

Extracts from OM. No.36033//2008-Estt.(Res)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi-110 001
Dated the 15th July, 2008.

OFFICE MEMORANDUM

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

The undersigned is directed to refer to this Department's O.M. No.36012/5/97—Estt(Res) dated 29th August 1997 which provided that 50 per cent limit on reservation would apply to current as well as backlog reserved vacancies. These instructions were modified by O.M. No. 36012/5/97-Estt(Res). Vol. II dated 20.7.2000 to the effect that the backlog reserved vacancies of Scheduled Castes (SCs) and Scheduled Tribes (STs) would be treated as a separate and distinct group and would not be considered together with the reserved vacancies of the year in which they are filled for determining the ceiling of 50 per cent reservation, on total number of vacancies of that year. It has now been decided to treat the backlog reserved vacancies of Other Backward Classes (OBCs) also as a separate and distinct group the same way as the backlog reserved vacancies of the SCs and STs are treated. Thus, the ceiling of 50 per cent reservation on filling of reserved vacancies would now apply only to the vacancies which arise in the current year and the backlog reserved vacancies of SCs, STs and OBCs in case of direct recruitment and backlog reserved vacancies of SCs and STs in case of promotion of earlier years, would be treated as a separate and distinct group, and would not be considered together with the reserved vacancies of the year in which they are filled for determining the ceiling of 50 per cent reservation on total number of vacancies of that year.

2. It is important to note that there is a distinction between the 'shortfall of reservation' and 'number of backlog reserved vacancies' in a cadre. The 'shortfall of reservation of a particular reserved category in a cadre' means the difference between the total number of reserved posts for that category in the cadre according to the post based reservation'

and 'the number of persons of that category appointed by reservation and holding the post in the cadre'. On the other hand 'backlog reserved vacancies' of a category are those vacancies which were earmarked reserved for the category in an earlier recruitment year according to post based reservation but remained unfilled in the previous recruitment attempt on account of non availability of suitable candidates belonging to that category and are still lying unfilled.