

## CHAPTER -4

### DETERMINATION OF RESERVATION QUOTA

#### Determination of Number of Reserved Posts

4.1 Number of posts reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes in a cadre having more than 13 posts shall be determined by multiplying the cadre strength by the percentage of reservation prescribed for respective categories. While doing so, fractions, if any, shall be ignored.

**Illustration** : Suppose a grade in a service where reservation in promotion is available, has a total of 600 sanctioned posts, 50% of which are filled by direct recruitment on all India basis by open competition and 50% are filled by promotion by non-selection. Number of posts reserved for Scheduled Castes in case of direct recruitment would be equal to  $300 \times 15/100$  which comes to 45. Number of posts reserved for scheduled Tribes would be equal to  $300 \times 7.5/100$ , which after ignoring the fraction comes to 22 and number of posts reserved for Other Backward Classes would be equal to  $300 \times 27/100$  i.e. 81. Similarly, the number of posts reserved for Scheduled Castes and Scheduled Tribes in case of promotion would be 45 and 22 respectively. It may be noted that the number of reserved posts for Scheduled Tribes comes to 22.5 in case of direct recruitment as well as promotion. Exact number of reserved posts is arrived at by ignoring the fraction.

4.2 If the number of posts in a cadre is 2 or more than 2 but less than 14, reservation is provided as per L-shaped rosters prescribed vide Department of Personnel & Training OM No. 36012/2/96- Estt(Res) dated 02.07.1997. These L-shaped rosters are nothing but 14- Point rosters given below. Thus in cadres with 2 posts but less than 14 posts, reservation shall be provided by rotation on the basis of following 14-point rosters:

ROSTER POINTS	DIRECT RECRUITMENT	PROMOTION
(i)	(ii)	(iii)
1.	UR	UR
2.	UR	UR
3.	UR	UR
4.	OBC	UR
5.	UR	UR
6.	UR	UR

7.	SC	SC
8.	OBC	UR
9.	UR	UR
10.	UR	UR
11.	UR	UR
12.	OBC	UR
13.	UR	UR
14.	ST	ST

**Note 1:** The term 'cadre strength' used in relation to calculation of reservation/maintenance of reservation registers /rosters means number of posts required to be filled by a particular mode of recruitment in terms of the applicable recruitment rules. In a grade comprising 200 posts, where the recruitment rules prescribe a ratio of 40:40:20 for direct recruitment, promotion and deputation/absorption respectively, the cadre strength for direct recruitment shall be 80 and cadre strength for promotion shall be 80. Since there is no reservation in case of deputation/absorption, 40 posts will not be subject to reservation.

**Note 2:** Where the recruitment is made vacancy based, it is possible that at any given point of time share of direct recruitment may increase and share of promotion may correspondingly decrease or vice-versa. In such cases cadre strength for direct recruitment and cadre strength for promotion may change from year to year. Consequently, number of reserved posts in direct recruitment quota and number of reserved posts in promotion quota would change from year to year. Likewise, if there is any increase or decrease in the cadre strength for any other reason, the number of reserved posts shall increase or decrease accordingly.

**Note 3:** Excess or shortfall of reservation, which may arise due to change in cadre strength, shall be adjusted/made up in subsequent recruitments.

#### **Determination of Reserved Vacancies**

4.3 While filling up of vacancies in a year, efforts shall be made to make up the shortfall of reservation for all the three categories, namely, SCs, STs and OBCs subject, however, to the condition that total number of vacancies reserved for SCs, STs and OBCs is not more than 50% of the vacancies of the year.

4.4 The ceiling of 50% reservation on filling of reserved vacancies would apply only to the vacancies which arise in the current year and the backlog reserved vacancies of SCs, STs and OBCs in case of direct recruitment and backlog reserved vacancies of SCs and STs in case of promotion of earlier years, would be treated as a separate and distinct group, and would not be

considered together with the reserved vacancies of the year in which they are filled for determining the ceiling of 50% reservation on total number of vacancies of that year.

**Note 1: Shortfall of reservation** of a particular reserved category in a cadre means the difference between the 'total number of reserved posts for that category in the cadre' and 'the number of persons of that category appointed by reservation and holding the posts in the cadre'.

**Note 2 : Backlog reserved vacancies** of a category are those vacancies which were earmarked reserved for that category in an earlier recruitment year but remained unfilled in the previous recruitment attempt on account of non availability of suitable candidates belonging to that category and are still lying unfilled.

