

GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL : : PERSONNEL (B)
DISPUR : : : GUWAHATI

No. ABP. 59/96/163

Dated, Dispur, the 12th March, 2002.

OFFICE MEMORANDUM

Subject :- FIXATION OF SENIORITY OF RESERVED CANDIDATES
vis-à-vis
GENERAL CANDIDATES IN PROMOTIONAL POSTS.

Consequent upon the amendment of Article 16 (4A), of the Constitution of India by the Constitution (Eighty fifth) Amendment Act. 2001 it has been decided that the following principle of fixation of seniority of reserved candidates vis-a-vis general Candidates in promotional posts shall be followed :-

Scheduled castes /scheduled Tribes Government Servants shall on their promotion by virtue of rule of reservation /roster be entitled to consequential seniority also and the above decision shall be effective from 17th June, 1995 .

On the basis of the reserved seniority, consequential benefits like promotion, pay pension etc. shall be allowed to the concerned scheduled castes/scheduled Tribes Government servants (without arrears by applying principle of no work no pay). For this purpose , senior scheduled castes/ scheduled tribes Government servants may be granted promotion with effect from the date of promotion of their immediate junior general /other Backward Classes Governments servants, such promotion of scheduled castes /scheduled tribes Governments Servants may be given with the approval of the appointing authority of the post to which the Government servant is to be promoted at each level after following normal procedure of Departmental Selection Committee and with the approval of Assam Public Service Commission.

Except seniority, other consequential benefits like promotion, pay etc. (including retriial benefits in respect of those who have already retired), allowed to General/Other Backward Classes Government servant by virtues of implementation of office Memorandum No. ABP. 59/96/17 dated 12-6-96 and/or in pursuance of the direction of Assam Administrative Tribunal/ Court, should be protected as personal to them . The instructions contained in this Department's office Memorandum No. ABP. 59/96/17 dated 12-6-96 stand withdrawn with effect from 12-6-96 it-self and seniority of Government servant determined in the light of office Memorandum dated 12-6-96 shall be revised as if that office Memorandum was never issued.

(J.P. Saikia)
Commissioner & Secretary to the Government of Assam
Personnel Department

Copy to :-

1. Commissioner & Secretary to the Governor of Assam, Dispur.
2. Commissioner & Secretary to the Chief Minister, Assam.
3. The Chief secretary to the Government of Assam, Dispur.
4. The Additional Chief Secretary to the Government of Assam .
5. The All Principal Secretaries to the Government of Assam.
6. The All Commissioner & Secretary/Secretary to the Government of Assam.
7. All Deputy Commissioner/Sub-Divisional Officers (Civil).
8. All Administrative Departments .
9. All Heads of Departments .
10. PS to Ministers/Ministers of State, Assam .

By order etc.,

**Deputy Secretary to the Government of Assam
Personnel (B) Department**

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1. Commissioner & Secretary to the Governor of Assam, Dispur.
2. Commissioner & Secretary to the Chief Minister, Assam.
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By order etc.,

**Deputy Secretary to the Government of Assam
Personnel (B) Department**