

F. No. 43011/4/2018-Estt.(Res.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
Establishment (Reservation-I) Section

North Block, New Delhi
Dated April 4, 2018

OFFICE MEMORANDUM


Subject Reiteration of instructions relating to application of own merit in Direct Recruitment for appointment of Other Backward Classes (OBCs)- regarding

The undersigned is directed to say that the Hon'ble Supreme Court in its judgment in the case of R. K. Sabharwal vs. State of Punjab, had, inter-alia, observed that "the reserve 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."

2. As per instructions issued vide this Department's OM No. 36012/2/96-Estt.(Res) dated 02.07.1997, in direct recruitments to Central Government jobs and services, the reserve category candidates who are selected on the same standard as applied to general candidates will not be adjusted against reserved vacancies. As per instructions issued vide DOP&T OM No. 36011/1/98-Estt.(Res) dated 01.07.1998, only when a relaxed standard is applied in selecting a reserved candidate, for example in the age limit, experience, qualification, permitted number of chances in written examination, etc., such candidates will be counted against reserved vacancies.

3. It has been brought to the notice of this Department by the Hon'ble Parliamentary Committee on Welfare of OBCs that these instructions are not being followed in some cases in direct recruitments to Central Government jobs and services. It is, therefore, reiterated that while making Direct Recruitments, guidelines issued vide this Department's OM No. 36012/2/96-Estt.(Res) dated 02.07.1997 and OM No. 36011/1/98-Estt.(Res) dated 01.07.1998 may be kept in view by all concerned.

4. All Ministries/ Departments are requested to bring the contents of this O.M. to the notice of all concerned for information and compliance.


(Raju Saraswat)

Under Secretary to the Government of India
Tel.: 23092110

To:

1. The Secretaries of all Ministries/Departments of the Government of India.
2. Department of Financial Services, New Delhi

3. Department of Public Enterprises, New Delhi
4. Railway Board, Ministry of Railways, Rail Bhavan, New Delhi
5. Department of Social Justice and Empowerment, New Delhi
6. Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice President's Secretariat/ Prime Minister's Office/ Niti Ayog
7. Union Public Service Commission / Staff Selection Commission
8. National Commission for Scheduled Castes, Lok Nayak Bhawan, New Delhi
9. National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi
10. National Commission for Backward Classes, Trikoot-1, Bhikaji Cama Place, R. K. Puram, New Delhi
11. Office of the Comptroller and Auditor General of India
12. Information and Facilitation Center, DoPT, North Block, New Delhi.
13. Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi 110067
14. NIC, DoPT – to upload the same on DoPT website.
15. Hindi Section for providing a Hindi translation