) Scheduled Castes Order, 1964.
- @ The Constitution Scheduled Tribes (Uttar Pradesh) Order, 1967.
- @ The Constitution (Goa, Daman & Diu) Scheduled Castes Order, 1968.
- @ The Constitution (Goa, Daman & Diu) Scheduled Tribes, Order, 1968.

- Ⓐ The Constitution (Nagaland) Scheduled Tribes Order, 1970.
- Ⓑ The Constitution (Sikkim) Scheduled Castes Order, 1978.
- Ⓒ The Constitution (Sikkim) Scheduled Tribes Order, 1978.

**C. Application in the case of Scheduled Castes/Scheduled Tribes Persons who have migrated from one State/Union Territory**

This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati\* \_\_\_\_\_ father/mother of Shri/Shrimati/Kumari\* \_\_\_\_\_ in District/Division \_\_\_\_\_ of the State/Union Territory \_\_\_\_\_ who belongs to the \_\_\_\_\_ caste/tribe\* which is recognised as a Scheduled Caste/Scheduled Tribe\* in the State/Union Territory\* issued by the \_\_\_\_\_ (name of prescribed authority) vide their No. \_\_\_\_\_ dated \_\_\_\_\_.

Ⓐ3. Shri/Shrimati/Kumari\* \_\_\_\_\_ and/or his/her\* family ordinarily reside(s) in village/town\* \_\_\_\_\_ of \_\_\_\_\_ District/Division of the State/Union Territory of \_\_\_\_\_.

Signature \_\_\_\_\_

\*\*Designation \_\_\_\_\_  
(with seal of Office)

Place \_\_\_\_\_ State \_\_\_\_\_  
Union Territory \_\_\_\_\_

Date \_\_\_\_\_

\* Please delete the words which are not applicable.

Ⓐ Please quote specific Presidential Order.

Ⓐ Delete the paragraph which is not applicable.

**Note :** The term 'Ordinarily reside(s)' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

\*\* List of authorities empowered to issue Scheduled Caste/Scheduled Tribe certificates :--

1. District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/City Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/ Executive Magistrate/Extra Assistant Commissioner. (not below the rank of 1st Class Stipendary magistrate).
2. Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
3. Revenue Officers not below the rank of Tehsildar.
4. Sub-Divisional Officer of the area where the candidate and/or his family normally resides.
5. Administrator/Secretary to Administrator/Development Officer (Lakshadweep Islands).

ਕਾਪੀ ਪੱਤਰ ਨੰ: 14/38/90-ਸ ਭ 1/1811, ਮਿਤੀ 20 ਫਰਵਰੀ, 1991 ਵਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ ਜ਼ਿਲ੍ਹਾਂ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਥਾ:- ਰੋਸਟਰ ਵਿਚ ਦਿੱਤੇ ਬਲਾਕ ਤੇ ਆਉਂਦੀ ਟਾਪਵੀ ਆਸਾਮੀ ਨੂੰ ਵਿਗਿਆਪਤ ਕਰਨ ਬਾਰੇ ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿਚ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਇਹ ਗੱਲ ਆਈ ਹੈ ਕਿ ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਵਲੋਂ ਰੋਸਟਰ ਵਿਚ ਦਿੱਤੇ ਬਲਾਕ ਅਨੁਸਾਰ ਦਰਜਾ-1 ਅਤੇ 11 ਦੀਆਂ ਆਸਾਮੀਆਂ ਜੋ ਰਿਜ਼ਰਵ ਨੁਕਤੇ ਤੇ ਆਉਂਦੀਆਂ ਹਨ, ਉਨ੍ਹਾਂ ਨੂੰ ਸਿੱਧੀ ਭਰਤੀ ਰਾਹੀਂ ਭਰਨ ਲਈ ਜੇ ਮੰਗ-ਪੱਤਰ ਪੰਜਾਬ ਏਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨੂੰ ਭੇਜੇ ਜਾਂਦੇ ਹਨ ਉਨ੍ਹਾਂ ਵਿਚ ਜੇਕਰ ਇਕਲੀ ਆਸਾਮੀ ਦੀ ਰਿਜ਼ਰਵ ਹੋਵੇ ਤਾਂ ਕਮਿਸ਼ਨ ਉਸ ਨੂੰ ਇਸ ਆਧਾਰ ਤੇ ਸਬੰਧਤ ਵਿਭਾਗ ਨੂੰ ਵਾਪਿਸ ਕਰ ਦਿੰਦਾ ਹੈ ਕਿ ਇਹ 100% ਰਿਜ਼ਰਵੇਸ਼ਨ ਬਣ ਜਾਂਦੀ ਹੈ । ਏਕ ਸੇਵਾ-ਕਮਿਸ਼ਨ ਦੀ ਇਹ ਗੱਲ ਠੀਕ ਠੀਕ ਹੈ ਕਿਉਂਕਿ ਬਲਾਕ ਵਿਚ ਜੋ ਰਿਜ਼ਰਵ ਨੁਕਤਾ ਆਉਂਦਾ ਹੈ ਉਹ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਦੇ ਵਿਅਕਤੀ ਨਾਲ ਹੀ ਭਰਿਆ ਜਾਣਾ ਹੈ ਭਾਵੇਂ ਇਹ ਆਸਾਮੀ ਇਕਲੀ ਹੋਵੇ ਜਾਂ ਕੋਰੀਡਾਰਵਰਡ ਆਸਾਮੀ ਮਿਲਕੇ ਦੋ ਆਸਾਮੀਆਂ ਹੋਣ । ਅਜਿਹੀ ਪ੍ਰਥਾ/ਦੇਰੀ ਨੂੰ ਰੋਕਣ ਲਈ ਮੈਨੂੰ ਇਹ ਸਮੂਹ ਵਿਭਾਗਾਂ ਨੂੰ ਦੱਸਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਖੋਜ ਤੋਂ ਕੋਈ ਵੀ ਮੰਗ-ਪੱਤਰ ਏਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨੂੰ ਭੇਜਦੇ ਸਮੇਂ ਇਹ ਸਪੱਸ਼ਟ ਕੀਤਾ ਜਾਵੇ ਕਿ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 1494-ਐਸ ਡਬਲਿਊ-1-74/8105, ਮਿਤੀ 4 ਮਈ, 1974 ਅਨੁਸਾਰ ਇਹ ਸਮੂਹ ਬਲਾਕ ਵਿਚ ਇਹ ਨੁਕਤਾ ਰਿਜ਼ਰਵ ਆਸਾਮੀ ਦਾ ਹੈ ਅਤੇ ਇਸ ਨੂੰ ਰਿਜ਼ਰਵ ਵਿਅਕਤੀ ਨਾਲ ਹੀ ਭਰਨਾ ਹੈ ।

2. ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਤਰਤੀਬ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਪਹੁੰਚ ਗਈ ਵੀ ਇਸ ਵਿਭਾਗ ਨੂੰ ਭੇਜੀ ਜਾਵੇ ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 2/223/79-ਸ ਭ 1/3302, ਮਿਤੀ 3 ਅਪ੍ਰੈਲ, 1991 ਵਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ, ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾਂ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਥਾ:- ਪਛੜੀ ਸ਼੍ਰੇਣੀ ਨਾਲ ਸਬੰਧਤ ਹੋਣ ਬਾਰੇ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਦੇ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਦਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਗਠਤੀ ਪੱਤਰ ਨੰ: 2/223/79-ਸ ਭ 1/16045, ਮਿਤੀ 12 ਅਗਸਤ, 1980 ਰਾਹੀਂ ਜਾਰੀ ਹੋਈਆਂ ਹਦਾਇਤਾਂ ਵੱਲ ਦਿਵਾਇਆ ਜਾਂਦਾ ਹੈ, ਜਿਨ੍ਹਾਂ ਰਾਹੀਂ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਨਾਲ ਸਬੰਧਤ ਵਿਅਕਤੀਆਂ ਨੂੰ ਨੌਜਵਾਨ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਬਾਰੇ ਅਧਿਕਾਰ ਆਪ ਨੂੰ ਦਿੱਤੇ ਗਏ ਹਨ ।

2. ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਗਠਤੀ ਪੱਤਰ ਨੰ: 8/113/88-ਐਸ.ਡਬਲਿਊ.ਏ(4)/9119, ਮਿਤੀ 30 ਨਵੰਬਰ, 1990 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਸੇਵਾਵਾਂ ਅਤੇ ਆਸਾਮੀਆਂ ਲਈ ਰਾਖਵਾਂ ਕਰਨ ਦਾ ਲਾਭ ਲੈਣ ਹਿੱਤ ਕੇਵਲ ਜਾਤੀ-ਕੰਮ-ਆਮਦਨ ਨੂੰ ਪਛੜੀਪਨ ਦਾ ਅਧਾਰ ਮੰਨਿਆ ਗਿਆ ਹੈ ਅਤੇ ਮੌਜੂਦਾ 3,600 ਰੁਪਏ ਸਾਲਾਨਾ ਆਮਦਨ ਦੀ ਸੀਮਾ ਵਧਾ ਕੇ 10,000 ਰੁਪਏ ਸਾਲਾਨਾ ਕਰ ਦਿੱਤੀ ਗਈ ਹੈ । ਇਸ ਮੰਤਵ ਲਈ ਪਛੜੀ ਸ਼੍ਰੇਣੀ ਨਾਲ ਸਬੰਧਤ ਹੋਣ ਬਾਰੇ ਜਾਤੀ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਹਿੱਤ ਬਿਨੈ ਪੱਤਰ ਅਤੇ ਜਾਤੀ ਸਰਟੀਫਿਕੇਟ ਲਈ ਜੋਧਿਆਹੋਇਆ ਨਿਰਧਾਰਤ ਫਾਰਮ ਪੂਰਨਾਂ ਅਤੇ ਓਕੀਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ ।

3. ਸਰਕਾਰ ਦੇ ਫਿਆਨ ਵਿੱਚ ਲਿਆਂਦਾ ਗਿਆ ਹੈ ਕਿ ਬਿਨੈਕਾਰਾਂ ਨੂੰ ਪਛੜੀ ਸ਼੍ਰੇਣੀ ਦਾ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਵਿੱਚ ਕਾਫੀ ਦੇਰ ਹੋ ਜਾਂਦੀ ਹੈ ਅਤੇ ਉਨ੍ਹਾਂ ਨੂੰ ਇਸ ਸਬੰਧੀ ਬਹੁਤ ਔਕੜਾ ਪੇਸ਼ ਆਉਂਦਾ ਰਹਿੰਦਾ ਹੈ, ਜਿਸ ਕਾਰਨ ਸਬੰਧਤ ਵਿਅਕਤੀ ਇਨ੍ਹਾਂ ਸ਼੍ਰੇਣੀਆਂ ਨੂੰ ਮਿਲਣ ਵਾਲੀਆਂ ਸਹੂਲਤਾਂ ਪ੍ਰਾਪਤ ਕਰਨ ਤੋਂ ਵਾਂਞੇ ਰਹਿ ਜਾਂਦੇ ਹਨ।

4. ਇਸ ਲਈ ਸਰਕਾਰ ਵੱਲੋਂ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਜਦੋਂ ਵੀ ਕੋਈ ਬਿਨੈਕਾਰ ਪਛੜੀ ਸ਼੍ਰੇਣੀ ਦਾ ਸਰਟੀਫਿਕੇਟ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਅਰਜ਼ੀ ਦੇਵੇ ਜਾਂ ਸਬੰਧਤ ਅਧਿਕਾਰੀ ਨੂੰ ਮਿਲੇ ਤਾਂ ਉਸਨੂੰ ਛੇਤੀ ਤੋਂ ਛੇਤੀ ਪੜਤਾਲ ਉਪਰੰਤ ਲੋੜੀਂਦਾ ਸਰਟੀਫਿਕੇਟ ਦੇ ਦਿੱਤਾ ਜਾਵੇ ਤਾਂ ਜੋ ਉਹ ਮਿਲ ਰਹੀ ਸਹੂਲਤ ਤੋਂ ਵਾਂਞਾ ਨਾ ਰਹਿ ਜਾਵੇ ਅਤੇ ਇਹ ਯਕੀਨੀ ਬਣਾਇਆ ਜਾਵੇ ਕਿ ਬਿਨੈਕਾਰਾਂ ਨੂੰ ਸਰਟੀਫਿਕੇਟ ਪ੍ਰਾਪਤ ਕਰਨ ਵਿੱਚ ਖੇਲੋਂਦੀ ਔਕੜ ਪੇਸ਼ ਨਾ ਆਵੇ।

ਇਸ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

#### ਪਛੜੀ ਸ਼੍ਰੇਣੀ ਨਾਲ ਸਬੰਧਤ ਹੋਣ ਬਾਰੇ ਬਿਨੈ ਪੱਤਰ ਦਾ ਫਾਰਮ

1. ਬਿਨੈਕਾਰ ਦਾ ਨਾਂ :
2. ਪਿਤਾ/ਸਰਪ੍ਰਸਤ (ਜੇਕਰ ਪਿਤਾ ਜੀਵਤ ਨਹੀਂ) ਦਾ ਨਾਂ :
3. ਪੌਕਾ ਪਤਾ :
4. ਬਿੰਨੀ-ਪੱਤਰ ਲਈ ਪਤਾ :
5. ਪਿੱਤਰੀ ਪੇਸ਼ਾ :
6. ਜਾਤ :
7. ਸਾਰੇ ਵਸੀਲਿਆਂ ਤੋਂ ਬਿਨੈਕਾਰ ਅਤੇ ਉਸ ਦੇ ਪਿਤਾ/ਸਰਪ੍ਰਸਤ (ਜੇਕਰ ਪਿਤਾ ਜੀਵਤ ਨਹੀਂ) ਦੀ ਸਾਲਾਨਾ ਆਮਦਨ :

ਬਿਨੈਕਾਰ ਅਤੇ ਉਸਦੇ ਪਿਤਾ/ਸਰਪ੍ਰਸਤ (ਜੇਕਰ ਪਿਤਾ ਜੀਵਤ ਨਹੀਂ) ਦਾ ਬਿਆਨ :

ਅਸੀਂ ਸੋਚੇ ਦਿਲੋਂ ਇਹ ਪੁਸ਼ਟੀ ਕਰਦੇ ਹਾਂ ਕਿ ਉਪਰੋਕਤ ਅਨੁਸਾਰ ਦਿੱਤੀ ਸੂਚਨਾ ਸਹੀ ਹੈ। ਅਸੀਂ ਇਹ ਜਾਣਦੇ ਹਾਂ ਕਿ ਜੇ ਕਦੇ ਵੀ ਇਹ ਪਾਇਆ ਗਿਆ ਕਿ ਇਹ ਸੂਚਨਾ ਝੂਠੀ ਹੈ ਤਦ ਅਸੀਂ ਦੰਡ ਯੋਗ ਅਪਰਾਧ ਦੇ ਭਾਗੀ ਹੋਵਾਂਗੇ ਅਤੇ ਅਸੀਂ ਰਾਜ ਸਰਕਾਰ ਅਧੀਨ ਲੋਕ ਸੇਵਾ ਦੇ ਅਧਿਕਾਰ ਨੂੰ ਛੱਡਣਾ ਪ੍ਰਵਾਨ ਕਰਦੇ ਹਾਂ।

ਬਿਨੈਕਾਰ ਦੇ ਹਸਤਾਖਰ

ਪਿਤਾ/ਸਰਪ੍ਰਸਤ (ਜੇਕਰ ਪਿਤਾ ਜੀਵਤ ਨਹੀਂ)

ਨਾਂ : \_\_\_\_\_

ਦੇ ਹਸਤਾਖਰ

ਮਿਤੀ : \_\_\_\_\_

ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਵੱਲੋਂ ਆਪਣੇ ਜਾਤੀ ਕਲੋਮ ਦੇ ਸਬੰਧ ਵਿੱਚ ਦਿੱਤੇ ਜਾਂਦੇ ਸਰਟੀਫਿਕੇਟ ਦਾ ਫਾਰਮ

#### ਜਾਤੀ ਸਰਟੀਫਿਕੇਟ ਦਾ ਫਾਰਮ

ਇਹ ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸ੍ਰੀ/ਸ੍ਰੀਮਤੀ/ਸ੍ਰੀਮਾਤੀ \_\_\_\_\_

ਪੁੱਤਰ/ਪੁੱਤਰੀ ਸ੍ਰੀ \_\_\_\_\_ ਪਿੰਡ/ਸ਼ਹਿਰ \_\_\_\_\_ ਚਿਲ੍ਹਾ/ਡਵੀਜ਼ਨ \_\_\_\_\_

\_\_\_\_\_ , ਪੰਜਾਬ ਰਾਜ ਵਿੱਚ \_\_\_\_\_ ਜਾਤੀ ਨਾਲ ਸਬੰਧ

ਰੱਖਦਾ ਹੈ, ਜਿਹੜੀ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ: \_\_\_\_\_ ਮਿਤੀ \_\_\_\_\_

\_\_\_\_\_ ਰਾਹੀਂ ਪਛੜੀ ਸ਼੍ਰੇਣੀ ਮੰਨੀ ਗਈ ਹੈ।

2. ਇਹ ਵੀ ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਦੇ ਖਰਵਾਰ ਦੀ ਸਭ ਵਸੀਲਿਆਂ ਤੋਂ ਜਾਲਾਨਾ ਆਮਦਨ 10,000 ਰੁਪਏ ਤੋਂ ਘੱਟ ਹੈ।

3. ਸ੍ਰੀ/ਸ੍ਰੀਮਤੀ/ਕੁਮਾਰੀ \_\_\_\_\_ ਅਤੇ/ਜਾਂ ਉਸ ਦਾ ਪਰਿਵਾਰ ਪਿੰਡ/  
ਸ਼ਹਿਰ \_\_\_\_\_ ਜਿਲ੍ਹਾ/ਡਵੀਜ਼ਨ \_\_\_\_\_ ਵਿੱਚ ਰਹਿੰਦਾ ਹੈ।

ਬੰ : \_\_\_\_\_ ਹਸਤਾਖਰ \_\_\_\_\_

ਮਿਤੀ : \_\_\_\_\_ ਆਗੂਦਾ \_\_\_\_\_

(ਦਫਤਰ ਦੀ ਮੋਹਰ)

### FORM OF APPLICATION FOR DECLARATION

1. Name of Applicant :
2. Father's/Guardian's (if father not alive) name :
3. Permanent Address :
4. Postal Address :
5. Parental Occupation :
6. Caste :
7. Total Annual income of candidate and Parents/Guardian (if parents are not alive) from all sources.

Declaration by parents/guardians (if parents are not alive and the candidate)

We do hereby solemnly and sincerely affirm that the Statement made and the information furnished above are true. Should it however be found that any information furnished here is untrue in material Particulars we realise that we are liable in criminal prosecution and we are also agreeable to forego the claim for public services under the State Government.

Signature of Candidate

Signature of Parents/Guardian  
(if parents not alive).

Station : \_\_\_\_\_

Dated : \_\_\_\_\_

### FORM OF CERTIFICATE TO BE PRODUCED BY A CANDIDATE BELONGING TO A BACKWARD CLASS IN SUPPORT OF HIS CLAIM FORM OF CERTIFICATE OF BACKWARD CLASS

This is to certify that Shri/Shrimati/Kumari \_\_\_\_\_  
son/daughter\* of \_\_\_\_\_ Village/town\* \_\_\_\_\_  
in district/division\* \_\_\_\_\_ of the State of Punjab, belongs  
to the \_\_\_\_\_ caste which is recognised as a Backward Class in  
terms of Punjab Government letter No. \_\_\_\_\_ of \_\_\_\_\_



2. This is also certified that income of the family from all sources does not exceed Rs. 10,000.

3. Shri/Shrimati/Kumari \_\_\_\_\_ and/or his/her family ordinarily reside (s) in village/town \_\_\_\_\_ of district/Division of the State of Punjab.

Place : \_\_\_\_\_

Signature \_\_\_\_\_

State : \_\_\_\_\_

Designation : \_\_\_\_\_

Date : \_\_\_\_\_

(With seal of Deptt.)

