



Government of India
Ministry of Finance, Department of Revenue
Central Board of Indirect Taxes & Customs
Directorate General of Human Resource Development
Bhai Veer Singh Sahitya Sadan, Bhai Veer Singh Marg,
New Delhi - 110001

F. No. 8/B/50/HRD(HRM-I)/LS(Report)/2018

Dated: 16/07/2018

To,

The Pr. Chief Commissioner/ Chief Commissioner
All CGST Zone
The Pr. Chief Commissioner/ Chief Commissioner
All Customs Zone

Sir,

Sub: Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes- "Role of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training) in Formulation, Implementation and Monitoring of Reservation Policy". -reg.

Please find enclosed a copy of DoPT OM F. No. 36012/11/2016-Estt. (Res-I)(Pt.II) dated 15.06.2018. Parliamentary Committee on the Welfare of SC and ST has called for the following information:-

- a. Status of implementation of Reservation Policy and
- b. Action taken Note in regard to DoPT OM F. No. 36012/11/ 2016 -Estt. (Res-I)(Pt.II) dated 15.06.2018.

Further it may also be informed whether any DPC /Review DPC in Group B and C have been conducted after issuance of said DoPT OM dated 15.06.2018, if so, details may be furnished.

The above information may please be provided by return email/ FAX on 011-23748048. Copy of the DoPT OM dated 15.06.2018 and Lok Sabha Secretariat OM dated 13.07.2018.

Yours faithfully,

Sanjeev Kumar Singh
16/7/18

(Sanjeev Kumar Singh)
Additional Director
HRM-I, DGHRD

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F. No. 36012/11/2016- Estt.(Res-I) {Pt-II}
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (Reservation-I) Section

North Block, New Delhi
Dated June 15, 2018

OFFICE MEMORANDUM

Subject: Implementation of interim Orders/ directions in Special Leave to Appeal (C) No. 30621/2011 arising out of final judgment and order dated 15.07.2011 in CWP No. 13218/2009 passed by the Hon'ble High Court of Punjab & Haryana and Special Leave to Appeal (C) No. 31288/2017 arising out of Hon'ble Delhi High Court judgment dated 23.08.2017 and other related court cases – regarding

The Hon'ble Supreme Court vide its order dated 15.11.2017 in SLP(C) No. 28306/2017 has decided to refer to a Constitution Bench to examine whether its earlier decision in *M. Nagaraj and others vs. Union of India and others* requires reconsideration or not, inter alia, on the issue as to whether test of backwardness would, at all, apply in case of SC and ST.

2. The Hon'ble Supreme Court in SLP (C) No. 30621/2011 has passed the following Order on 17.05.2018:

"It is directed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from 'reserved to reserved' and 'unreserved to unreserved' and also in the matter of promotion on merits."

3. Further, in the matter related to SLP(C) No. 31288/2017, connected to Special Leave to Appeal (C) No. 28306/2017, the Hon'ble Supreme Court held as under on 05.06.2018:

"Heard learned counsel for the parties. Learned ASG has referred to order dated 17.05.2018 in SLP (C) No.30621/2011. It is made clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter. Tag to SLP(C) No.30621 of 2011."

G. Srinivasan

..2/-

4. The cadre controlling authorities of Central Government Ministries, Departments and Union Territories are to carry out promotions in accordance with the directions of the Hon'ble Supreme Court mentioned in paragraphs 2 and 3 above based on existing seniority/select lists.

5. Every promotion order must clearly mention the stipulation that the promotion shall be subject to further orders which may be passed by the Hon'ble Supreme Court.

6. All Ministries/ Departments are requested to bring this to the notice of all concerned for information/ compliance.

7. State Governments are also advised to take necessary action in accordance with the abovementioned orders passed by the Hon'ble Supreme Court.

G. Srinivasan

(G. Srinivasan)

Deputy Secretary to the Government of India

Tel. : 2309 3074

To:

1. The Secretaries of all Ministries/Departments of the Government of India
2. Chief Secretaries of all State Governments
3. Shri Maninder Singh, Learned Additional Solicitor General of India
4. Department of Financial Services, New Delhi
5. Department of Public Enterprises, New Delhi
6. Railway Board, Ministry of Railways, Rail Bhavan, New Delhi
7. 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
8. Union Public Service Commission / Staff Selection Commission
9. Ministry of Social Justice and Empowerment, New Delhi
10. Ministry of Tribal Affairs, New Delhi
11. National Commission for Scheduled Castes, Lok Nayak Bhawan, New Delhi
12. National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi
13. National Commission for Backward Classes, Trikoot-1, Bhikaji Cama Place, R. K. Puram, New Delhi
14. Office of the Comptroller and Auditor General of India
15. Information and Facilitation Center, DoPT, North Block, New Delhi.
16. Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi 110067
17. NIC, DoPT – to upload the same on DoPT website.
18. Hindi Section for providing the Hindi translation

870195/18

LOK SABHA SECRETARIAT

Most Immediate

FAX: 23010756

(SCTC BRANCH)
(Parliamentary Committee on the Welfare of SCs and STs) PARLIAMENT HOUSE ANNEXE
NEW DELHI-110001

No. 41/1/SCTC/2018

Dated: 13 July, 2018

OFFICE MEMORANDUM

Subject: Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes - "Role of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training) in Formulation, Implementation and Monitoring of Reservation policy".



