

THE STATE TRADING CORPORATION OF INDIA LTD.:NEW DELHI  
VIGILANCE DIVISION

STC/CO/VIG./01022/2017

05.06.2018

**CIRCULAR NO.18/2018**

**Sub:** Reiteration of instructions relating to application of own merit in Direct Recruitment for appointment of Other Backward Classes (OBC)

A copy of Office Memorandum (F.No.DPE-GM 0101/2014 GM-FTS 2280 dated 02.05.2018 of M/o Heavy Industries and Public Enterprises (Deptt.of Public Enterprises) received from Central Vigilance Commission on the above subject is forwarded herewith for information and necessary action.

  
(SK Meena)

Jt. General Manager (Vig.)

Encl: As above

To :

- ES to Directors
- All Divisional Heads
- All Branch Managers/Vigilance Officers

DPE-GM-/0101/2014-GM-FTS-2280  
Government of India  
Ministry of Heavy Industries & Public Enterprises  
Department of Public Enterprises

Public Enterprises Bhawan,  
Block no. 14, CGO complex  
Lodhi Road, New Delhi-110003  
Dated: 20 May, 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 refer to DoPT OM No. 43011/4/2018-Estt. (Res.) dated 4<sup>th</sup> April, 2018 on above stated subject (copy enclosed) and to say that in terms of DPE OM No. 20(10)/99-DPE-GM-Part-2014-FTS-1517 dated 25<sup>th</sup> February, 2015 in regard to applicability of Instructions regarding reservation to SC/ ST/ OBC/ Disability & Ex-servicemen as issued by Government Ministries / Departments, to Central Public Sector Enterprises (CPSEs) are to be taken as *mutatis mutandis* extended to all the CPSEs concerned unless specifically specified otherwise by DPE.

2. DoPT vide its above said OM has requested all concerned to take in view the instructions as issued vide DoPT OM No. 36012/2/96-Estt. (Res.) dated 02.07.1997 and DoPT OM No. 36011/1/98-Estt. (Res.) dated 01.07.1998 regarding the reserved category candidates who are selected on the same standard as applied to general candidates will not be adjusted against reserved vacancies.

In view of above, all the Ministries/ Departments concerned with CPSEs are requested to issue suitable instructions to CPSEs under their administrative control to bring the contents of above said OMs of DoPT to the notice of all concerned for information and compliance.

Encl. as above.

  
02/05/2018  
(J. N. Prasad)  
Director  
Tel: 24360736

To:

Secretaries of all Ministries/Departments concerned with CPSEs.

Copy to:-

1. CMD/Chief Executive of all CPSEs.
2. Secretary, DoPT, North Block, New Delhi.

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

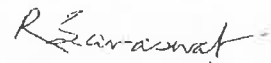
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The undersigned is directed to say that the Hon'ble Supreme Court in its judgment in the case of R. K. Sabharwal vs. State of Punjab, had, inter-alia, observed that "the reserve category candidates can compete for the non-reserve posts and in the event 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

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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