ਕਾਪੀ ਖੇਤਰ ਨੰ: 8/92/91-ਸਭਾ(5)/4893, ਮਿਤੀ : 3 ਮਈ, 1991 ਵਲੋਂ ਪੰਜਾਬ ਸਰਕਾਰ ਭਲਾਈ ਵਿਭਾਗ ਸਿਲ ਨਾਠ ਪਲਾਨ, ਨੂੰ ਪੰਜਾਬ ਰਾਜ ਵਿਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਟਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਜਿਲ੍ਹਾਂ ਅਤੇ ਸਿਥਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:-ਅਨੁਸੂਚਿਤ ਜਾਤੀ/ਜਨਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਵਿਅਕਤੀਆਂ ਨੂੰ ਨੌਕਰੀਆਂ ਵਿਚ ਯੋਗ ਪ੍ਰਤੀਨਿਧਤਾ ਦੇਣ ਦੇ ਤਰੀਕੇ ਅਤੇ ਇਨ੍ਹਾਂ ਜਾਤੀਆਂ ਅਤੇ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਪੜ੍ਹੇ ਲਿਖੇ ਅਤੇ ਯੋਗ ਖੇਰੋਚਗਾਰ ਲੋਕਾਂ ਨੂੰ ਰੋਜ਼ਗਾਰ ਕਰੀਨੀ ਬਣਾਉਣ ਬਾਰੇ-ਵਿਸ਼ੇਸ਼ ਰੋਜ਼ਗਾਰ ਸੈਲ ਦੀ ਸਥਾਪਨਾ ।

ਸ਼੍ਰੀ ਮਾਨ ਜੀ/ਸ਼੍ਰੀ ਮਤੀ ਜੀ,

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿਚ ਇਹ ਦੱਸਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਪੜ੍ਹੇ ਲਿਖੇ ਖੇਰੋਚਗਾਰ ਵਿਅਕਤੀਆਂ ਨੂੰ ਸਰਕਾਰੀ ਨੌਕਰੀਆਂ ਵਿਚ ਵਿਦਿਅਕ ਯੋਗਤਾ ਦੇ ਅਧਾਰ ਤੇ ਯੋਗ ਪ੍ਰਤੀਨਿਧਤਾ ਦਿਵਾਉਣ ਅਤੇ ਰੋਜ਼ਗਾਰ ਦਿਵਾਉਣ ਦਿਤ ਭਲਾਈ ਵਿਭਾਗ ਵਲੋਂ ਨੰ: 975-ਓ.ਐਸ.ਡੀ.(ਡਬਲਿਊ)-2-70/2633, ਮਿਤੀ 28 ਅਪ੍ਰੈਲ, 1970 ਰਾਹੀਂ ਡਾਇਰੈਕਟਰੇਟ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ ਦੇ ਦਫਤਰ ਵਿਚ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਰੋਜ਼ਗਾਰ ਸੈਲ ਦੀ ਸਥਾਪਨਾ ਕੀਤੀ ਗਈ ਸੀ, ਕਿਸੇ ਯੋਗਤਾ ਦੇ ਅਧਾਰ ਤੇ ਪੜ੍ਹੇ ਲਿਖੇ ਖੇਰੋਚਗਾਰ ਵਿਅਕਤੀਆਂ ਦੇ ਨਾਂ ਦਰਜ ਕੀਤੇ ਜਾਣੇ ਹਨ । ਇਸ ਸੈਲ ਦੇ ਕੰਮ-ਕਾਜ ਬਾਰੇ ਉਕਤ ਖੇਤਰ ਰਾਹੀਂ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀਆਂ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਗਿਆ ਸੀ ।

2. ਇਸ ਸੈਲ ਤੇ ਕੰਮ-ਕਾਜ ਅਧੀਨ ਜਦੋਂ ਕਦੇ ਵੀ ਕੋਈ ਵਿਭਾਗ (ਚਾਹੇ ਸਦਰ ਮੁਕਾਮ/ਜਿਲ੍ਹਾ ਸਦਰ ਮੁਕਾਮ ਜਾਂ ਤਹਿਸੀਲ ਖੇਤਰ ਤੇ) ਏਕੀ/ਆਰਜੀ ਜਾਂ ਘੱਟ ਮਿਆਦੀ ਖਾਲੀ ਅਸਾਮੀਆਂ ਵਿਦਿਆਪਤ ਕਰੇ, ਜੋ ਕਿ ਵਿਭਾਗੀ ਕਮੇਟੀਆਂ ਰਾਹੀਂ ਭਰੀਆਂ ਜਾਣੀਆਂ ਹੋਣ ਜਾਂ ਇਸ ਮੰਤਵ ਲਈ ਲੋਕ-ਸੇਵਾ ਆਯੋਗ/ਓਰਡਰ/ਰੋਜ਼ਗਾਰ ਕੇਂਦਰਾਂ ਨੂੰ ਮੰਗ-ਖੇਤਰ ਤੇਜੇ, ਅਜਿਹੇ ਮੰਗ-ਖੇਤਰ/ਵਿਰਿਆਪਨ ਦੀ ਇਕ ਕਾਪੀ ਹਮੇਸ਼ਾ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਰੋਜ਼ਗਾਰ ਸੈਲਾਂ ਨੂੰ ਤੇਜੇ ਤੇ ਇਹ ਸੈਲ, ਬਦਲੇ ਵਿਚ ਆਪਣੀ ਸੂਚੀ ਵਿਚ ਯੋਗ ਉਮੀਦਵਾਰਾਂ ਦੇ ਨਾਂ ਸਬੰਧਤ ਵਿਭਾਗੀ ਭਰਤੀ ਕਰਨ ਵਾਲੀ ਏਸਮੀ ਨੂੰ ਭੇਜੇਗਾ । ਰੰਗਰੁਟਿੰਗ ਅਥਾਰਟੀਓ/ਸੰਗਠਨ ਆਪਣੀ ਲੋਕ ਅਨੁਸਾਰ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਯੋਗ ਉਮੀਦਵਾਰ ਦੀ ਚੋਣ ਕਰਨ ਲਈ ਹੋਰ ਉਮੀਦਵਾਰਾਂ ਦੇ ਨਾਲ ਨਾਲ ਅਜਿਹੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਵੀ ਵਿਚਾਰੇਗਾ । ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੀਆਂ ਰਾਖਵੀਆਂ ਅਸਾਮੀਆਂ ਨੂੰ ਦੂਜੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਯੋਗ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਵਿਭਾਗਾਂ ਨੂੰ 'ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਰੋਜ਼ਗਾਰ ਸੈਲ' ਤੋਂ 'ਨਾ ਉਪਲਬਧਤਾ ਸਰਟੀਫਿਕੇਟ' ਵੀ ਪ੍ਰਾਪਤ

[Extract from the Punjab Government Gazette (Extra.), dated the 6th June, 1991]

**DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES**

**(RESERVATION CELL)**

**Notification**

The 6th June, 1991

No. 1/2/91-SWI/5787.--The President of India is pleased to constitute a Committee of the following to review the clearance of backlog of vacancies reserved for Scheduled Castes and Backward Classes in the services under the Departments and Public Undertakings of the State of Punjab :--

- |  |    |          |
|--|----|----------|
| 1. Chief Secretary, Punjab                                     | .. | Chairman |
| 2. Secretary, Welfare of Scheduled Castes and Backward Classes | .. | Member   |
| 3. Shri Gurdev Singh Badal, Ex-M.L.A.                          | .. | Member   |
| 4. Shri Hari Mittar Hans, Ex-M.L.A.                            | .. | Member   |
| 5. Shri Swarna Ram, Ex-M.L.A.                                  | .. | Member   |

2. The term of the committee would be restricted to the present spell of President Rule.

3. The members of the committee will draw T.A./D.A. as under :--

- (i) Non-Official members will get T.A./D.A. as admissible to a 1st Grade Government employee drawing pay exceeding Rs. 5,000 at the rates detailed in Department of Finance (Finance Personnel I Branch) circular letter No. 10/77/88-FPI/10240, dated 25th November, 1988. The other conditions laid down in the Punjab Government T.A. Rules for Government employees will also apply to journeys performed by such non-official members except where otherwise provided.
- (ii) The T.A. bill of non-official members of the Committee will be countersigned by the Director, Welfare of Scheduled Castes and Backward Classes, Punjab.
- (iii) The official members will draw T.A./D.A. as admissible to them under T.A. Rules.

The expenditure on account of T.A./D.A. will be met out of the following Head of Account :--

**Non-Plan**

Head 2225--Welfare of Scheduled Castes/Scheduled Tribes and Other Backward Classes

01--Welfare of Scheduled Castes.

001--Direction and Administration.

01--Direction and Administration.

DARSHAN KUMAR,

Secretary to Government, Punjab,  
Department of Social and Women's Welfare,  
Welfare of Scheduled Castes and Backward Classes.

ਕਾਪੀ ਪੱਤਰ ਨੰ: 21/30/91-3 ਪੀ ਪੀ-1/16579 (ਪੀ-ਪੀ-1 ਸਾਖਾ), ਮਿਤੀ 15 ਨਵੰਬਰ, 1991 ਵੱਲ ਪਰਸੋਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ, ਸੇਵਾ ਵਿਖੇ ਰਾਜ ਵਿਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਚਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:- ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਾਖਵੀਆਂ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ (Backlog vacancies) ਭਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਮ ਚਲਾਉਣਾ ।

ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਮੂਹ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰਜ਼/ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ, ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਇਸ ਵਿਭਾਗ ਦੇ ਅੰ:ਵਿ:ਪ:ਨੰ: 20/25/3 ਪੀ ਪੀ 1/90, ਮਿਤੀ 6 ਦਸੰਬਰ, 1990 (ਤਰੱਤ ਹਵਾਲੇ ਲਈ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ) ਵੱਲ ਧਿਆਨ ਦੇਣ ਦੀ ਖੋਚਲ ਕਰਨ ।

2. ਇਸ ਵਿਸ਼ੇ ਤੇ ਵਿਚਾਰ ਕਰਨ ਉਪਰੰਤ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਜੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਿਜ਼ਰਵ ਆਸਾਮੀਆਂ ਭਰੀਆਂ ਨਹੀਂ ਗਈਆਂ ਸਨ, ਉਨ੍ਹਾਂ ਨੂੰ ਭਰਨ ਸਬੰਧੀ ਹਵਾਲੇ ਵਿਚ ਦਰਜਾਈਆਂ ਹਦਾਇਤਾਂ ਜੋ ਕਿ ਕਲੰਡਰ ਸਾਲ 1991 ਤੋਂ ਲਾਗੂ ਸਨ ਹੁਣ ਕਲੰਡਰ ਸਾਲ 1992 ਲਈ ਲਾਗੂ ਰਹਿਣਗੀਆਂ, ਜਿਸ ਉਪਰੰਤ ਇਨ੍ਹਾਂ ਉਪਰ ਮੁੜ ਵਿਚਾਰ ਕੀਤਾ ਜਾਵੇਗਾ ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 20/58/90-3 ਪੀ-ਪੀ-1 /6045, ਮਿਤੀ 12 ਮਈ, 1992 ਵੱਲ ਪਰਸੋਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ, (ਪਰਸੋਨਲ) ਸੇਵਾ ਵਿਖੇ ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਚਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:- ਰਾਖਵੇਂਕਰਨ ਦੀ ਨੀਤੀ ਸਬੰਧੀ ਸਪੱਸ਼ਟੀਕਰਣ ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਸੇਨੂੰ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀ ਨੀਤੀ ਸਬੰਧੀ, ਕੁੱਝ ਵਿਭਾਗਾਂ ਵੱਲ ਉਠਾਏ ਗਏ ਨੁਕਤਿਆਂ ਬਾਰੇ, ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਸਪੱਸ਼ਟੀਕਰਣ ਦੇਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ:-

ਸੁੱਕਤਾ	ਸਪੱਸ਼ਟੀਕਰਣ
1. ਕੀ ਐਕਸ ਕਾਡਰ ਪੋਸਟਾਂ ਅਤੇ ਡੈਪੂਟੇਸ਼ਨ ਦੀਆਂ ਪੋਸਟਾਂ ਵਿਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਲਾਗੂ ਹੈ?	ਜੀ ਹਾਂ । ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੁਬਤ 24-4 ਡਬਲਿਊ. ਜੇ.-1/66/3772, ਮਿਤੀ 16

ਫਰਵਰੀ, 1966 ਅਤੇ ਨੰਬਰ 2/14/78-ਐਸ. ਡਬਲਿਊ 1/2560, ਮਿਤੀ 4 ਅਪ੍ਰੈਲ, 1984 ਇਸ ਮਾਮਲੇ ਸਬੰਧੀ ਸਪਸ਼ਟ ਹਨ। ਐਕਸ ਕਾਡਰ ਅਤੇ ਡੈਪੂਟੇਸ਼ਨ ਆਸਾਮੀਆ ਬਾਰਟ-ਟਰਮ ਆਸਾਮੀਆ ਦੇ ਵੱਖਰੇ ਵੱਖਰੇ ਰੋਸਟਰ ਵਿੱਚ ਦਰਜ ਕੀਤੀਆਂ ਜਾਣੀਆਂ ਹਨ। ਐਕਸ ਕਾਡਰ ਅਤੇ ਡੈਪੂਟੇਸ਼ਨ ਪੋਸਟਾਂ ਨੂੰ ਇਸ ਪ੍ਰਕਾਰ ਰਾਖਵੇਂਕਰਣ ਪ੍ਰਤੀ ਗਿਣਨ ਨਾਲ, ਕਾਡਰ ਦੀਆਂ ਪੋਸਟਾਂ ਦੀ ਰਿਣਤੀ ਵਿੱਚ ਕੋਈ ਅੰਤਰ ਨਹੀਂ ਆਵੇਗਾ।

2. ਜੇ ਕੋਈ ਕਾਡਰ ਇੱਕ ਆਸਾਮੀ ਤੋਂ ਵੱਧ ਦਾ ਹੋਵੇ ਪਰ 7 ਤੱਕ ਦਾ ਹੋਵੇ ਤਾਂ ਕੀ ਉਸ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਲਾਗੂ ਕੀਤੀ ਜਾ ਸਕਦੀ ਹੈ ?

ਜੀ ਹਾਂ। ਇਸ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 6872-ਡਬਲਿਊ ਜੀ-66/24917, ਮਿਤੀ 23 ਅਕਤੂਬਰ, 1966 ਅਤੇ ਨੰ: 5184-ਐਸ. ਡਬਲਿਊ-1-74/20947, ਮਿਤੀ 11 ਅਕਤੂਬਰ, 1974 ਸਵੈ-ਸਪਸ਼ਟ ਹਨ।

3. ਜਦੋਂ ਕਿਸੇ ਕਾਡਰ ਵਿੱਚ ਰਿਜ਼ਰਵ ਕੈਟਾਗਰੀ ਦੀ ਪ੍ਰਤੀਨਿਧਤਾ ਮਿੱਥੀ ਹੋਈ ਪ੍ਰਤੀਸ਼ਤਤਾ ਤੱਕ ਪਹੁੰਚ ਜਾਂਦੀ ਹੈ ਤਾਂ ਕੀ ਵਿਭਾਗ ਆਪਣੇ ਆਪ ਭਲਾਈ ਵਿਭਾਗ ਨੂੰ ਰੈਫਰੈਂਸ ਕੀਤੇ ਬਿਨਾਂ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀਆਂ ਹਦਾਇਤਾਂ ਤੇ ਅਮਲ ਕਰਨਾ ਹੋਕ ਸਕਦਾ ਹੈ ?

ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 20/47/89-3 ਪੀ. ਪੀ. 1/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990 ਅਨੁਸਾਰ ਜਿਨ੍ਹਾਂ ਕਾਡਰਾਂ ਵਿੱਚ ਰਿਜ਼ਰਵ ਕੈਟਾਗਰੀ ਦੀ ਪ੍ਰਤੀਨਿਧਤਾ ਮਿੱਥੀ ਹੋਈ ਪ੍ਰਤੀਸ਼ਤਤਾ ਤੱਕ ਪਹੁੰਚ ਜਾਂਦੀ ਹੈ, ਉਨ੍ਹਾਂ ਕਾਡਰਾਂ ਵਿੱਚ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਕਰਮਚਾਰੀਆਂ/ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਤਰੱਕੀ ਲਈ ਉਤਨੀ ਦੇਰ ਤੀਕਰ ਨਹੀਂ ਵਿਚਾਰਿਆ ਜਾ ਸਕਦਾ ਜਿਤਨੀ ਦੇਰ ਰਾਖਵੇਂਕਰਣ ਦੀ ਪ੍ਰਤੀਸ਼ਤਤਾ ਨਿਰਧਾਰਤ ਪ੍ਰਤੀਸ਼ਤਤਾ ਨਾਲੋਂ ਘੱਟ ਨਹੀਂ ਜਾਂਦੀ। ਇਸ ਕੰਮ ਲਈ ਭਲਾਈ ਵਿਭਾਗ ਨੂੰ ਰੈਫਰੈਂਸ ਕਰਨ ਦੀ ਲੋੜ ਨਹੀਂ ਹੈ।

4. ਜਦੋਂ ਕੋਈ ਪੁਆਇੰਟ ਡੀ-ਰਿਜ਼ਰਵ ਕਰਾਇਆ ਜਾਂਦਾ ਹੈ ਤਾਂ ਕੀ ਉਹ ਪੁਆਇੰਟ ਅਗਲੀ ਆਸਾਮੀ ਭਰਨ ਤੱਕ ਹੀ ਡੀ-ਰਿਜ਼ਰਵ ਰਿਹਿਅ ਜਾਵੇਗਾ ?

ਜੀ ਨਹੀਂ। ਇਸ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 1097-ਐਸ. ਡਬਲਿਊ-1-74/23071 ਮਿਤੀ 19 ਨਵੰਬਰ, 1974 ਸਵੈ-ਸਪਸ਼ਟ ਹਨ।

5. ਜੇਕਰ ਕਿਸੇ ਵਿਭਾਗ ਵਿੱਚ ਕੋਈ ਨੁਕਤਾ ਰੋਸਟਰ ਅਨੁਸਾਰ ਰਿਜ਼ਰਵ ਆ ਜਾਂਦਾ ਹੈ ਤਾਂ ਕੀ ਉਹ ਟੈਰੇਸਟ ਅਫੈਕਟਿਡ ਫੈਮਲੀ ਦੇ ਕਿਸੇ ਮਿਥਰ ਨੂੰ ਦਿਤਾ ਜਾ ਸਕਦਾ ਹੈ ?

ਜੀ ਹਾਂ। ਇਸ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰਬਰ: 21/31/91-3ਪੀ ਪੀ(1)/5100, ਮਿਤੀ 20 ਅਪ੍ਰੈਲ 1992 ਸਪਸ਼ਟ ਹਨ।

Copy of Corrigendum, dated 17th July, 1992, issued,--vide No. 22/3/91-5HBIII/23374, from the Department of Health and Family Welfare (Health III Branch) copy is forwarded to :-

- (i) Controller, Printing & Stationery Department, Chandigarh Administration, Chandigarh.
- (ii) Vice Chancellor, Guru Nanak Dev University, Amritsar.
- (iii) Vice Chancellor, Punjabi University, Patiala.

In partial modification of Punjab Government Notification No. 22/3/91-5HBIII/17963, dated 20th May, 1992, the Governor of Punjab is pleased to order to amend as follows :-

III (i) The condition of minimum qualifying marks for Competitive Entrance Test (PMT) has been waived off and the admission to MBBS/BDS/BAMS will be made strictly in order of relative merit of candidates determined on the result of Entrance Test (PMT). In the case of reserved seats relative merit of the candidates will be determined within each category of reservation.

2. The other terms and conditions will remain the same as already notified on 20th May, 1992.

GURBINDER CHAHAL,

Secretary to Government Punjab,  
Department of Health and Family Welfare.

