

No. 22/10/2002-3GSIII

From

The Chief Secretary to Government Haryana

To

1. All the Heads of Departments,
Commissioners, Ambala, Rohtak, Gurgaon &
Hisar Divisions.
2. The Registrar,
Punjab & Haryana High Court,
Chandigarh.
3. All the Deputy Commissioners & Sub-Divisional Officers
(Civil) in Haryana State.

Dated Chandigarh, the March 16, 2006

**Subject:- Reservation of posts for Scheduled Castes, Backward Classes
under the services of Haryana State.**

Sir,

I am directed to refer to the instructions issued by the Government vide letter No. 22/73/92-3GSIII, dated the 14th October, 1999 on the subject noted above whereby the departments were conveyed the operative parts of the law laid down by the Hon'ble Supreme Court of India in its judgement dated 16.9.1999 in the case of Ajit Singh Janjua Versus State of Punjab and directed that from the date of two judgements i.e. R.K. Subharwal (Decision dated 10.2.95) and Ajit Singh Janjua (Decision dated 1.3.96) no employee belonging to the reserved categories of scheduled castes or backward classes should be allowed the benefit of accelerated seniority over his/her senior belonging to General Category on account of his/her accelerated promotion from the feeder services under the policy of reservation. Accordingly, the departments were further directed to implement the law laid down by the Apex Court, keeping in view the principle of prospectivity of R.K. Sabharwal and Ajit Singh as decided in the aforementioned judgement dated 16.9.1999.

2. The Government of India has notified the Constitution (Eighty Fifth) Amendment Act, 2001 on 4.1.2002 amending Article 16(4-A), which now reads as under:-

“ Nothing in this article shall prevent the State from making any provision for reservation in matter of promotion with

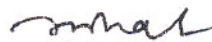
consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes and Scheduled Tribes which, in the opinion of the State are not adequately represented in the services under the State."

3. In the wake of the above enabling provision, after careful consideration of the matter, it has been decided by the State Government that the Scheduled Castes employees will be entitled to "accelerated seniority" as a consequence of promotions under the reservation policy.

4. This decision shall come into force with immediate effect and shall have prospective effect only.

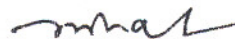
These instructions should be brought to the notice of all concerned for being adhered to strictly.

Yours faithfully



Deputy Secretary General Administration,
for Chief Secretary to Government Haryana. *Rs*

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana for information and necessary action.



Deputy Secretary General Administration,
for Chief Secretary to Government Haryana. *Rs*

To

All the Financial Commissioners and Principal Secretaries/
Commissioners & Secretaries to Govt. Haryana.

U.O. No. 22/10/2002-3GS-III

Dated Chandigarh, the March 16, 2006

Endst. No. 22/10/2002-3GS-III

Dated Chandigarh, the March 16, 2006.

A copy is forwarded to the Member Secretary, Haryana Bureau of Public Enterprises, Chandigarh with the request to bring these instructions to the notice of all the Boards/Corporations and Public Undertakings for information/necessary action and strict compliance.



Deputy Secretary General Administration,
for Chief Secretary to Government Haryana. *Rs*