Handwritten notes and signatures on the left margin, including '16/7/18', 'U. Tolani', 'D. Ghosh', 'G. K. Singh', and '17/7/18'.

The undersigned is directed to refer to this Secretariat OM of even number dated 9th February, 2018 and state that the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes have decided to take oral evidences of the representatives of the Ministry of Personnel, Public Grievances and Pensions (Deptt. of Personnel and Training), on the subject cited above in the presence of representatives of Ministry of Human Resource Development (Department of Higher Education), Ministry of Law & Justice (Department of Legal Affairs), Ministry of Finance (Department of Revenue), Ministry of Housing and Urban Affairs, Central Board of Direct Taxes (CBDT), Central Board of Excise and Customs (CBEC), Central Public Works Department (CPWD), Vice Chancellor University of Delhi, University Grants Commission (UGC) and Ministry of Tourism as per the programme given below: -

<u>Date & Day</u>	<u>Time</u>	<u>Venue</u>
19.07.2018 (Thursday)	1500 hrs.	Main Committee Room, Ground Floor, Parliament House Annexe, New Delhi.

2. In this connection, attention of the Ministries/Departments are invited to the provisions of Direction 59(1) by the Speaker, Lok Sabha which is reproduced below:-

"Where a Ministry or Department or Undertaking is required to give evidence before a Committee on any matter, the Ministry or Department or Undertaking shall be represented by the Secretary or the Head of the Department or Undertaking, as the case may be :

Provided that the Chairperson of the Committee may, on a request being made to him, permit any other senior officer to represent the Ministry or Department or Undertaking before the Committee".

3. It is requested that the Secretary/Head of the Ministries/Departments/Organisations concerned may be accompanied by a minimum number of officials whose names and designation may kindly be intimated to this Secretariat by 18th July, 2018 positively.

4. The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) are requested to furnish again 60 copies in English and 40 copies in Hindi of the consolidated replies to list of points already forwarded vide this Secretariat OM of even number


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dated 9th February, 2018 including replies to question No. 5 and 6 which was not furnished earlier to this Secretariat by 17th July, 2018 for circulation to Members of the Committee for their consideration.

5. The Ministry of Human Resource Development (Department of Higher Education), Ministry of Law & Justice (Department of Legal Affairs), Ministry of Finance (Department of Revenue), Ministry of Housing and Urban Affairs, Central Board of Direct Taxes (CBDT), Central Board of Excise and Customs (CBEC), Central Public Works Department (CPWD), Vice Chancellor University of Delhi and University Grants Commission (UGC), Ministry of Tourism are requested to furnish status of implementation of reservation policy and action taken note in regard to DoPT Circular F. No. 36012/11/2016-Estt. (Res-I) {Pt-II}, dated 15th June, 2018 relating to carrying out of promotion exercise for SC/ST in the light of Supreme Court order in SLP(C) No. 30621/2011 dated 17.05.2018 latest by 17th July, 2018.

6. The Ministry of Tourism is also requested to furnish separately 60 copies in English and 40 copies in Hindi of the list of points forwarded as in Annexure by 17 July, 2018.

7. Receipt of this communication may kindly be acknowledged.


(D. R. SHEKHAR)
DIRECTOR
Tel: 23034310
23035765

To

The Ministry Personal, Public Grievance and Pensions,
(Deptt. Of Personnel & Training),
(Shri C. Chandramouli- Secretary),
Government of India,
North Block, New Delhi - 110001.

No. 41/1/SCTC/2018

Dated: 13 July, 2018

Copy forwarded for information and necessary action:-

1. The Ministry of Human Resource Development
(Department of Higher Education),
(Shri R. Subrahmanyam - Secretary),
Government of India,
Shastri Bhawan, C-Wing, New Delhi - 110001.
2. The Ministry of Finance (Department of Revenue),
(Shri Hasmukh Adhia - Secretary),
North Block, New Delhi- 110001.
3. The Ministry of Law & Justice
(Department of Legal Affairs),
(Shri Suresh Chandra - Secretary),
Shastri Bhawan, A-Wing,
Dr. Rajendra Prasad Road,
New Delhi-110001.

4. The Ministry Housing and Urban Affairs,
(Shri Durga Shanker Mishra – Secretary),
Nirman Bhawan,
C-Wing, Dr. Maulana Azad Road,
New Delhi-110011.
5. ✓ Shri S.Ramesh
Chairman.
Central Board of Excise and Customs(CBEC).
North Block, New Delhi-110001.
6. Shri Sushil Chandra,
Chairman.
Central Board of Direct Taxes (CBDT),
North Block, New Delhi-110001.
7. Shri Prabhakar Singh,
Director General,
CPWD, 101-A,
Nirman Bhawan,
New Delhi-110011.
8. Prof. Dhirendra Pal Singh
Chairman,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi -110002.
9. Professor Yogesh K. Tyagi,
Vice Chancellor,
Delhi University,
North Campus,
Vishwavidyalaya Marg,
New Delhi – 110007.



DIRECTOR

Dated: 13 July, 2018

No. 41/1/SCTC/2018

Copy with a copy of List of Points (Annexure) forwarded for information and necessary action:-

The Ministry of Tourism,
(Smt. Rashmi Verma – Secretary),
Transport Bhawan,
Sansad marg, New Delhi-110001.



DIRECTOR