Dated, Chandigarh  
the 13th July, 1992

ਕਾਪੀ ਪੱਤਰ ਨੰ: 1/46/92-ਰ ਸ 1/121, ਮਿਤੀ 6 ਜਨਵਰੀ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ ਚਿਲ੍ਹਾ ਤੇ ਸੈਬਨ ਜੱਜ ਅਤੇ ਉਪ ਮੈਡਲ ਅਫਸਰ (ਸਿਵਲ)।

ਵਿਸ਼ਾ:- ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਲਈ ਰਾਖਵਾਂਕਰਨ ਨੀਤੀ ਦੀ ਬਣਤਰ ਅਤੇ ਉਸ ਨੂੰ ਲਾਗੂ ਕਰਨ ਬਾਰੇ।

ਅਸਮ ਰਾਜ ਪ੍ਰਬੰਧ ਵਿਭਾਗ, ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਹੁਕਮ ਨੰ: 1/7/91 ਜੇ.ਸੀ(2)-17581-85 ਮਿਤੀ 28 ਸਤੰਬਰ, 1992 (ਕਾਪੀ ਨੰਬਰੀ ਹੈ) ਵਲ ਪਿਆਨ ਦੇਣ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕਰਨ।

2. ਕੋਲੋਕੇਸ਼ਨ ਆਫ ਬਿਜਨੈਸ ਰੂਲ, 1986 ਵਿਚ ਸੋਧ ਕਰਦੇ ਹੋਏ ਰਾਖਵਾਂਕਰਨ ਨੀਤੀ ਦੀ ਬਣਤਰ ਅਤੇ ਉਸ ਨੂੰ ਲਾਗੂ ਕਰਨ ਦਾ ਵਿਸ਼ਾ ਭਲਾਈ ਵਿਭਾਗ ਨੂੰ ਸੌਂਪ ਦਿੱਤਾ ਗਿਆ ਹੈ। ਇਸ ਕਰਕੇ ਅੱਗੇ ਤੋਂ ਰਾਖਵਾਂਕਰਨ ਨੀਤੀ ਦੀ ਬਣਤਰ ਸਬੰਧੀ ਸਪਸ਼ਟੀਕਰਨ ਅਤੇ ਉਸ ਨੂੰ ਲਾਗੂ ਕਰਨ ਬਾਰੇ ਸਲਾਹ ਭਲਾਈ ਵਿਭਾਗ ਤੋਂ ਹੀ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾਵੇ।

3. ਵੱਖ ਵੱਖ ਵਿਭਾਗਾਂ ਵਿਚ ਕੰਮ ਕਰ ਰਹੇ ਅਧਿਕਾਰੀਆਂ/ਕਰਮਚਾਰੀਆਂ ਵੱਲੋਂ ਜਦੋਂ ਵੀ ਰਾਖਵਾਂਕਰਨ ਨੀਤੀ ਨੂੰ ਅਟਾਲਤਾ ਵਿਚ ਚੁਣੌਤੀ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਸਬੰਧਤ ਵਿਭਾਗ ਆਪਣੇ ਪੱਧਰ ਤੇ ਹੀ ਰਾਖਵਾਂਕਰਨ ਨੀਤੀ ਨਾਲ ਸਬੰਧ ਰੱਖਣ ਵਾਲੇ ਧਿਰਾਂ ਨੂੰ ਭਲਾਈ ਵਿਭਾਗ ਦੀ ਪ੍ਰਵਾਨਗੀ ਲਈ ਇਹਨਾਂ ਅਟਾਲਤਾ ਵਿਚ ਜਵਾਬ ਦਾਵਾ ਦਾਇਰ ਕਰ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ। ਜਿਸ ਕਰਕੇ ਕਈ ਕਾਨੂੰਨੀ ਅੜਲਾਂ ਪੈਣ

ਹੋ ਜਾਂਦੀਆਂ ਹਨ। ਸਰਕਾਰ ਨੇ ਮਿਤੀ 31 ਜਨਵਰੀ, 1978 (ਕਾਪੀ ਨੰਬਰ ਹੈ) ਨੂੰ ਰਾਜ ਦੇ ਸਮੂਹ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰਾਂ/ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀਆਂ ਆਦਿ ਨੂੰ ਹਦਾਇਤਾਂ ਭਾਰੀ ਕੀਤੀਆਂ ਹੋਈਆਂ ਹਨ ਕਿ ਰਾਖਵਾਂ ਕਰਨ ਨੀਤੀ ਅਤੇ ਉਸ ਨੂੰ ਲਾਗੂ ਕਰਨ ਨਾਲ ਸਬੰਧ ਰੱਖਣ ਵਾਲੇ ਧੌਰਿਆਂ ਦਾ ਜਵਾਬ ਭਲਾਈ ਵਿਭਾਗ ਤੋਂ ਮੰਨਦਾਰ ਕਰਨ ਉਪਰੰਤ ਹੀ ਲਿਖਤੀ ਜਵਾਬਦਾਵਾ ਅਦਾਲਤ ਵਿਚ ਦਾਇਰ ਕੀਤਾ ਜਾਵੇ।

4. ਇਹ ਵੀ ਦੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਜਦੋਂ ਭਲਾਈ ਵਿਭਾਗ ਵੱਲੋਂ ਰਾਖਵਾਂਕਰਨ ਨੀਤੀ ਸਬੰਧੀ ਕੋਈ ਸਲਾਹ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਤਾਂ ਉਸ ਨੂੰ ਸਰਕਾਰ ਦੀਆਂ ਮਿਤੀ 11 ਜਨਵਰੀ, 1976 (ਕਾਪੀ ਨੰਬਰ ਹੈ) ਦੇ ਸਨਮੁੱਖ ਟਿੱਠ ਮਹੀਨਿਆਂ ਦੇ ਅੰਦਰ-ਅੰਦਰ ਲਾਗੂ ਕੀਤਾ ਜਾਣਾ ਹੁੰਦਾ ਹੈ। ਪਰ ਕਈ ਵਿਭਾਗਾਂ ਵੱਲੋਂ ਜਾਣ-ਬੁੱਝ ਕੇ ਇਸ ਸਲਾਹ ਨੂੰ ਅਮਲੀ ਰੂਪ ਨਹੀਂ ਦਿੱਤਾ ਜਾਂਦਾ। ਜਿਸ ਕਰਕੇ ਕਈ ਹੋਰ ਅੜਚਨਾ ਪੈਦਾ ਹੋ ਜਾਂਦੀਆਂ ਹਨ।

5. ਇਹ ਯਕੀਨੀ ਬਣਾਇਆ ਜਾਵੇ ਕਿ ਦਿੱਤੇ ਹਦਾਇਤਾਂ ਦੀ ਅੱਗੇ ਤੋਂ ਦਿੱਠ-ਬਿੱਠ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ। ਕੋਤਾਹੀ ਕਰਨ ਵਾਲੇ ਅਧਿਕਾਰੀ/ਕਰਮਚਾਰੀ ਦੇ ਵਿਰੁੱਧ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ।

ਇਸ ਖੇਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਖੇਤਰ ਨੰ: 1/64/92-ਰ ਸ 1/341, ਮਿਤੀ 13 ਜਨਵਰੀ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ-ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ)।

ਵਿਤਾ:- ਤਰੋਕੀ ਰਾਹੀਂ ਭਰੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਅਸਾਮੀਆਂ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਖੇ ਦੇ ਹਵਾਲੇ ਵਿਚ।

2. ਕੁੱਝ ਇੱਕ ਵਿਭਾਗਾਂ/ਅੰਗ-ਸਰਕਾਰੀ ਅਦਾਰਿਆਂ ਵੱਲੋਂ ਇਹ ਪੁੱਛਿਆ ਗਿਆ ਹੈ ਕਿ ਕੀ ਤਰੋਕੀ ਰਾਹੀਂ ਭਰੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਅਸਾਮੀਆਂ ਵਿੱਚ ਰਾਖਵਾਂਕਰਨ ਦੀ ਨੀਤੀ ਲਾਗੂ ਹੋ ਜਾਂ ਨਹੀਂ। ਇਸ ਸਬੰਧੀ ਇਹ ਸਪੱਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਤਰੋਕੀ ਰਾਹੀਂ ਭਰੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਅਸਾਮੀਆਂ ਵਿੱਚ ਰਾਖਵਾਂਕਰਨ ਸਬੰਧੀ ਨੀਤੀ ਦੀਆਂ ਸੋਜ਼ਦਾ ਹਦਾਇਤਾਂ ਲਾਗੂ ਹਨ।

ਇਸ ਖੇਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਵੀ ਭੇਜੀ ਜਾਵੇ।

Copy of letter No. 1/64/92-RC-1/4224, dated 3rd June, 1993 from Secretary to Government, Punjab, Scheduled Castes and Backward Classes to all Heads of Departments, Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar, Punjab and Haryana High Court and copy to others.

Subject:- Reservation for the members of Scheduled Castes and Backward Classes in the cases of promotion.

In continuation of Punjab Government circular letter No. 1494-SWI-7418105, dated 4th May, 1974 the issue of reservation in promotion for members of Scheduled Castes and Backward Classes has been considered afresh in the light of the Supreme Court Judgement in Writ Petition (civil) No. 930 of 1990 Indira Sawhney and others versus Union of India and others dated 16th November, 1992. The State government has decided to continue the existing benefit of reservation in promotion for the members of Scheduled Castes and Backward Classes already in force in the State for a period of five years from the date of the judgement, unless revised orders or instructions are issued earlier to it.

Please acknowledge receipt.

Copy of order regarding setting up of Punjab State Backward Classes Commission issued,--vide No. 1/19/93-RCI/4260, dated 4th June, 1993 issued by the Department of Welfare.

**No. 1/19/93-RCI/4260.**—Whereas in the case of Indra Sawhney and Others Vs. Union of India and Others (Writ Petition No. 930 of 1990 and other connected Writ Petitions) the Supreme Court of India has given direction to the Government of India, each of the State Government and the Administrations of Union Territories to constitute a permanent body for entertaining, examining and recommending upon requests for inclusion and complaints of over inclusion and under inclusion in the lists of other backward Classes of citizens.

Now, therefore, the Governor of Punjab is pleased to set up a Commission known as the Punjab State Backward Classes Commission (hereinafter referred to as the Commission) for the State of Punjab as under :—

1. **Constitution.** The Commission shall consist of following members nominated by the State Government; namely :—

- (a) A Chairperson who is or has been a Judge of the High Court or a Senior IAS Officers;
- (b) A social Scientist;
- (c) A representative of backward classes having expertise on the issue to be dealt with;
- (d) A Member Secretary who is or has been an Officer of the Government of Punjab not below the rank of Joint Secretary to Government of Punjab.

2. **Terms of office and conditions of service of Chairperson and Members :—**

- (i) The Chairperson and every other member shall hold office for such period as decided by the Government from time to time.
- (ii) The Chairman or any other member may, be writing under his hand addressed to the State Government, resign from his office at any time;
- (iii) The State Government shall remove a person from the office of the Chairperson or member.  
If that person :—
  - (a) becomes an undischarged insolvent;
  - (b) is convicted and sentenced to imprisonment for an offence which, in the opinion of the State Government, involves moral turpitude;
  - (c) becomes of unsound mind and stands so declared by competent court;
  - (d) refuses to act or becomes incapable of acting;
  - (e) is, without obtaining leave of absence, from the Commission, absent from three consecutive meetings of the Commission; or

- (f) has, in the opinion of the State-Government, so abused the position of Chairperson or member as to render that person's continuance in office detrimental to the interests of backward classes or the public interest;

Provided that no person shall be removed under this sub-para until that person has been given an opportunity of being heard in the matter.

- (iv) A vacancy caused under sub-para (ii) or otherwise shall be filled by fresh nomination.

3. (1) Terms of Reference of The Commission shall be as follows :--

- (i) to entertain, examine and recommend upon requests for inclusion and complaints of over inclusion and under inclusion in list of other Backward Classes of citizens;
- (ii) to undertake periodic revision of lists of Backward Classes as and when so decided by State Government.

4. Officers and other employees of the Commission :--

- (i) The State Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission.
- (ii) The salaries and allowances payable to and other terms and conditions of service of the officers and other employees appointed for purpose of the Commission shall be such as may be determined from time to time by the State Government.

5. Procedure to be regulated by the Commission :--

- (i) The Commission shall meet as and when necessary at such time and place as the Chairperson may think fit.
- (ii) The Commission shall regulate its own procedure.
- (iii) The orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Member-Secretary in this behalf.

HARIDWAR,

Secretary to Government of Punjab,  
Department of Welfare of Scheduled  
Castes and Backward Classes.



ਕਾਪੀ ਪੱਤਰ ਨੰ: 3/8/89-ਰ ਸ 1/4555, ਮਿਤੀ 16 ਜੂਨ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਚਿਲ੍ਹਾ ਤੇ ਸੈਬਨ ਜੋਜ ਅਤੇ ਉਪ-ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:- ਭਾਰਤ ਦੀ ਸਰਵ-ਉੱਚ ਅਦਾਲਤ ਵੱਲੋਂ ਸੀ .ਏ . ਨੰਬਰ 3792-94/89, ਅਜੀਤ ਸਿੰਘ ਜੱਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ .ਏ . ਨੰਬਰ 4763-65/89, ਹਰਭਜਨ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਵਿਚ ਦਿੱਤੇ ਹੁਕਮ ਬਾਰੇ ।

ਸਿਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਜ਼ਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਨੰਬਰ 20/47/89-3ਪੀ ਪੀ 1/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990 ਵੱਲ ਧਿਆਨ ਦਿਵਾਉਣ ਅਤੇ ਇਹ ਕਹਿਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਤਿੰਨ ਜੱਜਾਂ ਦੇ ਬੈਂਚ ਨੇ ਉਕਤ ਦਰਸਾਈਆਂ ਅਖੀਲਾਂ ਦੀ ਮਿਤੀ 14 ਮਈ, 1993 ਨੂੰ ਅੰਤਿਮ ਸੁਣਵਾਈ ਸਮੇਂ ਹੇਠ ਲਿਖੇ ਹੁਕਮ ਪਾਸ ਕੀਤੇ ਹਨ :-

"Upon motion by the counsel in these appeals, the order dated 13th May, 1993 dismissing the appeals is recalled. The appeals are posted for final hearing on 23rd of July, 1993 at 2.00 P.M.

In the meanwhile, there shall be no promotion from either category to the concerned higher post till the matter is disposed of."

2. ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਉਪਰੋਕਤ ਹੁਕਮ ਅਘੋਰੀ ਕਾਰਵਾਈ ਵਿੱਚ ਆਪ ਜੀ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੇ ਜਾਂਦੇ ਹਨ ।

ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ ।

ਇਸ ਦੀ ਇਕ ਕਾਪੀ ਸੂਚਨਾਂ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਾਰੇ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰਜ਼ ਅਤੇ ਸਾਰੇ ਪ੍ਰਬੰਧਕੀ ਸੰਸਥਾਵਾਂ ਨੂੰ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 1/8/93-ਰ ਸ 1/4557-58, ਮਿਤੀ 16 ਜੂਨ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ, ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ ਚਿਲ੍ਹਾ ਤੇ ਸੈਬਨ ਜੱਜ ਅਤੇ ਉਪ-ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:- ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਠਾਕਵੀਆਂ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਅਸਾਮੀਆਂ (Backlog vacancies) ਭਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮਹਿੰਮ ਚਲਾਉਣਾ ।

ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਮੂਹ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰਜ਼/ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ, ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਇਸ ਵਿਭਾਗ ਦੇ ਅੰਕਿਕਾ ਨੰ: 20/25-3ਪੀ ਪੀ-1/90, ਮਿਤੀ 6 ਦਸੰਬਰ, 1990 (ਤਰ੍ਹੰਤ ਹਵਾਲੇ ਲਈ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ) ਵਲ ਧਿਆਨ ਦੇਣ ਦੀ ਖੋਚਲ ਕਰਨ ।

2. ਇਸ ਵਿਸ਼ੇ ਤੇ ਵਿਚਾਰ ਕਰਨ ਉਪਰੰਤ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਜੇ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਿਜ਼ਰਵ ਅਸਾਮੀਆਂ ਭਰੀਆਂ ਨਹੀਂ ਗਈਆਂ ਸਨ, ਉਨ੍ਹਾਂ ਨੂੰ ਭਰਨ ਸਬੰਧੀ ਹਵਾਲੇ ਵਿਚ ਦਰਸਾਈਆਂ ਹਦਾਇਤਾਂ ਜੋ ਕਿ ਕਲੰਡਰ ਸਾਲ, 1992 ਤੋਂ ਲਗੂ ਸਨ, ਹੁਣ ਕਲੰਡਰ ਸਾਲ 1993 ਲਈ ਲਗੂ ਰਹਿਣਗੀਆਂ, ਜਿਸ ਉਪਰੰਤ ਇੰਨ੍ਹੀ ਉਪਰ ਮੁੜ ਵਿਚਾਰ ਕੀਤਾ ਜਾਵੇਗਾ ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 3/8/89-ਰ ਸ 1/5850, ਮਿਤੀ 29 ਜੁਲਾਈ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ, ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿੱਚ ਰਾਜ ਵਿੱਚ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:- ਭਾਰਤ ਦੀ ਸਰਵ ਉੱਚ ਅਦਾਲਤ ਵੱਲੋਂ ਸੀ.ਏ. ਨੰਬਰ 3792-94/89, ਅਜੀਤ ਸਿੰਘ ਜੰਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ.ਏ. ਨੰਬਰ 4763-65/89, ਹਰਭਜਨ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਦਿੱਤੇ ਹੁਕਮ ਬਾਰੇ ।

ਆਪ ਦਾ ਧਿਆਨ ਭਲਾਈ ਵਿਭਾਗ, ਪੰਜਾਬ ਸਰਕਾਰ (ਰਿਜ਼ਰਵੇਸ਼ਨ ਸੈਲ) ਦੇ ਪੱਤਰ ਨੰ: 3/8/89-ਰ ਸ 1/4893, ਮਿਤੀ 28 ਜੂਨ, 1993 ਵੱਲ ਦਿਵਾਇਆ ਜਾਂਦਾ ਹੈ ਜਿਸ ਵਿੱਚ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਮਿਤੀ 14 ਮਈ, 1993 ਦੇ ਹੁਕਮ ਦੇ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਵਿੱਚ ਟਾਈਪ ਦੀ ਗਲਤੀ ਹੈ ਜਿਸ ਕਾਰਣ ਮੁੜ ਸਪਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਸੀ.ਏ. ਨੰ: 3792-94/89, ਅਜੀਤ ਸਿੰਘ ਜੰਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ.ਏ. ਨੰ: 4763-65/89, ਹਰਭਜਨ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਨਾਲ ਸਬੰਧਤ ਉਚੇਰੀ ਆਸਾਮੀ ਤੇ ਕਿਸੇ ਵੀ ਕੋਟਾਗਿਰੀ ਦੀ ਕੋਈ ਤਰੱਕੀ ਇਸ ਮਾਮਲੇ ਦੇ ਨਿਪਟਾਰੇ ਤੱਕ ਨਹੀਂ ਕੀਤੀ ਜਾਵੇਗੀ । ਉਪਰੋਕਤ ਹੱਕ ਸਿਰਫ ਪੰਜਾਬ ਸਿਵਲ ਸਕੱਤਰੇਤ ਅਤੇ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ ਸਕੱਤਰੇਤ ਵਿਖੇ ਉਪਰ ਦਰਜ ਕੇਸਾਂ ਨਾਲ ਸਬੰਧਤ ਉਚੇਰੀ ਆਸਾਮੀ ਤੇ ਤਰੱਕੀ ਲਈ ਹੀ ਲਾਗੂ ਰਹੇਗੀ । ਜਿੱਥੋਂ ਤੱਕ ਬਾਕੀ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦਾ ਸਬੰਧ ਹੈ ਉਨ੍ਹਾਂ ਤੇ ਪੱਤਰ ਨੰ: 29/47/89-ਤ ਪੀ ਪੀ 1/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990 ਦੀਆਂ ਹਦਾਇਤਾਂ ਵੁਣ ਵੀ ਲਾਗੂ ਹਨ । ਆਪ ਨੂੰ ਇਨ੍ਹਾਂ ਹੁਕਮਾਂ ਦੀ ਇੰਨ-ਬਿੰਨ ਪਾਲਣਾ ਕਰਨ ਲਈ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 2/223/79-ਰ ਸ 1/93/6439, ਮਿਤੀ 20 ਅਗੱਸਤ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿਖੇ ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਤੇ ਸੈਸ਼ਨ ਜੱਜ ਅਤੇ ਉਪ-ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਸ਼ਾ:- ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਬਾਰੇ ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪਦਾ ਧਿਆਨ ਇਸ ਵਿਭਾਗ ਦੇ ਗਫ਼ਤੀ ਪੱਤਰ ਨੰਬਰ 2/223/79-ਐਸ. ਡਬਲਿਊ-1/11867, ਮਿਤੀ 19 ਨਵੰਬਰ, 1984 ਅਤੇ ਰਾ:ਸ:ਪ: ਨੰ: 2/223/79-ਐਸ. ਡਬਲਿਊ-1/4659, ਮਿਤੀ 17 ਮਈ, 1985 ਵੱਲ ਦਿਵਾਇਆ ਜਾਂਦਾ ਹੈ ਜਿਸ ਰਾਹੀਂ ਭਾਰਤ ਸਰਕਾਰ ਵੱਲੋਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਸਬੰਧੀ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਦੀਆਂ ਹਦਾਇਤਾਂ ਦੇ ਪੱਤਰਾਂ ਦੀਆਂ ਕਾਪੀਆਂ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਰਿੱਤ ਭੇਜੀਆਂ ਗਈਆਂ ਸਨ ।

2. ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਦੀਆਂ ਕਈ ਜਥੇਬੰਦੀਆਂ ਨੇ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦਾ ਹੈ ਕਿ ਹੋਰ ਰਾਜਾਂ/ਕੇਂਦਰੀ ਸ਼ਾਸਤ ਪ੍ਰਦੇਸ਼ਾਂ ਤੋਂ ਆਏ ਪ੍ਰਵਾਸੀਆਂ/ਉਨ੍ਹਾਂ ਦੇ ਪਰਿਵਾਰਾਂ ਨੂੰ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਦੇ ਸਰਟੀਫਿਕੇਟ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਕਾਫ਼ੀ ਮੁਸ਼ਕਿਲ ਪੇਸ਼ ਆ ਰਹੀ ਹੈ ਅਤੇ ਜਮਰੋਬ ਅਧਿਕਾਰੀਆਂ ਦੁਆਰਾ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਨਹੀਂ ਕੀਤੇ ਜਾ ਰਹੇ ਹਨ ।

3. ਇਸ ਮੰਤਵ ਲਈ ਭਾਰਤ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰਬਰ ਬੀ.ਸੀ.-16014/1/82-ਐਸ. ਸੀ.ਐਡ.ਬੀ.ਸੀ.ਡੀ-1, ਮਿਤੀ 6 ਅਗੱਸਤ, 1984 ਜਿਸ ਵਿਚ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਦੇ ਸਰਟੀਫਿਕੇਟ ਜਾਰੀ ਕਰਨ ਦੀ ਹਦਾਇਤਾਂ ਅਤੇ ਜਾਤੀ ਸਰਟੀਫਿਕੇਟ ਫਾਰਮ ਦਾ ਸੋਧਿਆ ਨਮੂਨਾ ਸ਼ਾਮਲ ਹੈ, ਦੀ ਇਹ ਕਾਪੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਵਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ।

Copy of Notification dated 10th September, 1993, --vide letter No. 12/29/80-SWI/7126-54, from Secretary to Government Punjab, Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and copy to others.

