

The P & T, SC/ST Employees, Welfare Association, Delhi, has brought to the notice of this Directorate that the representatives of the Association were not being granted any meeting or interview by the Liaison Officers for discussing the problems/grievances of the SC/ST employees. In this connection your attention is invited to the instructions contained in the erstwhile P & T Directorate Circular No. 21-36/37-81/SCT, dated 24-4-1981, on the same subject wherein it was emphasized that SC/ST employees should not be refused interviews by the Liaison Officers. These instructions are still operative and may be adhered to. It is accordingly reiterated that SC/ST employees or their representatives may be granted interviews by the Liaison Officers for mitigating former's grievance regarding appointments, promotions, etc. The meetings may, however, be informal without any agenda and no minutes thereof need be prepared.

These orders may please be brought to the notice of Liaison Officers for SC/ST employees for their information and guidance under intimation to this Directorate.

58

G.I., Dept. of Telecom., Lr. No. 1-13/92-SCT, dated 18/31-8-1992

Subject:—Reservation benefits admissible to SC/ST candidates migrated to the States other than their State of origin.

I am directed to refer to Ministry of Home Affairs Circular No. 35-1/72-RU (SCT), dated 2-5-1975 [Para. 2 (II)], which states that a person migrates from one State to another State, he can claim to belong to SC/ST only in relation to the State to which he originally belonged and not in respect of States to which he has migrated. This paragraph does not clarify the position in regard to this reservation benefits to be extended to SC/ST in case of Central Government establishments.

2. Many representations have been received in this office for clarifying the status of reservation benefits in the Central Government to those who have migrated to the States other than their State of origin. The clarification in this regard was sought from Ministry of Welfare and from Ministry of Home Affairs (Department of Personnel and Training). It is clarified according to the instructions contained in Letter No. 16014/1/82-SC and BCD-1, dated 6-8-1984 and 22-2-1985, a Scheduled Caste or Scheduled Tribe person on migration from the State of his own origin to another State will not lose his status as SC/ST, but will be entitled to the concessions/benefits admissible to the SC/ST from the State of his origin and not from the State where he has migrated.

3. It is clarified that above instructions are applicable only for the State Government services, admissible in State Government's educational institutions, etc. All Scheduled Castes and Scheduled Tribes are treated alike for jobs in the Central Government. In view of this clarification SC/ST persons employed in Central Government services in the States/Union Territories are entitled to get the benefits admissible to them. Since Department of Telecommunications is Central Government, the benefits admissible to

SC/ST persons under the Central Government should continue to be extended to SC/ST person in the Department to those also who have migrated from the State of their origin to another State.

4. The cases pending for want of this clarification, if any, should be settled, may be of employment or promotions, under intimation to this office.

5. This circular is being issued with the concurrence of Joint Secretary (A & P) and L.O. (SCT) and Adviser (HRD). ✓

59

G.I., Dept. of Per. & Trg., O.M. No. 43038/2/92-Estt. (SCT), dated 31-12-1992

Subject:—Reservation roster not confidential— Can be shown to any official/association.

The undersigned is directed to say that a demand was made by the Staff Side in the 49th Ordinary meeting of the Departmental Council JCM of this Department requesting that the roster maintained by the administration to secure proper representation for SC/ST should be circulated once in a year, to enable the staff to make representations against any deficiencies or non-compliance of the orders and instructions regarding reservation for SC/ST. This demand was discussed in the meeting and further examined in this Department. The reservation roster is not confidential document and, therefore, there can be no objection in principle to the roster being shown to any individual/association. It is, therefore, considered that, if any Government servant/ recognized service association want to see that reservation roster, there can be no objection to the roster being shown to them, if need be, through the Liaison Officer.

60

G.I., Dept. of Per. & Trg., O.M. No. 41015/9/93-Estt. (SCT), dated 7-6-1993

Subject:—Reservation for SC/ST — Filling up of a post by transfer.

It has been brought to the notice of this Department that vacancies reserved for SC/ST are being filled by the appointing authorities by transfer of general category candidates by relaxation of the Recruitment Rules instead of filling them by the prescribed methods of recruitment.

In accordance with provisions of this Department's O.M. No. 36012/6/88-Estt. (SCT), dated 25-4-1989, there is a ban on dereservation of reserved vacancies to be filled by direct recruitment. Vacancies reserved for SC/ST and falling in the direct recruitment quota cannot, therefore, be filled by general category candidates, even by relaxation of the rules. Where a reserved vacancy is to be filled and the Recruitment Rules do not provide for transfer as a mode of recruitment, it must be filled by an SC/ST candidate even when it is done by transfer by relaxation of the Recruitment Rules. Filling up of such reserved vacancies by general category candidates by resorting to the method of transfer is not permissible.