

Department of Personnel & Training No. 36012/6/88-Estt. (SCT)
New Delhi, the 25 April, 89 To All Ministries/Departments of the Govt. of India

OFFICE MEMORANDUM

Subject :—Ban on dereservation in direct recruitment to vacancies under the Government.

The existing orders and instructions with regard to reservation for Scheduled Castes and Scheduled Tribes in posts/services under the government have been reviewed. In order to protect the interest of SC/ST communities and to ensure that posts reserved for them are filled up only by such candidates, it has now been decided that where sufficient number of candidates belonging to SC/ST are not available to fill up the vacancies reserved for them in direct recruitment, the vacancies shall *not* be filled by candidates not belonging to these communities. In other words, there will be a ban on dereservation. This will come into effect from 1-4-89 in respect of all direct recruitment to be made to fill up vacancies in Group 'A', 'B', 'C' & 'D'. It is further clarified that this ban will apply not only to vacancies which arise after 1-4-89 but also to the vacancies reserved for SC/ST communities of earlier years which have not yet been filled up by other community candidates whether such vacancies have been dereserved or not.

2. Hereafter, in all cases of direct recruitment to fill up vacancies in posts/services in Group A, B, C and D if sufficient number of suitable SC/ST candidates are not available to fill up vacancies reserved for them in the first attempt of recruitment, then a second attempt shall be made for recruiting suitable candidates belonging to the concerned category in the same recruitment year or as early as possible before the next recruitment to fill up these vacancies. If the required number of SC/ST candidates are not even then available, the vacancies which could not be filled up shall remain unfilled until the next recruitment year. These vacancies will be treated as "backlog" vacancies.

3. In the subsequent year when recruitment is made for the vacancies of that year (called the current vacancies), the "backlog" vacancies will also be announced for recruitment, keeping the vacancies of the particular recruitment year i.e. the current vacancies and the "backlog" vacancies as two distinct groups. While in respect of vacancies for the year of recruitment, the normal instructions relating to calculation of vacancies reserved for SC/ST as well as the instructions that not more than 50% of the vacancies could be reserved for SC/ST, physically handicapped etc. will apply, all the "backlog" vacancies reserved for SC/ST will be filled up by the concerned candidates belonging to reserved category without any restriction whatsoever as they belong to distinct group of "backlog" vacancies.

4. For example, if three vacancies for SC candidates and two vacancies for ST candidates remaining unfilled in earlier years are carried forward as "backlog" vacancies and four new vacancies arise in the year of recruitment and one vacancy each out of these 4 vacancies are to be reserved for SC/ST candidates respectively following the existing instructions on reservation, the number of vacancies to be announced will be as follows :

	Current vacancies			Backlog vacancies	
	OC	SC	ST	SC	ST
Name of post	2	1	1	3	2

5. It may be seen from the above that while the vacancies reserved for SC/ST which remain unfilled will be carried forward to the next year of recruitment as 'backlog' vacancies, the carried forward reservation for SC/ST as on 1-4-89 as a result of the filling up of the relevant vacancies after dereservation, will continue to be operated against 'current' vacancies following the existing orders and instructions. If such reserved vacancies are still not filled up they will be carried forward as 'backlog' vacancies under these orders.