**No. 12/29/80-SWI/93/7126-54.**—In supersession of notification No. 12/29/80-SWI/11961, dated 19th July, 1991, issued by the Government of Punjab, Department of Welfare, the Governor of Punjab, is please to re-constitute a State Level High Powered Committee to safeguard the interests and ensuring the representation to Scheduled Castes and Backward Classes in the State services and in the Corporations/Boards and other autonomous bodies under the administrative control of the State Government and to implement the schemes and programmes designed to promote their welfare. The Committee will consist of the following members :--

#### OFFICIAL MEMBERS

1. Chief Minister.	Chairman
2. Minister-in-Charge, Department of Welfare.	Member
3. Chief Secretary.	Do
4. Financial Commissioner, Excise & Taxation.	Do
5. Financial Commissioner Development.	Do
6. Financial Commissioner, Revenue.	Do
7. Secretary, Industries.	Do
8. Secretary, Finance.	Do
9. Secretary, Planning.	Do
10. Secretary, Welfare.	Do
11. Secretary, Transport.	Do
12. Secretary, P.W.D. (B & R).	Do
13. Secretary, Irrigation and Power.	Do
14. Secretary, Health.	Do
15. Secretary, Education.	Do
16. Director, Welfare of Scheduled Caste and Backward Classes.	Member-Secretary

#### NON-OFFICIAL MEMBERS.

1. Shri Malkiat Singh Dakha, M.L.A., Village and Post Office Bilaspur, Tehsil Khanna, District Ludhiana.	Member
2. Shri Kewal Singh, Member Lok Sabha, Village and Post Office Lande'ke, Tehsil Moga, District Faridkot.	Do
3. Shri Jagir Singh Dard, Member Rajya Sabha, Village and Post Office Sahnewal, District Ludhiana.	Do

4. Master Hamir Singh Ghagga, M.L.A., Village and Post Office Ghagga, Tehsil Samana, District Patiala	Member
5. Shri Babu Ram Chawla, M.L.A., Thakar Abadi, Abohar, District Ferozepur	Do
6. Shri Om Parkash Gill, President, Safai Mazdoor Union, Punjab Ali Mohalla, Jalandhar	Do
7. Shri Jaman Ram, Vice-President, District Congress Committee, Sangrur	Do
8. Smt. Chand Kaur, W/o Shri Sant Singh General Secretary, Mahila Congress Sherpur Bye-Pass, Dhuri, (Sangrur)	Do
9. Dr. Dalbir Singh, Ex-M.L.A., 120, Vasant Avenue, Amritsar	Do
10. Shri Santokh Singh, M.L.A., 168, Vijay Nagar, Jalandhar City	Do
11. Shri Ishar Singh, M.L.A., Village and Post Office Jugiana, Tehsil and District Ludhiana	Do
12. Shri Hargopal Singh, M.L.A., Village and Post Office Mughlan, Tehsil Balachaur, District Hoshiarpur	Do
13. Shri Ram Rattan, Ex-M.L.A., Village and Post Office Chabewall, District Hoshiarpur	Do
14. Shri Bhajan Singh Sohal, General Secretary, PPCC(I) Congress, Office, Near Clock Tower, Ludhiana	Do

2. The terms of reference of the Committee would be as follows :—

- (i) The Committee will consider the data regarding representation of Scheduled Castes etc. in the State services and other bodies furnished by the Department and take effective steps to provide adequate representation to them in all services category of posts in or under the Punjab Government and the Public undertakings, under the administrative control of the Punjab Government.
- (ii) The Committee will also consider and review matters concerning implementation of Welfare Schemes and programmes designed to promote socio-economic Welfare of the Scheduled Castes etc.

3. Certain Administrative Secretaries may also be associated with the work of the Committee as invitees from time to time to apprise the committee of the position in regard to implementation of Government policies as to the reservation in Service as well as other Welfare schemes for the member of Scheduled Castes and Backward Classes concerning their departments.

4. The members of Committee will draw T.A./D.A. as under :-

- (i) Non-official members will get T.A./D.A. as admissible to a 1st Grade Government employee drawing pay exceeding Rs. 5,000 at the rates detailed in Department of Finance (Finance Personnel I Branch) circular letter No. 10/77/88-FPI/10340, dated 25th November, 1988. The other conditions laid down in the Punjab Government T.A. Rules for the Government employees will also apply to journeys performed by such non-official members except where otherwise provided.
- (ii) The D.A. bill of the non-official members of the Committee will be countersigned by the Director, Welfare of Scheduled Caste and Backward Classes, Punjab.
- (iii) The official members will draw T.A./D.A. as admissible to them under T.A. Rules.

5. The expenditure on account of T.A./D.A. will be met out of the following Head of Account :-

**Non-Plan :**

**Head : 2225--Welfare of Scheduled Castes/Scheduled Tribes and other Backward Classes.**

01--Welfare of Scheduled Castes

001--Direction and Administration

01--Direction and Administration

*Copy of Corrigendum, dated 7th December, 1993 issued, --vide letter No. 12/29/80-SW1/9908 from Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Divisions District and Session Judges, Deputy Commissioners and Registrar, Punjab &aryana High Court and copy to others.*

In partial modification of Notification No. 12/29/80-SW1/7126-54, dated 10th September, 1993 issued by the Government of Punjab (Department of Welfare) regarding reconstitution of a State Level High Powered Committee to safeguard the interests and ensuring the representation of Scheduled Castes and Backward Classes in the State service etc. the Governor of Punjab is pleased to add the names of the following persons at Sr. No. 15 and 16 respectively in the list of non-official members of the said committee :-

- (1) Shri Hardev Singh Arshi, M.L.A.,  
Gali No. 8, Partap Nagar, Bathinda
- (2) Shri Baldev Singh, Balamgarh, M.L.A.,  
Khalsa School Road, Mukatsar,  
District Faridkot

Copy of letter No. 1/41/93-RCI/459, dated 17th January, 1994 From Secretary to Government Punjab Scheduled Caste and Backward Classes to All Heads of Departments, Commissioners of Divisions, District and Session Judges, Deputy Commissioners and Registrar, Punjab & Haryana High Court and Copy to others.

**Subject.**--Socio Economic Criteria for Identification of Socially Advanced Persons (Creamy Layer) from the Other Backward Classes in the State of Punjab for their exclusion from the benefit of reservation meant for these classes in the State Services/posts-revision thereof.

I am directed to invite a reference to Punjab Government letter No. S/113/88-SWA(4)9119, dated the 28th November, 1990, --vide which it was provided that the members of Backward Classes that is the Castes notified as backward by the State Government from time to time, whose income exceeds Rs. 10,000 per annum shall not be entitled to the benefit of reservation meant for them in the State Services. The State Government has given a fresh look to the matter. It has been decided to replace the above mentioned Socio-economic criterion with the criteria adopted by the Government of India that is now only these persons/sections belonging to the castes notified by the Punjab Government as backward from time to time, who are socially advanced (creamy layer) as enumerated in column 3 of the Schedule to this letter shall be excluded from the benefit of reservation meant for these classes in the services/posts of the State Government. Hence-forth the persons/sections falling in column No. 3 of the Schedule to this letter shall not be entitled to any such benefits and reservation shall not apply to them.

2. The said rule of exclusion will, however, not apply to persons working as artisans or engaged in hereditary occupations, callings. The list of such occupations, callings will be issued separately.

3. This decision will take effect from the date of issue of these orders. It will, however, not apply to vacancies where recruitment process has already been initiated before the issue of these orders.

4. The Other Backward Classes for the purpose of reservation would comprise the castes and communities which have been notified or will be notified by the State Government from time to time as backward.

5. Similar instructions in respect of Public Sector Undertaking and Financial Institutions including Public Sector Banks will be issued by the Government in respective Departments from the date of issue of these orders.

6. The authorities which were earlier competent to issue the Backward Class Certificate shall now certify that the candidate does not belong to creamy-layer of other backward Classes and that he/she is eligible to be considered for posts reserved for other backward Classes. Revised proforma of the certificate to be issued to the candidates belonging to Backward Classes is enclosed as Annexure 'A'. Before issuing a certificate in favour of a Backward Class Candidate for eligibility for reservation in jobs under Backward Classes quota, the concerned authority shall satisfy himself/herself about the genuineness of his claim after obtaining application from him in the prescribed form as at Annexure 'B'.

7. The receipt of this letter may please be acknowledged.

## SCHEDULE

Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3
I	Constitutional Posts	Son(s) and daughter(s) of (a) President of India; (b) Vice President of India; (c) Judges of the Supreme Court and of the High Courts; (d) Chairman & Members of UPSC and of the State Public Service Commission; Chief Election Commission; Comptroller and Auditor General of India; (e) Persons holding Constitutional positions of like nature.
II	Service Category A. Group A/Class I officers of the All India, Central and State Services (Direct Recruits)	Son(s) and daughter(s) of (a) Parents, both of whom are Class I officers; (b) Parents, either of whom is a Class I officer; (c) Parents, both of whom are Class I officers, but one of them dies or suffers permanent incapacitation. (d) Parents, either of whom is a Class I officer and such parent dies or suffers permanent incapacitation and before such death or such incapacitation has had the benefit or employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years. (e) Parents, both of whom are Class I officers die or suffer permanent incapacitation and before such death or such incapacitation of the both, either of them has/had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years. Provided that the rule of exclusion shall not apply in the following cases:

Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3
		<p>(a) Sons and daughters of parents either of whom or both of whom are Class-I officers and such parent(s) dies/die or suffer permanent incapacitation.</p> <p>(b) A lady belonging to OBC category has got married to a Class-I officer, and may herself like to apply for a job.</p>
B	Group B/Class II officers of the Central & State Services (Direct Recruitment).	<p>Son(s) and daughter(s) of</p> <p>(a) Parents, both of whom are Class II officers.</p> <p>(b) parents of whom only the husband is a Class II officer and he gets into Class I at the age of 40 or earlier.</p> <p>(c) Parents, both of whom are Class II officers and one of them dies or suffers permanent incapacitation and either one of them has/had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation.</p> <p>(d) Parents, of whom the husband is a Class I officer (direct recruit or pre-forty promoted) and the wife is a Class II officer and the wife dies; or suffers permanent incapacitation and</p> <p>(e) Parents, of whom the wife is a Class I officers (Direct Recruit or pre-forty promoted) and the husband is a Class II officer and the husband dies or suffers permanent incapacitation; Provided that the rule of exclusion shall not apply in the following cases:</p> <p>Sons and daughters of</p> <p>(a) Parents both of whom are Class II officers and one of them dies</p>



Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3
		<p>or suffers permanent incapacitation.</p> <p>Sons and daughters of</p> <p>(b) Parents, both of whom are Class II officers and both of them die or suffer permanent incapacitation, even though either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 year before their death or permanent incapacitation.</p>
C.	<b>Employees in Public Sector Undertakings etc.</b>	<p>The criteria enumerated in A&amp;B above in this Category will apply mutatis mutandi to officers holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities, etc. and also to equivalent or comparable posts and position under private employment. Pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutions.</p>
III	<p><b>Armed Forces including Para Military Forces</b> (Persons holding civil posts are not included)</p>	<p>Son(s) and daughter(s) of parents either or both of whom is or are in the rank of Colonel and above in the Army and equivalent posts in the Navy and the Air Force and the Para Military Forces;</p> <p><b>Provided that :--</b></p> <p>(i) If the wife of an Armed Forces Officer is herself in the Armed Forces (i.e., the category under consideration) the rule of exclusion will apply only when she herself has reached the rank of Colonel;</p> <p>(ii) the service ranks below Colonel of husband and wife shall not be clubbed together;</p> <p>(iii) If the wife of an Officer in the Armed Forces is in civil employment, this will not be taken into account for applying</p>

Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3

the rule of exclusion unless she falls in the service category under item No. II in which case the criteria and conditions enumerated therein will apply to her independently.

**IV. Professional Class and those engaged in trade and industry**

- (I) Persons engaged in profession as a doctor, lawyer, Chartered Accountant, Income-tax Consultant, financial or management consultant, Surgeon, engineer, architect, computer specialist, film professional, author, playwright, sports person, sports professional, media professional or any other vocations of like status
- Criteria specified against Category VI will apply :--

- (II) Persons engaged in trade, business and industry
- Criteria specified against Category VI will apply:

**Explanation:**

- (i) Where the husband is in some profession and the wife is in a Class II or lower grade employment. The income/wealth test will apply only on the basis of the husband's income.
- (ii) If the wife is in any profession and the husband is in employment in a Class II or lower rank post, then the income/wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed within it.

**V. Property Owners**

**A. Agricultural holdings**

Son(s) and daughter(s) of persons belonging to a family (father, mother and minor children) which owns.

- (a) only irrigated land which is equal to or more than 85% of the statutory ceiling area; or

Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3
		<p>(b) both irrigated &amp; unirrigated land as follows:</p> <p>The rule of excluding will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated (by excluding the unirrigated portion), if this pre-condition of not less than 40% exists, then only the area of unirrigated land will be taken into account. This will be done by converting the unirrigated land on the basis of the conversion formula existing into the irrigated type. The irrigated area so computed from unirrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 85% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur).</p> <p>(ii) The rule of exclusion will not apply if the land holding of a family is exclusively unirrigated.</p>
	<b>B. Plantations</b>	
	(i) Coffee, tea, rubber etc.	Criteria of income/wealth specified in category below will apply.
	(ii) Mango, citrus, apple plantations etc.	Deemed as agricultural holding and hence criteria at a above under this.
	<b>C. Vacant land and/or buildings in urban areas or urban agglomerations.</b>	Category will apply. Criteria specified in Category VI below will apply.
		Explanation Building may be used for residential, industrial or commercial purpose and the like two or more such purposes.

Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3

VI. Income/Wealth test

Son(s) and daughter(s) of—

- (a) Persons having gross annual income of Rs. 1 lakh or above or possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years.
- (b) Persons in Categories I, II, III, and V A who are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income/wealth criteria mentioned in (a) above.

**Explanation :—**

- (i) Income from salaries or agricultural land shall not be clubbed;
- (ii) The income criteria in terms of rupee will be modified taking into account the change in its value every three years. If the situation, however so demands, the interval may be less.

**Explanation:** Whenever the expression "Permanent incapacitation" occur in this schedule, it shall mean incapacitation which results in putting an officer out of service.

## Annexure-A

FORM OF CERTIFICATE TO BE PRODUCED BY A CANDIDATE BELONGING  
TO A BACKWARD CLASS IN SUPPORT OF HIS CLAIM

## FORM OF CERTIFICATE OF BACKWARD CLASS

This is to certify that Sri/Shrimati/Kumari..... son/  
daughter of..... village/town..... in district/  
division..... of the State of Punjab belongs to the.....  
caste which is recognised as a Backward Class in terms of Punjab Government  
letter No..... dated .....

2. This is also certified that he/she does not belong to any category  
of persons/sections mentioned in column 3 of the schedule to Punjab Government,  
Department of Welfare letter No. 1/41/93-RC1/459, dated 17th January,  
1994.

3. Sri/Shrimati/Kumari..... and/or/his/her family ordinarily  
reside(s) in village/town..... of District/Division.....  
..... of the State of Punjab.

Place :

State

Date

Signature.....

Designation.....

(with office seal of the  
officer concerned)

## Annexure-B

APPLICATION FORM FOR A CERTIFICATE FOR ELIGIBILITY FOR  
RESERVATION OF JOBS FOR OTHER BACKWARD CLASSES IN  
CIVIL POSTS AND SERVICES UNDER GOVERNMENT OF PUNJAB

To

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Sir,

I request that a certificate in respect of reservation for other Backward Classes in Civil Posts and Services under Government of Punjab be granted to me.

1. I give below the necessary particulars :--

1. Full name of the applicant  
(in block letters).
2. Date of birth.
3. Complete Residential address
  - (a) Present
  - (b) Permanent
4. Religion
5. Caste
6. Sub-caste
7. Occupational Group
8. Serial Number of the Caste in  
the State List of OBCs.
9. Name of Father
10. Name of Mother
11. Name of Husband
12. Status of parent (s)/Husband

	<u>Father</u>	<u>Mother</u>	<u>Husband</u>
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(A) Constitutional Posts.

(I) Designation

(B) Government Services.

- (i) Service (Central/State)
- (ii) Designation
- (iii) Scale of pay, including  
classification, if any
- (iv) Date of appointment to  
the post.
- (v) Age at the time of  
promotion to Class I  
Post (if applicable)

FatherMotherHusband

**II. Employment in International Organisation e.g. IN UNICEF WHO.**

- (i) Name of Organisation
- (ii) Designation
- (iii) Period of service  
(Indicate date from.....to.....)

**III. Death/permanent Incapacitation(omit if not applicable)**

- (i) Date of death/permanent incapacitation\*putting an officer out of service.
- (ii) Details of Permanent incapacitation.

**(C) Employment in Public Sector Undertakings etc.**

- (i) Name of Organisation
- (ii) Designation
- (iii) Date of appointment to the Post.

**(D) Armed Forces including Para-military Forces**

(This will not include persons holding civil posts )

- (i) Designation
- (ii) Scale of Pay

**(E) Professional Class (other than those covered in item Nos. B&C) and those engaged in trade, Business and Industry**

- (i) Occupation/Profession.

**(F) PROPERTY OWNERS.**

(F).I. Agricultural Land Holding: owned by mother, father & minor children.

- (i) Location
- (ii) Size of holding
- (iii) (a) Irrigated  
(Type of irrigated land).
  - (i)
  - (ii)
  - (iii)

To be Certified by District Revenue Officer not lower than the rank of Tehsildar.

- (b) Unirrigated.
- (iv) Percentage of irrigated land holding to statutory ceiling limit under State land Ceiling Laws.
- (v) If land holding is both irrigated/unirrigated /total irrigated land holdings on the basis of conversion formula in State Land Ceiling Law.
- (vi) Percentage of total irrigated land holding to statutory ceiling limit as per. (iv).

**(F) II. Plantation :**

- (i) Crops/Fruit
- (ii) Location
- (iii) Area of Plantation

**(F). III. Vacant land and/or buildings in Urban areas or urban agglomeration.**

- (i) Location of Property.
- (ii) Details of Property.
- (iii) Use to which it is put.

FatherMotherHusband**(G) Income/Wealth**

- (i) Annual family income from all sources (excluding salaries & Income from agricultural land).
- (ii) Whether Tax payer (Yes/No) (if yes, a copy of the last three years return be furnished).
- (iii) Whether covered in Wealth Tax Act (Yes/No) (if so, furnish details).

**(E) Any other remarks.**

**(F) I certify that the above said particulars are true to the best of my knowledge and belief and that I do not belong to the Creamy Layer of OBCs and am eligible to be considered for posts reserved for O.B.Cs. In the event of any information being found false or incorrect, or ineligibility being detected before or after the selection, I understand that my candidature/appointment is liable to be cancelled and I shall be liable to such further action as may be provided under the law and/or Rules.**

Yours faithfully,

Place :

Date :

Signature of the candidate



Copy of letter No. 36012/22/93-Estt.(SCT) dated the 15th November, 1993 from the Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, New Delhi to the Chief Secretaries of all the State Governments/Union Territories.

**Subject :--**Reservation for other Backward Classes--exclusion of Creamy Layer for the purpose of appointment in services and posts under the Government of India. Certificate to be produced by the candidates.

Sir,

I am directed to say that the Government of India has issued instructions on 8th September, 1993 providing for reservation to Other Backward Classes in the services and posts under the Government of India (A copy of this O.M. is enclosed). The Other Backward Classes for the purpose of the above said reservation would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Government's lists. A list of such castes and communities was notified in 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 and communities the Government of India has prescribed a certificate from the following authorities, as in the case of SC/ST,--vide this Department's O.M. No. 36012/22/93-Estt.(SCT), dated 22nd October, 1993 (copy enclosed).

- (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 normally resides.

2. In the light of the Supreme Court's judgement in the Indra Sawhney case, this Department has specified the persons/section ("Creamy Layer") to whom the benefit of reservation shall not apply,--vide column 3 of the Schedule to the Department of Personnel and Training O.M. No. 36012/22/93-Estt.(SCT), dated 8th September, 1993. It has been considered that the same authorities who are notified as competent to certify OBCs status should also be authorised to certify that a candidate does not belong to the "Creamy Layer". It is, therefore, requested that instructions may be issued to the District Authorities under your control to verify and issue the necessary certificate to the candidates regarding his OBCs status as well as exclusion from the "Creamy Layer". To enable the District Authorities to examine the claims of the candidates a model format has been devised as in Annexure B. This may be suitably revised if considered necessary. The format of the certificate that may be given by the concerned district authorities may be as in Annexure A.

3. It is also requested that wide publicity may be given to the Ministry of Welfare 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 containing the list of Backward Castes as well as to DOPT O.M. No. 36012/22/93-Estt.(SCT), dated 8th September, 1993 which specifies the criteria which will determine the persons who belong to creamy layer and to whom the reservation shall not apply. This will facilitate the candidates to ascertain their eligibility for reservation. It would also be advisable to appropriately brief the certifying Authorities and to provide them with sufficient number of copies of the above mentioned Gazette Notification and the Department O.M. dated 8th September, 1993 in order to ensure prompt and correct certification.

4. A copy of the orders issued by your Government in this regard may also be endorsed to this Department for information.

No. 1/88/93-RCI/1016  
 Government of Punjab  
 Department of Welfare  
 (Reservation Cell)

Dated, Chandigarh the 2nd February, 1994

A copy, with copy of the enclosures including a copy of the list of OBCs declared as such by the Government of India for Punjab, is forwarded to all the Deputy Commissioners in the State for immediate necessary action.

2. It is requested that sufficient copies of Government of India's OM dated 8th September, 1993 alongwith its enclosure and list of OBCs may be supplied to the concerned officers under their control.

