

**No. 6(4)98-DPE (SC/ST Cell
Government of India
Ministry of Industry
Department of Public Enterprises**

Block No. 14, CGO Complex,
Lodhi Road, New Delhi-110003
Dated the 8th January, 1998.

OFFICE MEMORANDUM

Sub: Reservation for the SCs/STs in promotion.

The undersigned is directed to forward herewith a copy of Department of Personnel & Training's OM NO.36012/18/95-Estt.(Res.) Pt. II dated 13th August, 1997 on the subject mentioned above and to request that All Ministries/Departments may kindly bring the contents of the OM under reference to the notice of all Public Sector Undertakings under their administrative control for information and compliance.

Sd/-
(C.C. Unnikrishnan)
Under Secretary to the Govt, of India
Tel:4360624

To

All Administrative Ministries/Departments concerned with PSUs Copy to:

1. Chief Executives of all PSEs.
2. Deptt. of Personnel & Training with reference to their IM cited above.
3. Secretary, National Commission for SC and ST, Lok Nayak Bhawan, New Delhi.
4. Ministry of Welfare, Shastri Bhawan, New Delhi.

Sd/-
(C.C. Unnikrishnan)
Under Secretary to the Govt, of India

No.36012/18/95-Estt.(Res.)Pt. II
Government of India
Ministry of Personnel, Personnel and Training
Department of Personnel & Training

North Block, New Delhi.
Dated the 13th August, 1997

OFFICE MEMORANDUM

Subject: Reservation for the SCs/STs in promotion

The undersigned is directed to invite attention to this Department's OM No.36012/37/93-Estt.(SCT) dated 19.8/1993 clarifying that the Supreme Court had, the Indira Sawhney-case, permitted the reservation, for the Scheduled Castes and the Scheduled Tribes, in promotion, to continue for a period of five years from 16.11.1992.

2. Consequent to the Judgement in Indira Sawhney's case, the Constitution was amended by the Constitution (Seventy-Seventh Amendment) Act. 1995 and Article 16(4A) was incorporated in the Constitution. This Article enables the State to provide for reservation, in matters of promotion, in favour of the Scheduled Castes and the Scheduled Tribes, which in the opinion of the State are not adequately represented in the Services under the State.

3. In pursuance of Article 16(4A), it has been decided to continue the reservation in promotion, as at present, for the Scheduled Castes and the Scheduled Tribes in the services/posts under the Central Government beyond 15.11.1997 till such time as the representation of each of the above two categories in each cadre reaches the prescribed percentages of reservation where after, the reservation in promotion shall continue to maintain the representation to the extent of the prescribed percentages for the respective categories.

4. All Ministries/Departments are requested to urgently bring these instructions to the notice of all their attached subordinate offices as also the Public Sector Undertakings and Statutory Bodies etc.

Sd/-
(Y.G. PARANDE)
DIRECTOR (RESERVATION)

To

All Ministries/Departments of the Government of India

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