4.5 Given below is an illustration which would clarify the method of earmarking reservation for SCs, STs, and OBCs.

- (i) There is a cadre having a total number of 1000 posts which are filled by direct recruitment on all India basis by open competition. The number of SC, ST and OBC employees appointed by reservation in the cadre should ideally be 150, 75 and 270 respectively when all the posts are filled.
- (ii) Suppose all the 1000 posts stood filled in the year 2006 but the number of SC, ST and OBC employees appointed by reservation was 130, 75 and 100 respectively. There was, thus, a shortfall of 20 SCs and 170 OBCs in the cadre in that year, though all the posts were filled.
- (iii)
  - (a) Suppose 200 vacancies occurred in the cadre in the recruitment year 2007, of which 20 were vacated by SCs, 10 by STs and rest by unreserved category candidates. After vacation of these posts, shortfall of SCs, STs and OBCs in the cadre became 40, 10 and 170 respectively. Though there was a big shortfall of SCs, STs and OBCs in the cadre, only 100 of these vacancies could be earmarked reserved because all the 200 vacancies were current vacancies and limit of 50% on reservation in a year would apply on these vacancies.
  - (b) Shortfall of SCs and OBCs was more than 15% and 27% respectively of the current vacancies. Therefore, 15% of the current vacancies were straightway earmarked reserved for SCs and 27% for OBCs i.e. 30 vacancies were earmarked reserved for SCs and 54 for the OBCs. Shortfall of STs was 10 which is less than 7.5% of total vacancies. Therefore, only 10 vacancies were earmarked reserved for STs. Applying the above principle, 94 vacancies were earmarked reserved. This left room for 6  $\{100-(30+54+10)\}$  more vacancies to be earmarked reserved to make up the shortfall. These 6 vacancies were apportioned between SCs and OBCs in the ratio of percentage of reservation prescribed for these categories viz. 15: 27, i.e. 2 for SCs and 4 for OBCs (fractions rounded off to the nearest whole number). However, while making such distribution, it has to be kept in view that the number of vacancies earmarked reserved for any category is not more than the shortfall

of that category. Thus, final earmarking of reservation in respect of the vacancies for the year 2007 was 32 for SCs, 10 for STs and 58 for OBCs.

(c) Suppose only 20 SC candidates, 5 ST candidates and 50 OBC candidates could be appointed in the recruitment year 2007 against the vacancies reserved for them. Thus, 12 vacancies of SCs, 5 vacancies of STs and 8 vacancies of OBCs which were earmarked reserved could not be filled and remained vacant. These 12 vacancies of SCs, 5 vacancies of STs and 8 vacancies of OBCs which were earmarked reserved but remained vacant in the recruitment attempt will be treated as backlog reserved vacancies for the subsequent recruitment year. After the recruitment process for the year 2007 was over, total number of posts filled was 975, of which 130, 70 and 150 were held respectively by SCs, STs and OBCs. It may be noted that shortfall of reservation of SCs, STs and OBCs at this stage was 20, 5 and 120 respectively. However, number of backlog reserved vacancies of SCs, STs and OBCs was 12, 5 and 8 respectively.

- (iv) Suppose 200 vacancies occurred in the recruitment year 2008 of which 20 were vacated by SCs, 10 by STs and 20 by OBCs. At this stage shortfall of SCs, STs and OBCs was 40, 15 and 140 respectively. Total vacancies in the year were  $200+12+5+8=225$ , of which 200 were current vacancies and 25 backlog vacancies. While earmarking reservation, 25 backlog reserved vacancies of SCs, STs and OBCs will be treated as a separate and distinct group and will be kept reserved-12 for SCs, 5 for STs and 8 for OBCs. Of the 200 current vacancies, not more than 100 can be earmarked reserved. By applying the same principles as in the year 2007, out of 200 current vacancies, 28 were earmarked reserved for SCs, 10 for STs and 62 for OBCs. Thus the number of vacancies reserved for SCs, STs and OBCs in the recruitment year 2008, including the backlog reserved vacancies, were 40, 15 and 70 respectively. If only 35 SCs, 12 STs and 50 OBCs become available to fill up the reserved vacancies, 5 vacancies of SCs, 3 vacancies of STs and 20 vacancies of OBCs will be kept vacant and will be treated as backlog reserved vacancies for the subsequent recruitment year.

4.6 In case of cadres where reservation is given by rotation, number of reserved vacancies will be determined as per roster points. It would have to be kept in view that not more than 50 per cent of current vacancies of a year are reserved and total reservation in the cadre does not exceed the limit of 50%. If at any stage, filling up of a vacancy results into more than 50% reservation in the cadre, reservation shall be skipped.

**Relevant Office Memoranda etc.**

1	DOPT OM NO. 36012/2/1996-Estt(Res)	2.7.1997
2	DOPT OM No 36033/1/2008-Estt(Res)	15.7.2008