(Sd/-) . . . .

Additional Secretary, Welfare.

No. 36012/22/93-Estt. (SCT)

Government of India

Ministry of Personnel, Public Grievances & Pensions  
 (Department of Personnel & Training)

New Delhi the 8th September, 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. No. 36012/31/90-Estt. (SCT), dated the 13th August, 1990 and 25th September, 1991 regarding reservation for Socially and Educationally Backward Classes in Civil Posts and Services under the Government of India and to say that following the Supreme Court Judgement in the Indira Sawhney and others vs. Union of India and others case (Writ Petition (Civil) No. 930 of 1990) the Government of India appointed an Expert Committee to recommend the criteria for exclusion of the socially advanced persons/sections from the benefits of reservations for Other Backward Classes in civil posts and services under the Government of India.

2. Consequent to the consideration of the Expert Committee's recommendations this Department's Office Memorandum No. 36012/31/90-Estt.

(SCT), dated the 13th August, 1990 referred to in para (1) above is hereby modified to provide as follows:-

- (a) 27% (twenty seven per cent) of the vacancies in civil posts and services under the Government of India, to be filled through direct recruitment, shall be reserved for the Other Backward Classes. Detailed instructions relating to the procedure to be followed for enforcing reservation will be issued separately.
- (b) Candidates belonging to OBCs recruited on the basis of merit in an open competition on the same standards prescribed for the general candidates shall not be adjusted against the reservation quota of 27%.
- (c) (i) The aforesaid reservation shall not apply to persons/sections mentioned in column 3 of the Scheduled to this office memorandum.
- (ii) The rule of exclusion will not apply to persons working as artisans or engaged in hereditary occupations, callings. A list of such occupations, callings will be issued separately by the Ministry of Welfare.
- (d) The OBCs for the purpose of the aforesaid reservation would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the state Governments Lists. A list of such castes and communities is being issued separately by the Ministry of Welfare.
- (e) The aforesaid reservation shall take immediate effect. However, this will not apply to vacancies where the recruitment process has already been initiated prior to the issue of this order.

3. Similar instructions in respect of Public sector undertakings and financial institutions including public sector banks will be issued by the Department of public Enterprises and by the Ministry of Finance respectively effective from the date of this office Memorandum.

(Sd/-) . . . .

Joint Secretary to the Government of India.

## SCHEDULE

Category No.	Description of Category	To whom rule of exclusion will apply
1	2	3
I.	<u>Constitutional Posts</u>	Son(s) and daughter(s) of-- (a) President of India; (b) Vice President of India; (c) Judges of the Supreme Court and of the High Courts; (d) Chairman & Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller and Auditor General of India; (e) Persons holding constitutional positions of like nature.
II.	<u>Service Category</u>	
A.	Group A/Class I Officers of the All India Central and State Services (Direct Recruits)	Son(s) and daughter(s) of-- (a) parents, both of whom are Class I Officers; (b) parents, either of whom is a Class I Officer; (c) parents, both of whom are Class I Officers, but one of them dies or suffers permanent incapacitation. (d) parents, either of whom is a Class I officer and such parent dies or suffers permanent incapacitation and before such death or such incapacitation has had the benefit of employment in any International Organisation like UN, IMF, World Bank etc. for a period of not less than 5 years. (e) parents, both of whom are Class I officers die or suffer permanent incapacitation and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank etc. for a period of not less than 5 years; Provided that the rule of exclusion shall not apply in the following cases:

1

2

3

B. Group B/Class II officers of the Central & State Services (Direct Recruitment).

- (a) Sons and daughters of parents either of whom or both of whom are Class-I officers and such parent(s) dies/die or suffer permanent incapacitation.
- (b) A lady belonging to OBC category has got married to a Class-I officer, and may herself like to apply for a job.

Son(s) and daughter(s) of—

- (a) parents both of whom are Class II officers.
- (b) parents of whom only the husband is a Class II officer and he gets into Class I at the age of 40 or earlier.
- (c) parents, both of whom are Class II officers and one of them dies or suffers permanent incapacitation and either one of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation;
- (d) parents of whom the husband is a Class-I officer (direct recruit or pre-forty promoted) and the wife is a Class-II officer and the wife dies; or suffers permanent incapacitation and
- (e) parents, of whom the wife is a Class-I officer (Direct Recruit or pre-forty promoted) and the husband is a Class-II officer and the husband dies or suffers permanent incapacitation:

Provided that the rule of exclusion shall not apply in the following cases:

Sons and daughters of—

- (a) parents, both of whom are Class-II officers and one of them dies or suffers permanent incapacitation.

Sons and daughter of

- (a) parents, both of whom are Class-II officers and both of

them die or suffer permanent incapacitation, even though either of them has had the benefit of employment in any international Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation.

C. Employees in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, banks, Insurance Organisation, Universities, etc. and also to equivalent or comparable posts and Positions under private employment. Pending the evaluation of the posts on equivalent or Comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Instructions.

III. Armed Forces including Para-Military Forces  
(Persons holding civil posts are not included).

Son(s) and daughter(s) of parents either or both of whom is or are in the rank of Colonel and above in the Army and to equivalent posts in the Navy and the Air Force and the para Military Forces;

Provided that:-

- (i) If the wife of an Armed Forces Officer is herself in the Armed Forces (i.e. the category under consideration) the rule of exclusion will apply only when she herself has reached the rank of Colonel;
- (ii) the service ranks below Colonel of husband and wife shall not be clubbed together;
- (iii) If the wife of an officer in the Armed Forces is in civil employment, this will not be taken into account for applying the rule of exclusion unless she fails in the service category under item No. II in which case the criteria and conditions enumerated therein will apply to her independently.

1	2	3
IV	<b>PROFESSIONAL CLASS AND THOSE ENGAGED IN TRADE INDUSTRY</b>	

- (I) Persons engaged in Profession as a doctor, lawyer, Chartered Accountant, Income-Tax Consultant, financial or management consultant, surgeon, engineer, architect, computer specialist, film artists and other film professional author, playwright, sports person, sports professional, media professional or any other vocations of like status;

Criteria specified against Category VI will apply :--

- (II) Persons engaged in trade, business and industry.

Criteria specified against Category VI will apply :--

**Explanation :**

- (i) Where the husband is in some profession and the wife is in a Class II or lower grade employment, the income/wealth test will apply only on the basis of the husband's income.
- (ii) If the wife is in any profession and the husband is in employment in a Class II or lower rank post, then the income/wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed with it.

**V PROPERTY OWNERS**

**A. Agricultural holding**

Son(s) and daughter(s) of persons belonging to a family (father, mother and minor children) which owns.

- (a) Only irrigated land which is equal to or more than 85% of the statutory ceiling area, or
- (b) both irrigated and unirrigated land, as follows :

The rule of exclusion will apply where the pre-condition exists that the irri-

gated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculate by excluding the un-irrigated portion). If this pre-condition of not less than 40% exists, then only the area of unirrigated land will be taken into account. This will be done by converting the unirrigated land on the basis of the conversion formula existing, into the irrigated type. The irrigated area so computed from un-irrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 85% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur).

- (ii) The rule of exclusion will not apply if the land holding of a family is exclusively un-irrigated.

#### B. Plantations

(i) Coffee, tea, rubber, etc.

Criteria of income/wealth specified in Category VI below will apply.

(ii) Mango, citrus, apple plantations etc.

Deemed as agricultural holding and hence criteria at A above under this Category will apply. Criteria specified in category VI below will apply.

C. Vacant land and/or buildings in urban areas or urban agglomerations

Explanation : Building may be used for residential, industrial or commercial purpose and the like two or more such purposes.

#### VI INCOME/WEALTH TEST

Son(s) and daughter(s):

- (a) Persons having gross annual income of Rs. 1 lakh or above or possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years.
- (b) Persons in Categories I, II, III and V A who are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them



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within the income/wealth criteria mentioned in(a) above.

**Explanation :**

- (i) Income from salaries or agricultural a land shall not be clubbed;
- (ii) The income criteria in terms of rupee will be modified taking into account the change in its value every three years. If the situation, however, so demands, the interregau may be less.

**Explanation :** Wherever the expression "permanent incapacitation" occur in this schedule, it shall mean incapacitation which results in putting an officer out of service.

No. 36012/22/93/Eett.(SCT)

## GOVERNMENT OF INDIA

MINISTRY OF PERSONNEL, PG &amp; PENSIONS

Department of Personnel &amp; Training

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 7-1/2% 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 8th September, 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(G), 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 normally resides.

## ANNEXURE-A

1. Scheduled Castes
2. Unreserved
3. Scheduled Tribes
4. Unreserved
5. Other Backward Classes
6. Unreserved
7. Scheduled Castes
8. Unreserved
9. Other Backward Classes
10. Unreserved
11. Other Backward Classes
12. Unreserved
13. Scheduled Castes
14. Unreserved
15. Other Backward Classes
16. Unreserved
17. Scheduled Tribes
18. Unreserved
19. Other Backward Classes
20. Unreserved
21. Scheduled Castes
22. Unreserved
23. Other Backward Classes
24. Unreserved
25. Other Backward Classes
26. Unreserved
27. Scheduled Castes
28. Unreserved
29. Other Backward Classes
30. Unreserved
31. Scheduled Tribes
32. Unreserved
33. Other Backward Classes
34. Unreserved
35. Scheduled Castes
36. Unreserved
37. Other Backward Classes
38. Unreserved
39. Other Backward Classes
40. Unreserved
41. Scheduled Castes
42. Unreserved
43. Other Backward Classes
44. Unreserved
45. Scheduled Tribes
46. Unreserved
47. Other Backward Classes
48. Unreserved
49. Scheduled Castes
50. Unreserved
51. Other Backward Classes
52. Unreserved
53. Scheduled Castes
54. Unreserved
55. Other Backward Classes
56. Unreserved
57. Scheduled Tribes
58. Unreserved
59. Other Backward Classes
60. Unreserved
61. Scheduled Castes
62. Unreserved
63. Other Backward Classes
64. Unreserved
65. Other Backward Classes
66. Unreserved
67. Scheduled Castes
68. Unreserved
69. Other Backward Classes
70. Unreserved
71. Scheduled Tribes
72. Unreserved
73. Other Backward Classes
74. Unreserved
75. Other Backward Classes
76. Unreserved

- |                             |                             |
|-----------------------------|-----------------------------|
| 77. Scheduled Castes        | 116. Unreserved             |
| 78. Unreserved              | 117. Other Backward Classes |
| 79. Other Backward Classes  | 118. Unreserved             |
| 80. Unreserved              | 119. Other Backward Classes |
| 81. Scheduled Castes        | 120. Unreserved             |
| 82. Unreserved              | 121. Scheduled Castes       |
| 83. Other Backward Classes  | 122. Unreserved             |
| 84. Unreserved              | 123. Other Backward Classes |
| 85. Scheduled Tribes        | 124. Unreserved             |
| 86. Unreserved              | 125. Scheduled Tribes       |
| 87. Other Backward Classes  | 126. Unreserved             |
| 88. Unreserved              | 127. Other Backward Classes |
| 89. Scheduled Castes        | 128. Unreserved             |
| 90. Unreserved              | 129. Scheduled Castes       |
| 91. Other Backward Classes  | 130. Unreserved             |
| 92. Unreserved              | 131. Other Backward Classes |
| 93. Scheduled Castes        | 132. Unreserved             |
| 94. Unreserved              | 133. Scheduled Castes       |
| 95. Other Backward Classes  | 134. Unreserved             |
| 96. Unreserved              | 135. Other Backward Classes |
| 97. Scheduled Tribes        | 136. Unreserved             |
| 98. Unreserved              | 137. Scheduled Tribes       |
| 99. Other Backward Classes  | 138. Unreserved             |
| 100. Unreserved             | 139. Other Backward Classes |
| 101. Scheduled Castes       | 140. Unreserved             |
| 102. Unreserved             | 141. Scheduled Castes       |
| 103. Other Backward Classes | 142. Unreserved             |
| 104. Unreserved             | 143. Other Backward Classes |
| 105. Other Backward Classes | 144. Unreserved             |
| 106. Unreserved             | 145. Other Backward Classes |
| 107. Scheduled Castes       | 146. Unreserved             |
| 108. Unreserved             | 147. Scheduled Castes       |
| 109. Other Backward Classes | 148. Unreserved             |
| 110. Unreserved             | 149. Other Backward Classes |
| 111. Scheduled Tribes       | 150. Unreserved             |
| 112. Unreserved             | 151. Scheduled Tribes       |
| 113. Other Backward Classes | 152. Unreserved             |
| 114. Unreserved             | 153. Other Backward Classes |
| 115. Scheduled Castes       | 154. Unreserved             |

- |                             |                             |
|-----------------------------|-----------------------------|
| 155. Scheduled Castes       | 178. Unreserved             |
| 156. Unreserved             | 179. Other Backward Classes |
| 157. Other Backward Classes | 180. Unreserved             |
| 158. Unreserved             | 181. Scheduled Castes       |
| 159. Other Backward Classes | 182. Unreserved             |
| 160. Unreserved             | 183. Other Backward Classes |
| 161. Scheduled Castes       | 184. Unreserved             |
| 162. Unreserved             | 185. Other Backward Classes |
| 163. Other Backward Classes | 186. Unreserved             |
| 164. Unreserved             | 187. Scheduled Castes       |
| 165. Scheduled Tribes       | 188. Unreserved             |
| 166. Unreserved             | 189. Other Backward Classes |
| 167. Other Backward Classes | 190. Unreserved             |
| 168. Unreserved             | 191. Scheduled Tribes       |
| 169. Scheduled Castes       | 192. Unreserved             |
| 170. Unreserved             | 193. Other Backward Classes |
| 171. Other Backward Classes | 194. Unreserved             |
| 172. Unreserved             | 195. Scheduled Castes       |
| 173. Scheduled Castes       | 196. Unreserved             |
| 174. Unreserved             | 197. Other Backward Classes |
| 175. Other Backward Classes | 198. Unreserved             |
| 176. Unreserved             | 199. Unreserved             |
| 177. Scheduled Tribes       | 200. Unreserved             |

## Annexure A

## FORM OF

Certificate to be produced by other Backward Classes applying for  
appointment to posts under the Government of India

This is to certify that.....son of.....  
of village.....District/Division.....in the.....  
State.....belongs to the.....community.....  
which is recognised as a backward class under the Government of India,  
Ministry of Welfare Resolution No. 12011/68/93/BCC(G), dated 10th September,  
1993 published in the Gazette of India Extraordinary Part I Section I,  
dated 13th September, 1993 Shri.....and/or his family  
ordinarily reside(s) in the.....  
District/Division of the.....State. This is also to certify that  
he/she does not belong to the persons/sections (Creamy Layer) mentioned  
in column 3 of the Scheduled to the Government of India, Department  
of Personnel & Training, O.M. No. 36012/22/93/Estt. (SCT), dated 8th  
September, 1993.

Dated :

District Magistrate,  
Deputy Commissioner etc.

Seal

- 
- N.B. (a) The term 'ordinarily' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.
- (b) Where the certificates are issued by Gazetted Officers of the Union Government or State Governments, they should be, in the same form but countersigned by the District Magistrate or Deputy Magistrate or Deputy Commissioner (Certificates issued by Gazetted Officers and attested by District Magistrate/Deputy Commissioner are not sufficient).

## Annexure B

APPLICATION FORM FOR A CERTIFICATE FOR ELIGIBILITY FOR RESERVATION OF JOBS FOR OTHER BACKWARD CLASSES IN CIVIL POSTS AND SERVICES UNDER GOVERNMENT OF INDIA.

(This form, however, should be used only as a model. Additional items, if necessary, may be incorporated to suit to the local situation in the form).

To

---



---



---

Sir,

I request that a certificate in respect of reservation for other Backward Classes in Civil Posts and Services under Government of India be granted to me.

I give below the necessary particulars:--

1. Full name of the applicant :  
(in block letters)
2. Date of birth :
3. Complete Residential address  
(a) Present  
(b) Permanent
4. Religion :
5. Caste :
6. Sub-caste :
7. Occupational Group :
8. Serial Number of the Caste in the Central List of OBCs.
9. Name of Father :
10. Name of Mother :
11. Name of Husband :
12. Status of Parent(s)/Husband

	<u>Father</u>	<u>Mother</u>	<u>Husband</u>
--	---------------	---------------	----------------

- |                              |  |  |  |
|------------------------------|--|--|--|
| (A) Constitutional Posts.    |  |  |  |
| (I) Designation :            |  |  |  |
| (B) Government Services :    |  |  |  |
| (i) Service (Central/State). |  |  |  |
| (ii) Designation :           |  |  |  |



- (iii) Scale of Pay, including classification, if any.
- (iv) Date of appointment to the post.
- (v) Age at the time of promotion to Class I post (if applicable)

II. **Employment in international Organisation e.g. UN, UNICEF, WHO.**

	Father	Mother	Husband
--	--------	--------	---------

- (i) Name of Organisation :
- (ii) Designation :
- (iii) Period of service  
(indicate date from .....to.....)

III. **Death/Permanent Incapacitation (omit if not applicable).**

- (i) Date of death/Permanent incapacitation putting an officer out of service.
- (ii) Details of Permanent incapacitation.

(C) **Employment in Public Sector Undertaking etc.**

- (i) Name of Organisation :
- (ii) Date of appointment to the post :

(D) **Armed Force including Para-military Forces**

(This will not include persons holding civil posts.)

- (i) Designation
- (ii) Scale of Pay
- (E) **Professional Class (other than those covered in item Nos. B&C) and those engaged in trade Business and industry.**

- (i) Occupation/Profession.

(F) **PROPERTY OWNERS :**

- (F) I. **Agricultural Land Holding : owned by mother father & minor children**

- (i) Location

- (ii) Size of holding

- (iii) (a) Irrigated.

(Type of Irrigated land).

(i)

(ii)

(iii)

- (b) Unirrigated.

(iv) Percentage of Irrigated land holding to statutory ceiling limit under State land Ceiling Laws.

(v) If land holding is both irrigated/ unirrigated total irrigated land holdings on the basis of conversion formula in State Land Ceiling Laws.

(vi) Percentage of total irrigated land holding to statutory ceiling limit as per (iv)

**(F)II Plantation :**

(i) Crops/Fruit.

(ii) Location.

(iii) Area of Plantation.

**(F)III Vacant land and/or buildings in urban areas or urban agglomeration.**

(i) Location of property.

(ii) Details of property.

(iii) Use to which it is put.

**(G) Income/Wealth :**

(i) Annual family income from all sources. (excluding salaries & income from agricultural land).

(ii) Whether Tax payer (Yes/No). (If yes, a copy of the last three years return be furnished).

(iii) Whether covered in wealth Tax Act (Yes/No.) (If so, furnish details.)

(E). Any Other remarks.

(F). I certify that the above said particulars are true to the best of my knowledge and belief that I do not belong to the Creamy Layer of OBCs and am eligible to be considered for posts reserved for O.B.C's. In the event of any information being found false or incorrect, or ineligibility being detected before or after the selection, I understand that my candidature/appointment is liable to be cancelled and I shall be liable to such further action as may be provided under the law and/or Rules.

To be certified by District Revenue Officer not lower than the rank of Tehsildar

Yours faithfully,

Place :

Date :

Signature of the Candidate

## THE GAZETTE OF INDIA : EXTRAORDINARY

State : Punjab : Common List

Sr. No.	Name of Castes/ communities (in- cluding Sub-Castes/ synonyms) in the common list of S.Cs B.Cs.	Entry No. in State list	Entry No. in Mandal list	Remarks
1	2	3	4	5
1.	Aheria	1	1	
2.	Aheri	1	1	
	Heri	1	1	
	Naik	1	1	
	Thori or	1	1	
	Turi	1	1	
2.	Barra	2	10	
3.	Beta	3	11	
	Hensi or	3	11	
	Hesai			
4.	Changar	4	18	
5.	Chirimar	5	21	
6.	Daiya	6	22	
7.	Gwaria	7	40	
	Gauria	7	40	
	Gwar	7	40	
8.	Kanjar or	8	47	
	Kanchan	8	47	
9.	Kurmi	9	52	
10.	Nar	10	65	
11.	Rehar,	11	74	
	Rahara	11	74	
12.	Ghirath	12	20	
	including Chang and Bahti	12	20	
13.	Kahar,	13	27	
	Jhindwar or Jhinwar	13	27	
	Dhinwar or Dhiwar	13	27	
14.	Ghasi	14	36	
	Ghasiara or	14	36	
	Ghoai	14	36	

1	2	3	4	5
15.	Bagria or Bagaria	15	4	
16.	Riaigar	16	73	
17.	Weaver Jullah or Jullaha (including Kabir panthi Julaha excluding those who are Scheduled Cas- tes)	17	45	
18.	Labana or Lavana	18	54	
19.	Gorkha	19	38	
20.	Kumbar prajapati	20	51	
21.	Nai	21	63	
22.	Dhobi	22	28	
23.	Kamboj	23	46	
24.	Rai Sikh	24	71	
25.	Barwar	25	7	
26.	Barai	26	6	
27.	Baragi	27	5	
28.	Battera	28	8	
29.	Bharbhunja	29	12	
	Bharbhuja	29	12	
30.	Bhat	30	14	
	Bhatra	30	14	
	Darpi	30	14	
	Ramiya	30	14	
31.	Bbuhalia Lohar	31	15	
32.	Chahang	32	17	
33.	Chimba or Chimbe,	33	19	
	Chippi or Chhipi	33	19	
	Darsi	33	19	
	Tonk	33	19	
34.	Dakaut	34	23	
35.	Dhimar	35	27	
	Mallah	35	27	
	Kashyap Rajput	35	27	
36.	Faqir	36	31	
37.	Dosali	37	29	

1	2	3	4	5
38.	Gawala	38	34	
	Gowala	38	34	
39.	Gaddaria	39	32	
40.	Jhangra Brahman	40	43	
41.	Hajjam	41	63	
	Nai	41	63	
42.	Jogi Nath	42	41	
43.	Khati	43	43	
44.	Rechband	44	70	
45.	Khanghera	45	49	
46.	Kucha Band	46	50	
47.	Thathera,	47	82	
	Tamera	47	82	
48.	Lakhera Manihar	48	53	
49.	Vanzara	49	54	
50.	Madari	50	56	
51.	Lohar	51	55	
52.	Mochi (Other than Scheduled Castes)	52	62	
53.	Mirasi	53	61	
54.	Noongar	54	67	
55.	Nalband	55	64	
56.	Shorgir	56	76	
57.	Pinja Penja	57	69	
58.	Soi	58	78	
59.	Singhikant Singhiwala	59 59	77 77	
60.	Teli	60	81	
61.	Dhaura or Soni	61	25	
62.	Gujjar	62	39	
63.	Christian (Converted from Scheduled Castes)	63	83	
64.	Arain	64	2	

Copy of letter No. 1/64/92-RCI/1325, dated 10th February, 1994 from Secretary to Government Punjab, Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Divisions District and Session Judges Deputy Commissioners and Registrar Punjab and Haryana High Court and copy to others.

**Subject:-** Deletion of Income Criterion as the sole basis for identifying backwardness.

Sir,

I am directed to invite a reference to this Department letters No. 2662-SWGII-63/6934 dated the 20th April, 1963 and No. 5420-SW-I-74/23309, dated the 19th November, 1974,--vide which the decision of the State Government *inter alia* to the effect that all the residents of the Punjab State whose family income does not exceed Rs. 3600 per annum irrespective of the fact as to which caste, community or class they belong to and what profession they are following may also be treated as backward class in the basis of their economic backwardness alone, was circulated. The Hon'ble Supreme Court of India in its historic majority judgment dated 16th November, 1992 in Writ Petition No. 930 of 1990- *Indira Sawhney and others versus the Union of India and others* (popularly known as Mandal Commission Case) had *inter alia*,--vide paragraph 121 (4) (a) of the judgement *ibid* decided as follows:

"A backward class of citizens can not be identified only and exclusively with reference to economic criteria."

2. Keeping the above-mentioned observations of the Apex Court in view the matter has been reconsidered and the Governor of Punjab has been pleased to delete the criterion based on income alone, as specified in the letters under reference, for identifying the backwardness. Henceforth no resident of the State shall be identified as backward class on the basis of economic/income backwardness alone.

3. Attention Deputy Commissioners : They are requested that these instructions may please be brought to the notice of all concerned authorities/officers under their control viz.,

- (i) Sub-Divisional Officers (Civil)
- (ii) Executive Magistrates
- (iii) Tehsildars
- (iv) Naib Tehsildars
- (v) Block Development and Panchayat Officers and
- (vi) District Revenue Officers, under intimation to Government.

4. These orders will take effect from the issue of this letter.

5. The receipt of this letter may please be acknowledged.

*Copy of letter No. 1/89/93-RCI/1984, dated 4th March, 1994 from Secretary to Government Punjab, Scheduled Caste and Backward Classes to All Heads of Departments Commissioners of Divisions District and Session Judges Deputy Commissioners and Registrar Punjab &aryana High Court and Copy to others.*

**Subject:**--Measures to provide due representation in services to the members of Scheduled Castes/Tribes and the Backward Classes and to ensure employment to the educated and suitable un-employed persons of these castes and Classes Establishment of Special Employment Cell.

The Financial Commissioners, Principal Secretaries and Administrative Secretaries to the Government of Punjab may kindly refer to letter No. 975-OSD(W)-2-70/2633, dated the 28th April, 1970 addressed to all heads of departments etc. and copy endorsed to them on the subject noted above (copy enclosed for ready reference).

2. *Vide* letter under reference it was *inter alia* requested that the copies of various requisitions/advertisements placed/sent with/to concerned recruiting/advertising agencies in connection with the filling up posts in the State Services should invariably be forwarded to the Special Employment Cell set up in the Directorate of Welfare of SCs/BCs and the names of SC/BC candidates forwarded by it in turn there to be considered alongwith other candidates by the departments of the State Government. But it has come to the notice of this department that the instructions mentioned above are not being complied with by the departments. As a consequence thereof the reservation policy of the State Government in State Services for Scheduled Castes is being affected adversely. It is, therefore, requested that it may kindly be ensured that the said instructions are complied with meticulously i.e. copies of advertisements/requisitions relating to the filling of posts are invariably forwarded to the Special Employment Cell in the Directorate of Welfare of Scheduled Castes and Backward Classes and the names of candidates belonging to SCs/BCs forwarded by the said cell are considered alongwith other candidates.

*Copy of letter No. 975-OSD(W)-2-70/2633 dated 28th April, 1970 from Chief Secretary to Government Punjab Chandigarh. All Heads of Departments Commissioners of Division, District and Session Judges, Deputy Commissioners and Registrar Punjab & Aranya High Court and copy to others.*

**Subject.**--Measures to provide due representation in services to the members of Scheduled Castes/Tribes and the Backward class and to ensure employment to the educated and suitable unemployed persons of these castes and classes-Establishment of a Special Employment Cell.

According to the instructions issued by the Government from time to time on the subject noted above, reservation of vacancies in all State Services, filled through the method of direct recruitment or appointments by transfer from other Departments has been made for the members of Scheduled Castes/Tribes and Backward Classes to the extent of 20 per cent and 2 per cent respectively. The same percentage of reservation has also been made for them in respect of recruitment made by promotion in Class III (III-A, III-B) and classes IV services. With a view to safeguarding their interests, further instructions were issued to ensure that due representation was given to members of these classes at the time of initial recruitment as also appointment

by promotion by following 'carry forward' and 'ad hoc' appointment formulae strictly, so that the percentage of reservation is maintained in their case and that the vacancies brought forward could also be given to them. It has, however, come to the notice of Government that quite a number of educated and trained young men belonging to these communities are unemployed. The District/Tehsil Welfare officers have, therefore, been directed to maintain liaison with the Employment Exchanges and other offices, collect information regarding vacant posts and to supply the same to the unemployed educated persons residing in remote areas thereby enabling them to apply for the vacancies reserved for them. The Employment Exchanges and the Heads of Offices at District level were requested that while filling up vacancies information regarding reserved vacancies should particularly be supplied to the District Welfare Officers. The Employment Offices were also asked to place the District Welfare Officers on their mailing lists and to supply them with information regarding vacant posts so that the Welfare Officers could inform the educated un-employed persons belonging to the Scheduled Castes and Backward Classes, who, in turn, could apply against the reserved or other vacancies for which they were found suitable in spite, of all this, the statistics received by the Government from the different departments indicate that members of these castes are still inadequately represented in Class I and II services in particular and in Class III in general. This is apparently due to the fact that either the departments, at the time of initial recruitment or at the time of filling up of vacancies by promotions did not adhere to the reservation policy and that the vacancies reserved for them were diverted to general line or no suitable candidates belonging to Scheduled Caste/Tribes and Backward Classes were available for recruitment.

2. The matter has thoroughly been considered by the Government and with a view to ensuring due representation to members to these classes and also to provide employment to the unemployed educated persons belonging to Scheduled Castes/Tribes and Backward Classes, the following decisions have been taken :--

- (i) A 'Scheduled Castes Employment Cell' has been set up in the Directorate of Welfare of Scheduled Castes and Backward Classes to register the names of unemployed educated persons of these classes throughout the State who are in possession of certificate in respect of academic/technical qualifications. Those persons who have already got their names registered in the Employment Exchanges can also get themselves registered with this Special Cell. But the Employment Exchanges would continue their usual efforts to find jobs for such Scheduled Castes and Backward Classes candidates against reserved as well as general vacancies and would not cease their efforts in this direction. Whenever the Departments (Whether at Headquarters or at District/Tehsil level) advertise any permanent/temporary or short-term vacancies, to be filled up through the Departmental Committees or place requisition for this purpose with the Public Service Commission/Board/ Employment Exchange, a copy of such an advertisement/requisition should invariably be sent to this Special Cell and the Cell, in turn, would forward the names of suitable persons on its list to the Department/Recruiting Agency concerned. The recruiting authorities/organisations will consider such candidates alongwith others in order to select suitable candidates belonging to Scheduled Castes and Backward Classes according to their need. The Departments



shall have to obtain a non-availability certificate from the "Scheduled Castes Employment Cell" before the vacancies reserved for Scheduled Castes/Backward Classes are offered to other candidates. The persons belonging to Scheduled Castes and Backward Classes can send their applications on the enclosed *pro forma* No. 1 direct to the Director, Welfare of Scheduled Castes and Backward Classes Department, Chandigarh to enable the Department to make best efforts to secure employment for them.

- (ii) **For Welfare Officers.**—The District and Tehsil Welfare Office should give due publicity by visiting remote places personally so that the educated unemployed residents in such areas could derive the maximum benefit out of this scheme. The District Welfare Officers will also maintain such lists and forward the names of suitable candidates to the local offices from time to time for consideration. The local offices will consider the names of Scheduled Castes/Tribes and Backward Classes candidates supplied by the Welfare Officers alongwith the candidates sent by the Employment Exchanges and the reserved vacancies will be filled up by suitable candidates belonging to these classes only.
- (iii) **For Employment Exchanges.**—The Employment Officers in the State are requested to send in the enclosed *pro forma* No. 2 detail of candidates belonging to Scheduled Castes and Backward Classes who have got themselves registered with their offices and have not got any employment so far, to the Director, Welfare of Scheduled Castes and Backward Classes Department, Punjab, Chandigarh within 15 days of the receipt of this letter to enable this Cell to start functioning. This may be treated as urgent.

3. I am directed to say that the above instructions may be brought to the notice of all concerned for strict compliance. The receipt of this communication may please be acknowledged to the Secretary to Government, Punjab, Welfare of Scheduled Castes and Backward Classes Department.

ਰਾਖੀ ਖੇਤਰ ਨੰ: 1/67/93-ਰ ਸ 1/7001, ਮਿਤੀ 7 ਸਤੰਬਰ, 1993 ਵੱਲੋਂ ਸਕੱਤਰ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ, ਅਨੁਸੂਚਿਤ ਕਬੀਲਿਆਂ ਅਤੇ ਪਿੱਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਭਲਾਈ ਵਿਭਾਗ, ਸੇਵਾ ਵਿਖੇ ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਰਿਆਸਤ ਹਾਈਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਤੇ ਸਿਬਨ ਜੱਜ ਅਤੇ ਉਪ ਮੰਡਲ ਅਫ਼ਸਰ (ਸਿਵਲ) ।

**ਦਿਸ਼ਾ:**— ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਾਖਵੀਆਂ ਆਸਾਮੀਆਂ ਵਿੱਚ ਚਲੇਆ ਰਹੇ ਬੈਕਲਾਗ ਨੂੰ ਖੁਰਾ ਕਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਮ ਚਲਾਉਣ-ਰੋਸਟਰ ਰਜਿਸਟਰ ਮੁਕੰਮਲ ਕਰਨ ਬਾਰੇ ਸੂਚਨਾ ਤੇਜ਼ ਬਾਰੇ ।

ਸਮੂਹ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ/ਪ੍ਰਿੰਸਿਪਲ ਸਕੱਤਰ ਅਤੇ ਪ੍ਰਾਧਿਕਾਰੀ ਸਕੱਤਰ ਪੰਜਾਬ ਸਰਕਾਰ ਕਿਰਪਾ ਕਰਕੇ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਵੱਲ ਧਿਆਨ ਦੇਣ ਦੀ ਖੇਰਲ ਕਰਨ ਜੀ ।

2. ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਨਾ ਭਰੀਆਂ ਗਈਆਂ ਆਸਾਮੀਆਂ (ਬੈਕਲਾਗ ਵਰਕੋਬੀਚ) ਭਰਨ ਸਬੰਧੀ ਵਿਸ਼ੇਸ਼ ਭਰਤੀ ਮੁਹਿੰਮ ਚਲਾਉਣ ਲਈ ਮੁੱਖ ਮੰਤਰੀ, ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਗਠਿਤ ਕੌੜੀ

ਗਈ ਕਮੇਟੀ ਦੀ ਮੀਟਿੰਗ ਮਿਤੀ 3 ਦਸੰਬਰ, 1992 ਨੂੰ ਹੋਈ ਜੀ ਜਿਸ ਵਿੱਚ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪੇਂਡੂਆਂ ਸ਼੍ਰੇਣੀਆਂ ਲਈ ਰਾਖਵੀਆਂ ਅਸਾਮੀਆਂ ਵਿੱਚ ਚਲੇ ਆ ਰਹੇ ਬੈਕਲਾਗ ਨੂੰ ਪੂਰਾ ਕਰਨ ਦੇ ਮਾਮਲੇ ਸਬੰਧੀ ਵਿਚਾਰ ਕੀਤਾ ਗਿਆ ਸੀ ਅਤੇ ਰੋਸਟਰ ਰਜਿਸਟਰ ਨਾਂ ਮੁਕੰਮਲ ਹੋਣ ਦਾ ਸੀਰੀਅਸ ਨੋਟਿਸ ਲਿਆ ਸੀ ਤੇ ਨਾਲ ਹੀ ਨਾਂ ਮੁਕੰਮਲ ਹੋਣ ਦੇ ਕਾਰਨ ਜਾਨਣੇ ਚਾਰੇ ਸਨ।

3. ਇਸ ਸਬੰਧ ਵਿੱਚ ਇਸ ਵਿਭਾਗ ਦੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 6872-ਡਬਲਿਊ.ਜੀ-66/24917 ਮਿਤੀ 28 ਅਗਸਤ, 1966 ਅਤੇ ਨੰ: 278-ਓ.ਐਸ.ਡੀ (ਡਬਲਿਊ)-67/27027 ਮਿਤੀ 19 ਸਤੰਬਰ, 1967 ਵੱਲ ਧਿਆਨ ਦਿਵਾਏ ਹੋਏ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਪੱਤਰਾਂ ਅਨੁਸਾਰ ਰੋਸਟਰ ਰਜਿਸਟਰ ਮੁਕੰਮਲ ਕਰਨ ਦੀ ਜ਼ਿੰਮੇਵਾਰੀ ਵਿਭਾਗ ਦੇ ਮੁੱਖੀਆਂ/ਨਿਯੁਕਤੀ ਕਰਨ ਦੇ ਅਧਿਕਾਰੀਆਂ ਦੀ ਹੋਵੇਗੀ। ਬੈਕਲਾਗ ਕਮੇਟੀ ਦੇ ਫੈਸਲੇ ਨੂੰ ਮੁੱਖ ਰਖਦਿਆਂ ਆਪ ਅਤੇ ਆਪਣੇ ਅਧੀਨ ਦਫ਼ਤਰਾਂ ਦੇ ਅਧਿਕਾਰੀਆਂ ਜਿਨ੍ਹਾਂ ਨੂੰ ਭਰਤੀ ਕਰਨ ਦੇ ਅਧਿਕਾਰ ਹਨ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸਰਕਾਰ ਵਲੋਂ ਜਾਰੀ ਹੋਈਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਹਰ ਕਾਡਰ ਸਬੰਧੀ ਨੀਯਤ ਫ਼ਾਰਮ ਵਿੱਚ ਰੋਸਟਰ ਰਜਿਸਟਰ ਹਰ ਪੱਖੋਂ ਮੁਕੰਮਲ ਰੱਖਣ ਲਈ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ।

4. ਆਪ ਆਪਣਾ ਨਿਜੀ ਧਿਆਨ ਦਿੰਦੇ ਹੋਏ ਆਪਣੇ ਵਿਭਾਗ ਦੀ ਰੋਸਟਰ ਰਜਿਸਟਰ ਮੁਕੰਮਲ ਕਰਨ ਬਾਰੇ ਕੰਮਪਲਾਈਮੈਂਟ ਰਿਪੋਰਟ ਛੇਤੀ ਤੋਂ ਛੇਤੀ ਡਿਜ਼ਵਾਇਰ ਦੀ ਖੋਜ ਕਰੋਗੇ ਕਿਉਂਕਿ ਇਹ ਮਾਮਲਾ ਵਿਚਾਰਣ ਲਈ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਦੀ ਪ੍ਰਕਾਸ਼ਨੀ ਹੇਠ ਗਠਿਤ ਕੀਤੀ ਬੈਕਲਾਗ ਕਮੇਟੀ ਦੀ ਹੋਣ ਵਾਲੀ ਮੀਟਿੰਗ ਵਿੱਚ ਪੇਸ਼ ਕੀਤਾ ਜਾਣਾ ਹੈ।

ਇਸ ਪੱਤਰ ਦੀ ਪ੍ਰਕ੍ਰਿਤੀ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 3/8/89-ਰਸ 1/7011, ਮਿਤੀ 17 ਅਗਸਤ, 1994 ਵਲੋਂ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਜਿਲ੍ਹਾ ਅਤੇ ਸੈਸ਼ਨਜ਼ ਜੱਜ, ਉੱਪ ਮੰਡਲ ਅਫ਼ਸਰ (ਸਿਵਲ)।

**ਵਿਸ਼ਾ:** Civil Appeal(S) Nos. (5) 3792-3794/89 Ajit Singh & Others V/S The State of Punjab & Others (with App. for directions) with C.A. No. 4763-65/89, 3326-27/82, 3795/89, WP(C) 7729/82, SLP(C) 14541/90, CA 5023/89, 1A 1-2 IN WP(C) 54/90, SLP(C) Nos. 7259/90, 2976/83, 15529/93, ਦੋ ਸਬੰਧ ਵਿੱਚ ਸੁਪਰੀਮ ਕੋਰਟ ਵਲੋਂ ਪਾਸ ਕੀਤੇ ਗਏ ਹੁਕਮ, ਮਿਤੀ 9 ਅਗਸਤ, 1994 ਦੀ ਪਾਲਣਾ ਬਾਰੇ।

ਸ੍ਰੀ ਮਾਨ ਜੀ,

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ ਹਦਾਇਤਾਂ ਨੰ: 20/47/89-3 ਪੀ.ਪੀ. 1/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990, ਨੰ: 20/58/90-3 ਪੀ.ਪੀ. 1/6045, ਮਿਤੀ 12 ਮਈ, 1992 ਅਤੇ ਨੰ: 3/8/89-ਰਸ 1/5850, ਮਿਤੀ 29 ਜੁਲਾਈ, 1993 (ਕਾਪੀਆਂ ਨੱਥੀ ਹਨ) ਵੱਲ ਧਿਆਨ ਦਿਵਾਉਂਦੇ ਹੋਏ ਸੂਚਿਤ ਕਰਨ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਭਾਰਤ ਦੀ ਸਰਵ-ਉਚ ਅਦਾਲਤ ਵਲੋਂ ਉਕਤ ਵਿਸ਼ੇ ਵਿੱਚ ਦਰਸਾਈਆਂ ਗਈਆਂ ਅਪੀਲਾਂ/ਰਿਸ਼ਾਂ ਦੀ ਮਿਤੀ 9 ਅਗਸਤ, 1994 ਨੂੰ ਜ਼ਰੂਰੀ ਉਪਰੰਤ ਜੋ ਹੁਕਮ ਪਾਸ ਕੀਤਾ ਗਿਆ (ਕਾਪੀ ਨੱਥੀ ਹੈ) ਉਸ ਦਾ ਉਪਰੋਕਤ ਅਤੇ ਅੰਤਮ ਰਿਸ਼ਾ ਹੇਠ ਅਨੁਸਾਰ ਹੈ :-

Para-4 "The question is whether in these circumstances the operation of the order of the High Court under appeal which has upheld the policy of reservation is to be stayed pending disposal of the appeal. On a consideration of the matter, we modify the interim order made on the 14th of May, 1993. The State shall

be at liberty to make promotions and appointments of the members of scheduled castes and scheduled tribes in accordance with the judgement under appeal, namely, "Jaswant Singh and Anr. Vs. State of Punjab and Ors. subject to the following conditions :-

- (a) that in making promotions and appointments respecting the posts reserved for scheduled castes and scheduled tribes, no reversions of those already promoted uptill date shall be effected. This condition shall, however, not be attracted if promotions which were due to the members of the scheduled castes and scheduled tribes independently of the policy of reservation and on their own seniority and merit and if such promotions or appointments necessitate or compel any reversions. In such cases the State shall be at liberty to make the reversions in accordance with law in order to accommodate the promotions and appointments of members of scheduled castes and scheduled tribes which they shall be entitled independently of the policy of reservations.
- (b) that all such promotions made during the pendency of these appeals shall be subject to the final result of these appeals and subject to the review of such promotions and appointments in accordance with the final decision.
- (c) that the orders of appointment or promotion, as the case may be, shall specify that the appointment or promotion shall be subject to these specific conditions."

(2) ਹੁਣ ਹਾਈਕੋਰਟ ਦੀ ਨੀਤੀ ਨੂੰ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਉਪਰੋਕਤ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ।

(3) ਮਿਤੀ 9 ਮਾਰਚ, 1994 ਤੋਂ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੇ ਜਾਰੀ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਕਿਸੇ ਵਿਭਾਗ ਨੇ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹਵਾਲੇ ਅਧੀਨ ਹੁਕਮਾਂ ਵਿਰੁੱਧ ਕੋਈ ਤਰੱਕੀ/ਤਰੱਕੀਆਂ ਕੀਤੀਆਂ ਹੋਣ ਤਾਂ ਇਨ੍ਹਾਂ ਹੁਕਮਾਂ ਦੀ ਰੋਸ਼ਨੀ ਵਿਚ ਮੁੜ ਵਿਚਾਰ ਕਰਦੇ ਹੋਏ, ਹੁਕਮ ਪਾਸ ਕੀਤੇ ਜਾਣ ਤਾਂ ਕਿ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਦੀ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ।

(4) ਇਸ ਨੂੰ ਪਰਮ ਅਭੇਦ ਦਿੱਤੀ ਜਾਵੇ।

**SUPREME COURT OF INDIA**  
**RECORD OF PROCEEDINGS**

**Civil/Appeal(s) No. (s) 3792-3794/89**

Ajit Singh & Ors.

Versus

The State of Punjab & Ors.  
 (With App. for directions)

.. Respondent(s)

With C.A. No. 4763-65/89, 3326-27/82, 3795/89, WP(C)7729/82

SLP(C) 14541/90, CA 5023/89, IA 1-2 IN WP (C)54/90, SLP(C) Nos. 7259/90, 2976/83, 16629/93.

dated 9-8-94 This/these matter(s) was/were called on/for hearing today.

**CORAM :** Hon'ble the Chief Justice

Hon'ble Mr. Justice J.S. Verma

Hon'ble Mr. Justice

Hon'ble Mr. Justice

For the Appellant(s) : Mr. M.L. Verma, Sr. Adv., Mr. Rajiv Garg.  
 Mr. N.D. Garg, Advs.

For Res. State : Mr. G.K. Chatrath, Adv. Gen. Punjab, Mr. G.K. Bansal, Mr. R.S. Suri Advocates.

For Resident : Mr. Rajinder Sachar, Sr. Adv. Mr. Sanjay Parikh, Adv.

For Resident : Mr. R.K. Jain, Sr. Adv. Mr. Aruna Mathur, Mr. A. Mariarputham,  
 Ms. Meenakshi Arora, Advs.

For the Respondent(s) Mr. Mahabir Singh, Mr. S.C. Birla, Mr. P.K. Jain.  
 Mr. E.C. Agrawala, Mr. Pankaj Kalra, Mr. P. Malhotra,  
 Mr. Ejaz Maqbool, Mr. Indu Malhotra, Mr. K.K. Gupta  
 Mr. Praveen Jain, Mr. S.C. Patel, Mr. S.M. Bhatia, Advs.

Upon hearing counsel the Court made the following

**ORDER**

We have heard Shri M.L. Verma, learned senior counsel for the appellants and Sri G.K. Chatrath, Learned Advocate General of Punjab for the respondents.

2. These cases relate to the permissibility of reservations of promotional posts in favour of the members of the scheduled castes and scheduled tribes in the State of Punjab. One of the points sought to be raised is whether the quantum of reservation for scheduled castes and scheduled tribes would require to be off set against and reduced by posts secured by members belonging to scheduled castes and scheduled tribes in their own turn and on the basis of their seniority without the aid of reservation. This submission has the familiar ring of the doctrine of 'minimum guarantee' referred to in the case in S.A. Partha & Ors. vs. The State of Mysore, & Ors", (AIR 1951 Mysore, 220). This view has not been approved or accepted by this Court.

3. It is not, at this stage, necessary to go into and pronounce on the merits of the issues that arise in these appeals. In regard to the permissibility of limiting of quantum of reservations of promotional posts as well as the period of time during which reservations would be permissible, the matter is covered by "Indra Sawhney & Ors. vs. Union of India & Ors." (1992 Suppl. (3) SCC 215), it was observed there :

"We must also make it clear that it would not be impermissible for the State to extend concessions and relaxations to members of reserved categories in the matter of promotion without compromising the efficiency of the administration. The relaxation concerned in Thomas and the concessions namely carrying forward of vacancies and provisions for inservice coaching/training in Karamchari Sangh are instances of such concessions and relaxations. However, it would not be permissible to prescribe lower qualifying marks or a lesser level of evaluation for the members of reserved categories since that would compromise the efficiency of administration. We reiterate that while it may be permissible to prescribe a reasonably lesser qualifying marks or evaluation for the OBCs, SCs and STs consistent with the efficiency of administration and the nature of duties attaching to the office concerned in the matter of direct recruitment, such a course would not be permissible in the matter of promotions for the reasons recorded here in above.

Then again in part VII, in the summary in Clause(7), this Court said :

"Article 16(4) does not permit provision for reservations in the matter of promotion. This rule shall, however, have only prospective operation and shall not affect the promotions already made, whether made on regular basis or on any other basis. We direct that our decision on this question shall operate only prospectively and shall not affect promotions already made, whether on temporary, officiating or regular/permanent basis. It is further directed that wherever reservations are already provided in the matter of promotion be it Central Services or State Services, or for that matter services under any Corporation, authority or body falling under the definition of 'State' in Article 12—such reservations may continue in operation for a period of five years from this day. Within this period, it would be open to appropriate authorities to revise, modify or re-issue the relevant rules to ensure the achievement of the objective of Article 16(4). If any authority thinks that for ensuring adequate representation of 'backward class of citizens' in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to it to do so."

4. The question is whether in these circumstances the operation of the order of the High Court under appeal which has upheld the policy of reservation is to be stayed pending disposal of the appeal. On a consideration of the matter, we modify the interim order made on the 14th of May, 1993. The State shall be at liberty to make promotions and appointments of the members of scheduled castes and scheduled tribes in accordance with the judgement under appeal, namely, "Jaswant Singh & Anr. vs. State of Punjab & Ors."

Subject to the following conditions :--

- (a) that in making promotions and appointments respecting the posts reserved for scheduled castes and scheduled tribes, no reversions of those already promoted uptill date shall be effected. This condition shall, however, not be attracted if promotions which were due to the members of the scheduled castes and scheduled tribes independently of the policy of reservation and on their own seniority and merit and if such promotions or appointments necessitate or compel any reversions. In such cases the State shall be at liberty to make the reversions in accordance with law in order to accommodate the promotions and appointments of members of scheduled castes and scheduled tribes which they shall be entitled independently of the policy of reservation.
- (b) that all such promotions made during the pendency of these appeals shall be subject to the final result of these appeals and subject to the review of such promotions and appointments in accordance with the final decision.
- (c) that the orders of appointment or promotion as the case may be shall specify that the appointment or promotion shall be subject to these specific conditions. Liberty to mention.

List for final hearing on the 6th of September, 1994. The matter to retain its position.

(Sd.) . . . ,  
(Dinesh Kumar)  
Court Master

(Sd.) . . . ,  
(Govind Singh)  
Court Master  
11/8/94

Copy of letter No. 20/47/89-3PP1/22791 dated Chandigarh, the 17th December, 1990 from the Department of Personnel and Administrative Reforms (Personnel Policies I Branch), Government of Punjab to all Heads of Departments, Registrar, Punjab and Haryana High Court, Commissioners of Divisions, District and Sessions Judges, Deputy Commissioners and Sub-Divisional Officers(C) in Punjab.

Subject.--Full bench order of the Punjab and Haryana High Court in Jaswant Singh Vs. State of Punjab vis-a-vis Supreme Court order, dated 8th February, 1983 in C.W.P. No. 3882 of 1981--Joginder Singh Sethi vs. State of Punjab--Clarification regarding.

Sir,

I am directed to refer to Punjab Government policy instructions issued vide letter No. 20/47/89-3PP-1/20211, dated 6th November, 1989 on the above subject and to say that a clarification had been sought from the Supreme Court as to which of its two orders viz. that of 9th February, 1983 in Joginder Singh Sethi's case or 26th September, 1989 in Ajit Singh Janjua's case of the Supreme Court is to be complied with. The Supreme Court has passed the following orders on 19th December, 1993 on the application filed for seeking clarifications--

"The Interim stay is clarified with the direction that the stay order dated 8th February, 1983 granted in C.A. No. 3326-27/82, shall continue till the disposal of these appeals. The appeals be listed for hearing in the second week of March, 1991 along with connected appeals and also C.A. No. 3326/82 I.A. No. 14/89 to be listed along with appeals."

In view of the above orders, the instructions issued vide letter No. 20/47/89-3PP1/20221, dated 6th November, 1989 are held in stay here. The orders of the Supreme Court should be complied with for the promotion of officers/officials till the matter is finally adjudicated by the Supreme Court and his stipulation should be mentioned in each and surety promotion orders made in the meanwhile.

ਕਾਪੀ ਪੱਤਰ ਨੰ: 20/58/90-3ਪੀ ਪੀ-1/6045, ਮਿਤੀ 12 ਮਈ, 1992 ਵਲੋਂ ਪੰਜਾਬ ਸਰਕਾਰ ਪਰਸੋਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ (ਪ੍ਰਸੋਨਲ ਪਾਲਿਸੀ-1 ਸ਼ਾਖਾ), ਨੂੰ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਜ਼ਿਲ੍ਹਾ ਅਤੇ ਸੈਸ਼ਨਜ਼ ਜੱਜ, ਉਪ ਮੰਡਲ ਅਫਸਰਾਂ (ਸਿਵਲ) ਪੰਜਾਬ।

**ਵਿਸ਼ਾ :-**ਰਾਖਵੇਂਕਰਣ ਦੀ ਨੀਤੀ ਸਬੰਧੀ ਸਪੱਸ਼ਟੀਕਰਣ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਮੈਨੂੰ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀ ਨੀਤੀ ਸਬੰਧੀ, ਕੁੱਲ ਵਿਭਾਗਾਂ ਵਲੋਂ ਉਠਾਏ ਗਏ ਨੁਕਤਿਆਂ ਬਾਰੇ, ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਸਪੱਸ਼ਟੀਕਰਣ ਦੇਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ :-

ਨੁਕਤਾ	ਸਪੱਸ਼ਟੀਕਰਣ
1. ਕੀ ਐਕਸ ਕਾਡਰ ਪੋਸਟਾਂ ਅਤੇ ਡੈਪੂਟੇਸ਼ਨ ਦੀਆਂ ਪੋਸਟਾਂ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਲਾਗੂ ਹੈ ?	ਜੀ ਹਾਂ। ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 24-4 ਡਬਲਿਊ.ਜੀ.-1/66/3772, ਮਿਤੀ 16 ਫਰਵਰੀ, 1966 ਅਤੇ ਨੰਬਰ 2/14/78-ਐਸ.ਡਬਲਿਊ. 1/2560, ਮਿਤੀ 4 ਅਪ੍ਰੈਲ, 1984 ਇਸ ਮਾਮਲੇ ਸਬੰਧੀ ਸਪੱਸ਼ਟ ਹਨ। ਐਕਸ ਕਾਡਰ ਅਤੇ ਡੈਪੂਟੇਸ਼ਨ ਆਸਾਮੀਆਂ ਬਾਰਟ-ਟਰਮ ਆਸਾਮੀਆਂ ਦੇ ਵੱਖਰੇ ਰੋਸਟਰ ਵਿੱਚ ਦਰਜ ਕੀਤੀਆਂ ਜਾਣੀਆਂ ਹਨ। ਐਕਸ ਕਾਡਰ ਅਤੇ ਡੈਪੂਟੇਸ਼ਨ ਪੋਸਟਾਂ ਨੂੰ ਇਸ ਪ੍ਰਕਾਰ ਰਾਖਵੇਂਕਰਣ ਪ੍ਰਤੀ ਗਿਣਨ ਨਾਲ, ਕਾਡਰ ਦੀਆਂ ਪੋਸਟਾਂ ਦੀ ਗਿਣਤੀ ਵਿੱਚ ਕੋਈ ਅੰਤਰ ਨਹੀਂ ਆਵੇਗਾ।
2. ਜੇ ਕੋਈ ਕਾਡਰ ਇੱਕ ਆਸਾਮੀ ਤੋਂ ਵੱਧ ਦਾ ਹੋਵੇ ਪਰ 7 ਤੱਕ ਦਾ ਹੋਵੇ ਤਾਂ ਕੀ ਉਸ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਲਾਗੂ ਕੀਤੀ ਜਾ ਸਕਦੀ ਹੈ ?	ਜੀ ਹਾਂ। ਇਸ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 6872-ਡਬਲਿਊ.ਜੀ.-66/24917, ਮਿਤੀ 23 ਅਗੱਸਤ 1966 ਅਤੇ ਨੰ: 5184-ਐਸ.ਡਬਲਿਊ-1-74/20947, ਮਿਤੀ 11 ਅਕਤੂਬਰ, 1974 ਸਵੈ-ਸਪੱਸ਼ਟ ਹਨ।
3. ਜਦੋਂ ਕਿਸੇ ਕਾਡਰ ਵਿੱਚ ਰਿਜ਼ਰਵ ਕੈਟਗਰੀ ਦੀ ਪ੍ਰਤੀਨਿਧਤਾ ਸਿੱਧੀ ਹੋਈ ਪ੍ਰਤੀਸ਼ਤਤਾ ਤੱਕ ਪਹੁੰਚ ਜਾਂਦੀ ਹੈ ਤਾਂ ਕੀ ਵਿਭਾਗ ਆਪਣੇ ਆਪ ਭਲਾਈ ਵਿਭਾਗ ਨੂੰ ਰੈਫਰੈਂਸ ਕੀਤੇ ਬਿਨਾਂ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੀਆਂ ਹਦਾਇਤਾਂ ਤੇ ਅਮਲ ਕਰਨਾ ਠੀਕ ਸਕਦਾ ਹੈ ?	ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 20/47/89-3-ਪੀ.ਪੀ.-1/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990 ਅਨੁਸਾਰ ਜਿੰਨ੍ਹਾਂ ਕਾਡਰਾਂ ਵਿੱਚ ਰਿਜ਼ਰਵ ਕੈਟਗਰੀ ਦੀ ਪ੍ਰਤੀਨਿਧਤਾ ਸਿੱਧੀ ਹੋਈ ਪ੍ਰਤੀਸ਼ਤਤਾ ਤੱਕ ਪਹੁੰਚ ਜਾਂਦੀ ਹੈ, ਉਨ੍ਹਾਂ ਕਾਡਰਾਂ ਵਿੱਚ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਕਰਮਚਾਰੀਆਂ/ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਤਰੱਕੀ ਲਈ ਉਤਨੀ ਦੇਰ ਤੀਕਰ ਨਹੀਂ ਵਿਚਾਰਿਆ ਜਾ ਸਕਦਾ ਜਿਤਨੀ ਦੇਰ ਰਾਖਵੇਂਕਰਣ ਦੀ ਪ੍ਰਤੀਸ਼ਤਤਾ ਨਿਰਧਾਰਤ ਪ੍ਰਤੀਸ਼ਤਤਾ ਨਾਲੋਂ ਘੱਟ ਨਹੀਂ ਜਾਂਦੀ। ਇਸ ਕੰਮ ਲਈ ਭਲਾਈ ਵਿਭਾਗ ਨੂੰ ਰੈਫਰੈਂਸ ਕਰਨ ਦੀ ਲੋੜ ਨਹੀਂ ਹੈ।



4. ਜਦੋਂ ਕੋਈ ਪੁਆਇੰਟ ਡੀ-ਰੀਜ਼ਰਵ  
ਬਰਾਇਆ ਜਾਂਦਾ ਹੈ ਤਾਂ ਕੀ ਉਹ  
ਪੁਆਇੰਟ ਅਗਲੀ ਅਸਾਮੀ ਭਰਨ ਤੋਂ  
ਹੀਂ ਡੀ-ਰਿਜ਼ਰਵ ਗਿਣਿਆ ਜਾਵੇਗਾ ?
- ਜੀ ਨਹੀਂ । ਇਸ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ:  
1097-ਐਸ.ਡਬਲਿਊ-1-74/25071, ਮਿਤੀ 19  
ਨਵੰਬਰ, 1974 ਸਵੈ-ਸਪੱਸ਼ਟ ਹਨ ।
5. ਸੇਕਰ ਕਿਸੇ ਵਿਭਾਗ ਵਿੱਚ ਕੋਈ  
ਨੁਕਸਾਨ ਰੇਸਟਰ ਅਨੁਸਾਰ ਰਿਜ਼ਰਵ ਆ  
ਜਾਂਦਾ ਹੈ ਤਾਂ ਕੀ ਉਹ ਟੈਰੇਰਿਸਟ  
ਅਫੈਕਟਿਡ ਡੈਮਲੀ ਦੇ ਕਿਸੇ ਸੈਕਟ ਨੂੰ  
ਦਿੱਤਾ ਜਾ ਸਕਦਾ ਹੈ ?
- ਜੀ ਹਾਂ । ਇਸ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰਬਰ  
21/31/91-3ਪੀ ਪੀ(1)/5100, ਮਿਤੀ 20 ਅਕਤੂਬਰ,  
1992 ਸਪੱਸ਼ਟ ਹਨ ।

ਕਾਪੀ ਪੱਤਰ ਨੰਬਰ 3/8/89-ਰਸ 1/5850, ਮਿਤੀ 26 ਜੂਨ, 1993 ਵਲੋਂ ਪੰਜਾਬ ਸਰਕਾਰ ਭਲਾਈ  
ਵਿਭਾਗ (ਰਿਜ਼ਰਵੇਸ਼ਨ ਸੈਲ), ਸੇਵਾ ਵਿਖੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਤੇ  
ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਜਿਲ੍ਹਾਂ ਅਤੇ ਸੈਕਸ਼ਨਜ਼  
ਜੇਜ਼, ਉਪ ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ।

ਵਿਭਾ :- ਭਾਰਤ ਦੀ ਸਰਕਾਰ ਉੱਚ ਅਦਾਲਤ ਵਲੋਂ ਸੀ.ਏ. ਨੰਬਰ : 3792-94/89, ਅਜੀਤ ਸਿੰਘ  
ਜੰਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ.ਏ. ਪੰਜਾਬ 4763-65/89  
ਹਰਭਜਨ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਦਿੱਤੇ ਹੁਕਮ ਬਾਰੇ ।

ਆਪ ਦਾ ਧਿਆਨ ਭਲਾਈ ਵਿਭਾਗ, ਪੰਜਾਬ ਸਰਕਾਰ (ਰਿਜ਼ਰਵੇਸ਼ਨ ਸੈਲ) ਦੇ ਪੱਤਰ ਨੰ: 3/8/  
89-ਰਸ1/4893 ਮਿਤੀ 28 ਜੂਨ, 1993 ਵਲੋਂ ਦਿਵਾਇਆ ਜਾਂਦਾ ਹੈ, ਜਿਸ ਵਿੱਚ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ  
ਮਿਤੀ 14 ਮਈ, 1993 ਦੇ ਹੁਕਮ ਦੇ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਵਿੱਚ ਦੀ ਗਲਤੀ ਹੈ ਜਿਸ ਕਾਰਣ ਮੁੜ ਸਪੱਸ਼ਟ  
ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਸੀ.ਏ. ਨੰ: 3792-94/89-ਅਜੀਤ ਸਿੰਘ  
ਜੰਜੂਆ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਹੋਰ ਦੇ ਨਾਲ ਸੀ.ਏ. ਨੰ: 4763-65/89-ਹਰਭਜਨ  
ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੇਸਾਂ ਨਾਲ ਸਬੰਧਤ ਉਚੇਰੀ ਅਸਾਮੀ ਤੇ ਕਿਸੇ ਵੀ ਕੋਟਾਰਿਗੀ  
ਦੀ ਕੋਈ ਤਰੀਕੀ ਇਸ ਮਾਮਲੇ ਦੇ ਨਿਪਟਾਰੇ ਤੱਕ ਨਹੀਂ ਕੀਤੀ ਜਾਵੇਗੀ । ਉਪਰੋਕਤ ਹੋਰ ਸਿਰਫ ਪੰਜਾਬ  
ਸਿਵਲ ਸਕੋਰਟੇਜ਼ ਅਤੇ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ ਸਕੋਰਟੇਜ਼ ਵਿਖੇ ਉਪਰ ਦਰਜ ਕੇਸਾਂ ਨਾਲ ਸਬੰਧਤ ਉਚੇਰੀ ਅਸਾਮੀ  
ਤੇ ਤਰੀਕੀ ਲਈ ਹੀ ਲਗਾਈ ਗਈ ਹੈ । ਜਿਥੋਂ ਤੱਕ ਬਾਕੀ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦਾ ਸਬੰਧ ਹੈ ਉਨ੍ਹਾਂ ਤੇ ਪੱਤਰ  
ਨੰ: 29/47/89-3ਪੀ ਪੀ-1/22791, ਮਿਤੀ 17 ਦਸੰਬਰ, 1990 ਦੀਆਂ ਹਦਾਇਤਾਂ ਹੁਣ ਵੀ ਲਾਗੂ  
ਹਨ । ਆਪ ਨੂੰ ਇਨ੍ਹਾਂ ਹੁਕਮਾਂ ਦੀ ਇੰਨ-ਬਿੰਨ ਪਾਲਣਾ ਕਰਨ ਲਈ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ।

ਪੱਤਰ ਨੰ: 3/8/89-ਰਸ1/11023 ਮਿਤੀ 21 ਦਸੰਬਰ, 1994, ਪੰਜਾਬ ਸਰਕਾਰ ਭਲਾਈ ਵਿਭਾਗ (ਰਾਖਵੇਂਕਰਨ ਸੈਲ) ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਰਾਈਕੋਰਟ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਜ਼, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਜ਼, ਜ਼ਿਲ੍ਹਾ ਅਤੇ ਸੈਸ਼ਨਜ਼ ਜੱਜ, ਉਪ-ਮੰਡਲ ਅਫ਼ਸਰ (ਸਿਵਲ) ਚੰਡੀਗੜ੍ਹ।

ਵਿਸ਼ਾ :—ਰਾਖਵੇਂਕਰਨ ਦੀ ਨੀਤੀ ਤਹਿਤ ਮਿਤੀ 12 ਮਈ, 1992 ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੂੰ ਖਤਮ ਕਰਨ ਸਬੰਧੀ।

ਸ਼੍ਰੀਮਾਨ ਜੀ,

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਖੇ ਤੇ ਆਪ ਜੀ ਦਾ ਧਿਆਨ ਇਸ ਵਿਭਾਗ ਦੇ ਪੱਤਰ ਨੰ: 3/8/89-ਰਸ1/7011 ਮਿਤੀ 17 ਅਕਤੂਬਰ, 1994 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਵਲ ਦਿਵਾਉਂਦੇ ਹੋਏ ਇਹ ਸੂਚਿਤ ਕਰਨ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮ ਮਿਤੀ 9 ਅਕਤੂਬਰ, 1994 ਦੇ ਸਨਮੁਖ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਰਾਖਵੇਂਕਰਨ ਸਬੰਧੀ ਪੱਤਰ ਨੰ: 20/58/90-ਪੀ.ਪੀ.1/6045 ਮਿਤੀ 12 ਮਈ, 1992 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਨੂੰ ਖਤਮ ਹੋਈਆਂ ਸਮਝਣਾ ਚਾਹੀਦਾ ਸੀ। ਇਹ ਵੀ ਸਪੱਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਉਪਰੋਕਤ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਅੱਗੇ ਤੋਂ ਰਾਖਵੇਂਕਰਨ ਦੀ ਨੀਤੀ ਨੂੰ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ। ਪਰੰਤੂ ਬਹੁਤ ਸਾਰੇ ਵਿਭਾਗਾਂ ਵਲੋਂ ਲਿਖਤੀ/ਜ਼ਬਾਨੀ ਤੌਰ ਤੇ ਸਪੱਸ਼ਟੀਕਰਨ ਮੰਗੇ ਜਾ ਰਹੇ ਹਨ ਕਿ ਉਕਤ ਹਦਾਇਤਾਂ ਮਿਤੀ 12 ਮਈ, 1992 ਦੀ ਹੁਣ ਕੀ ਸਥਿਤੀ ਹੈ। ਇਸ ਸਬੰਧ ਵਿਚ ਆਪ ਜੀ ਨੂੰ ਸਪੱਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਭਾਰਤ ਦੀ ਸਰਵ ਉਚ ਅਦਾਲਤ ਵਲੋਂ ਮਿਤੀ 9 ਅਕਤੂਬਰ, 1994 ਦੇ ਹੁਕਮਾਂ ਦੇ ਸਨਮੁਖ ਹਦਾਇਤਾਂ ਮਿਤੀ 12 ਮਈ, 1992 ਖਤਮ ਸਮਝੀਆਂ ਜਾਣ ਅਤੇ ਹੁਣ ਰਾਖਵੇਂਕਰਨ ਦੀ ਨੀਤੀ ਨੂੰ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਉਕਤ ਹੁਕਮਾਂ ਦੀ ਹੋਸ਼ੀ ਵਿੱਚ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ।

2. ਆਪ ਜੀ ਦਾ ਧਿਆਨ ਇਸ ਵਿਭਾਗ ਦੇ ਪੱਤਰ ਨੰ: 3/8/89-ਰਸ1/7585 ਮਿਤੀ 5 ਸਤੰਬਰ, 1994 ਵੱਲ ਵੀ ਦਿਵਾਇਆ ਜਾਂਦਾ ਹੈ ਜਿਸ ਰਾਹੀਂ ਆਪ ਜੀ ਨੂੰ ਇਹ ਸਪੱਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਕਿਸੇ ਵੀ ਕੇਸ ਵਿੱਚ ਜੇਕਰ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਉਕਤ ਹੁਕਮਾਂ ਦੀ ਉਲੰਘਣਾ ਕਰਕੇ ਕੋਈ ਨਿਰਣਾ ਲਿਆ ਗਿਆ ਤਾਂ ਉਸ ਸੂਰਤ ਵਿੱਚ ਅਦਾਲਤ ਦੀ ਮਾਨਹਾਨੀ ਸਬੰਧੀ ਸਬੰਧਤ ਵਿਭਾਗ ਖੁਦ ਜ਼ਿਮੇਵਾਰ ਹੋਵੇਗਾ ਅਤੇ ਭਲਾਈ ਵਿਭਾਗ ਦੀ ਕੋਈ ਜ਼ਿਮੇਵਾਰੀ ਨਹੀਂ ਹੋਵੇਗੀ। ਇਸ ਲਈ ਆਪ ਨੂੰ ਫਿਰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਭਾਰਤ ਦੀ ਸਰਵ ਉਚ ਅਦਾਲਤ ਦੇ ਮਿਤੀ 9 ਅਕਤੂਬਰ, 1994 ਦੇ ਠੋਸ਼ੇ ਦੀ ਦਿੱਲਖਿੰਨ ਖਾਲਤਾ ਕੀਤੀ ਜਾਵੇ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਵਿਸ਼ਵਾਸ ਪਾਤਰ,  
ਹਰਜੀਤ ਸਿੰਘ,  
ਸੰਪੂਰਨ ਸਕੇਤਰ ਭਲਾਈ।

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
Writ Petition (Civil) No. 79 of 1979.

R.K. Sabharwal and Ors.

.. Petitioner

Versus

State of Punjab and Ors

.. Respondents

## JUDGMENT

The petitioners and respondents 4, 5 and 6 are members of the Punjab Service of Engineers (Class I) (the Service) in the Irrigation Department of the State of Punjab. The respondents are members of the Scheduled Castes whereas the petitioners belong to the general category. The conditions of service of the members of the Service are governed by the Rules called The Punjab Service of Engineers Class I P.W.D. (I.B.) Rules, 1964 (the Rules). The Punjab Government by the instructions dated May 4, 1974 provided reservations for the Scheduled Castes and Backward Classes in promotions to and within Class I and II services under the State Government. It was laid down under the said instructions that 16 per cent of the posts to be filled by promotion were to be reserved for members of the Scheduled Castes and Backward Classes (14 per cent for the Scheduled Castes and 2 per cent from the Backward Classes) subject to the conditions that the persons to be considered must possess the minimum necessary qualifications and they should have satisfactory record of service. The instructions further provided as under:

"(i) In a lot of 100 vacancies occurring from time to time, those falling at serial numbers mentioned below should be treated as reserved for the members of Scheduled Castes;

1,7,15,22,30,37,44,51,59,65,72,80,87,91 and so on. Vacancies falling at serial numbers 25 and 76 should be treated as reserved for the members of Backward Classes.

(ii) The reservation prescribed shall be given effect to in accordance with a roster to be maintained in each Department. The roster will be implemented in the form of a running account from year to year."

Rule 3 of the Rules which provides for promotion within the service reads as under:

**"Promotion within service:--**

(1) Subject to the provisions of sub-rules 2 and 3 members of the Service shall be eligible for promotion to any of the posts in the Service, namely, Executive Engineers, Superintending Engineers and Chief Engineers:

Provided that a Member of the Service in whose case the qualifications mentioned in clause (a) of Rule 6 have been waived shall not be eligible for promotion to the post of Superintending Engineer or above till he has acquired the necessary qualification.

Explanation:-- Once an officer has been appointed a member of the Service, his promotion within it from one rank to another shall be regarded as promotion within the same cadre.

(2) Promotions shall be made by selection on the basis of merit and suitability in all respects and no member of the Service shall have any claim to such promotion as a matter of right or mere seniority.

(3) A member of the Service shall not be eligible for promotion to the rank of--

(a) Executive Engineer unless he has rendered five years service as an Assistant Executive Engineer;

Provided that an officer who has rendered six years or more service as an Assistant Executive Engineer shall unless he is considered unsuitable for promotion, be given preference for such promotion over an eligible Class II Officer;

(b) Superintending Engineer, unless he has rendered seven years service as an Executive Engineer;

(b) Chief Engineer, unless he has rendered three years service as Superintending Engineer;

Provided that, if it appears to be necessary to promote an officer in public interest, the Government may, for reasons to be recorded in writing, either generally for a specified period or in any individual case reduce the period specified in clauses (a), (b) and (c) to such extent as it may deem proper."

It is stated in the writ petition that the petitioners are at serial Nos. 19, 23, 26, 29, 30, 31, 34 and 38 of the seniority list of the Service whereas the respondents, are at serial Nos. 46, 140 and 152. Respondent-Rattan Singh was promoted to the rank of Chief Engineer against the post reserved for the Scheduled Castes by superseding 26 senior colleagues including the petitioners. Similarly, respondents Surjit Singh and Om Parkash were promoted as superintending Engineers against the reserve vacancies by superseding 82 and 87 senior colleagues, respectively. According to the petitioners at the time of promotion of these respondents the petitioners were already working as Superintending Engineers for several years. It is further averred in the petition that respondents 4, 5 and 6 were in fact working as Executive Engineers when the petitioners were holding the posts of Superintending Engineers.

On the above facts the petitioners have challenged the reservation policy on several grounds but Mr. Harish Salve, learned counsel for the petitioners, has confined the arguments to the following two points:--

(1) The object of reservation is to provide adequate representation to the Scheduled Castes/Tribes and Backward Classes in services and as such any mechanism provided to achieve that end must have nexus to the object sought to be achieved. The precise argument is that for working out the percentage of reservation the promotees/appointees belonging to the Scheduled Castes and Backward Classes whether appointed against the general category posts or against the reserve posts are to be counted. In other words if more than 14% of the Scheduled Castes candidates are appointed/promoted in a cadre on their own merit/seniority by competing with the general category candidates then the purpose of reservation in the said cadre having been achieved the Government instructions providing reservations would become inoperative.

(2) Once the posts earmarked for the Scheduled Castes/Tribes and Backward Classes on the roster are filled the reservation is complete. Roster cannot operate any further and it should be stopped. Any post falling vacant, in a cadre thereafter, is to be filled from the category reserve or general due to retirement etc. of whose member the post fell vacant.

Adverting to the first point Mr. Harish Salve and Mr. Rajiv Dhawan, learned counsel representing the petitioners, have contended that the total number of promotees/appointees belonging to the reserve categories in a cadre are to be counted to work-out the prescribed percentage of reservation. According to the learned counsel the reserve categories can take advantage of the reservation made in their favour till their representation in the Service including those appointed against general category posts reaches the prescribed percentage. For working out the percentage the promotees/appointees belonging to reserve categories in the Service, whether on the reserve posts or general category posts, are to be counted. Support is sought from the judgement of the Punjab and Haryana High Court in Joginder Singh Sethi and others vs. Punjab Government and others 1982 (2) S.R. 307. In the said case 22% reservation was provided for the members of Scheduled Castes/Tribes and Backward Classes. In the cadre strength of 202 posts the Scheduled Castes candidates were entitled to 42 posts. There were already 47 members of the said category in the cadre but out of them 10 were promoted on the basis of seniority-cum-merit against the general category posts. There being only 37 persons who had been promoted against the reserved posts 4 more Scheduled Castes were sought to be promoted against the reserve vacancies. The High Court quashed the promotion on the ground that the cadre was already having more than 22% persons from the reserve categories. We are of the view that the High Court in Joginder Singh Sethi's case fell into a patent error. The said case was subsequently considered by Full Bench of Punjab and Haryana High Court in Jaswant Singh Vs. Secretary to Government of Punjab, Education Department [1989 (4) Services Law Reporter 257]. The Full Bench did not agree with the ratio in Joginder Singh Sethi's case and reversed the same.

When a percentage of reservation is fixed in respect of of a particular cadre and the roster indicates the reserve points, it has to be taken that the posts shown at the reserve points are to be filled from amongst the members of reserve categories and the candidates belonging to the general category are not entitled to be considered for the reserve posts. On the other hand the category candidates can compete for the non-reserve posts and in the event of their Appointment to the said posts their number cannot be added and taken into consideration for working out the percentage of reservation. Article 16(4) of the Constitution of India permits the State Government to make any provision for the reservation of appointments or posts in favour of any backward class of citizen which, in the opinion of the State is not adequately represented in the Services under the State. It is, therefore, incumbent on the State Government to reach a conclusion that the backward class/classes for which the reservation is made is not adequately represented in the State Services. While doing so the State Government may take the total population of a particular backward class and its representation in the State Services. When the State Government after doing the necessary exercise makes the reservation and provides the extent of percentage of posts to be reserved

for the said backward class then the percentage has to be followed strictly. The prescribed percentage cannot be varied or changed simply because some of the members of the backward class have already been appointed/promoted against the general seats. As mentioned above the roster point which is reserved for a backward class has to be filled by way of appointment/promotion of the member of the said class. No general category candidate can be appointed against a slot in the roster which is reserved for the backward class. The fact that considerable number of members of a backward class have been appointed/promoted against general seats in the State Services may be a relevant factor for the State Government to review the question of continuing reservation for the said class but so long as the instruction/Rules providing certain percentage of reservations for the backward classes are operative the same have to be followed. Despite any number of appointees/promotees belonging to the backward classes against the general category posts the given percentage has to be provided in addition. We, therefore, see no force in the first contention raised by the learned counsel and reject the same.

We see considerable force in the second contention raised by the learned counsel for the petitioners. The reservation provided under the impugned Government instructions are to be operated in accordance with the roster to be maintained in each Department. The roster is implemented in the form of running account from year to year. The purpose of "running account" is to make sure that the Scheduled Castes/Scheduled Tribes and Backward Classes get their percentage of reserved posts. The concept of "running account" in the impugned instructions has to be so interpreted that it does not result in excessive reservation. "15% of the posts....." are reserved for members of the Scheduled Caste and Backward Classes. In a lot of 100 posts those falling at serial number 1, 7, 15, 22, 30, 37, 44, 51, 58, 65, 72, 80, 87 and 91 have been reserved and earmarked in the roster for the Scheduled Castes. Roster points 26 and 76 are reserved for the members of Backward Classes. It is thus obvious that when recruitment to a cadre starts then 14 posts earmarked in the roster are to be filled from amongst the members of the Scheduled Caste. To illustrate, first post in a cadre must go to the Scheduled Castes and thereafter the said class is entitled to 7th, 15th, 22nd and onwards upto 91st post. When the total number of posts in a cadre are filled by the operation of the roster then the result envisaged by the impugned instructions is achieved. In other words, in a cadre of 100 posts when the posts earmarked in the roster for the Scheduled Castes and the Backward Classes are filled the percentage of reservation provided for the reserved categories is achieved. We see no justification to operate the roster thereafter. The "running account" is to operate only till the quota provided under the impugned instructions is reached and not thereafter. Once the prescribed percentage of posts is filled the numerical test of adequacy is satisfied and thereafter the roster does not survive. The percentage of reservation is the desired representation of the Backward Classes in the State services and is, consistent with the demographic estimate based on the proportion worked out in relation to their population. The numerical quota of posts is not a shifting boundary but represents a figure with due application of mind. Therefore, the only way to assure equality of opportunity to the Backward Classes and the general category is to permit the roster to operate till the time the respective appointees/promotees occupy the posts meant for them in the roster. The operation of the roster and the "running account" must come to an end thereafter. The vacancies arising in the cadre, after the initial

posts are filled, will pose no difficulty. As and when there is a vacancy whether permanent or temporary in a particular post the same has to be filled from amongst the category to which the post belonged in the roster. For example the Scheduled Caste persons holding the posts at Roster-points 1, 7, 15 retire then these slots are to be filled from amongst the persons belonging to the Scheduled Castes. Similarly, if the persons holding the post at points 8 to 14 or 23 to 29 retire then these slots are to be filled from among the general category. By following this procedure there shall neither be short fall nor excess in the percentage of reservation.

The expression "posts" and "vacancies", often used in the executive instructions providing for reservations, are rather problematical. The word "post" means an appointment, job, office or employment. A position to which a person is appointed "Vacancy" means an unoccupied post or office. The plain meaning of the two expressions make it clear that there must be a 'post' in existence to enable the 'vacancy' to occur. The cadre-strength is always measured by the number of posts comprising the cadre. Right to be considered for appointment can only be claimed in respect of a post in a cadre. As a consequence the percentage of reservation has to be worked out in relation to the number of posts which form the cadre-strength. The concept of 'vacancy' has no relevance in operating the percentage of reservation.

When all the roster-points in a cadre are filled the required percentage of reservation is achieved. Once the total cadre has full representation of the Scheduled Castes/Tribes and Backward Classes in accordance with the reservation policy then the vacancies arising thereafter in the cadre are to be filled from amongst the category of persons to whom the respective vacancies belong. Jeevan Reddy, J. speaking for the majority in Indra Sawhney vs. Union of India [AIR 1993 SC 477] observed as under:--

"Take a unit/service/cadre comprising 1000 posts. The reservation in favour of scheduled Tribes, Scheduled Castes and Other Backward Classes is 50% which means that out of the 1000 posts 500 must be held by the members of these classes i.e. 270 by Other Backward Classes, 133 by Scheduled Castes and 97 by Scheduled Tribes. At a given point of time, let us say the number of members of OBCs in the units/service/category is only 50, a shortfall of 220. Similarly the number of members of Scheduled Castes and Scheduled Tribes is only 20 and 5 respectively, shortfall of 130 and 75. If the entire service/cadre is taken as a unit and the backlog is sought to be made up, then the open competition channel has to be checked altogether for a number of years until the number of members of all backward classes reaches 500 i.e., till the quota meant for each of them is filled up. This may take quite a number of years because the number of vacancies arising each year are not many. Meanwhile the members of open competition category would become age barred and ineligible equality of opportunity in their case would become a mere mirage. It must be remembered that the equality or opportunity guaranteed by clause (1) is to each individual citizen of the country while clause (4) contemplates special provision being made in favour of socially disadvantaged classes. Both must be balanced against each other. Neither should be allowed to eclipse the other. For the above reason, we hold that for the purpose of applying the rule of 50% a year should be taken as the units and not the entire strength of the cadre, service or the unit as the case may be".

The quoted observations clearly illustrate that the rule of 50% a year as a unit and not the entire strength of the cadre has been adopted to project the rights of the general category under clause (1) of Article 16 of the Constitution of India. These observations in Indra Sawhney's case are only in relation to posts which are filled initially in a cadre. The operation of a roster, for filling the cadre-strength, by itself ensures that the reservation remains within the 50% limit Indra Sawhney's case is not the authority for the point that the roster survives after the cadre-strength is full and the percentage of reservation is achieved.

A Division Bench of the Allahabad High Court in J.C. Mallik and others vs. Union of India and others [1978 (1) SLR 844] interpreted Railway Board's circular dated April 20, 1970 providing 15% reservations for the Scheduled Castes. The High Court held that the percentage of reservation is in respect of the appointment to the posts in a cadre. On the basis of the material placed before the High Court it reached the conclusion that if the reservation is permitted in the vacancies after all the posts in a cadre are filled then serious consequences would ensue and the general category is likely to suffer considerably. We see no infirmity in the view taken by the High Court.

We may examine the likely result if the roster is permitted to operate in respect of the vacancies arising after the total posts in a cadre are filled. In a 100 point roster 14 posts at various roster-points are filled from amongst the Scheduled Castes/ Scheduled Tribes candidates, 2 posts are filled from amongst the Backward category. Suppose all the posts in a cadre consisting of 100 posts are filled in accordance with the roster by December 31, 1994. Thereafter in the year 1995, 25 general category persons (out of the 84) retire. Again in the year 1996, 25 more persons belonging to the general category retire. The position which would emerge would be that the Scheduled Castes and Backward Classes would claim 16% share out of the 50 vacancies. If 8 vacancies are given to them then in the cadre of 100 posts the reserve categories would be holding 24 posts thereby increasing the reservation from 16% to 24%. On the contrary if the roster is permitted to operate till the total posts in a cadre are filled and thereafter the vacancies falling in the cadre are to be filled by the same category of persons whose retirement etc. caused the vacancies then the balance between the reserve category and the general category shall always be maintained. We make it clear that in the event of non-availability of reserve candidate at the roster-point it would be open to the State Government to carry forward the point in a just and fair manner.

We, therefore, find considerable force in the second point raised by the learned counsel for the petitioners. We, however, direct that the interpretation given by us to the working of the roster and our findings on this point shall be operative prospectively.

The writ petition is, therefore, disposed of in the above terms. No costs.

.....J  
(KULDIP SINGH)

.....J  
(S. MOHAN)

.....J  
(M.K. MUKHERJEE)

.....J  
(B.L. HANSARIA)

.....J  
(S.B. MAJMUDAR)

New Delhi

February 10, 1995

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