

**GOVERNMENT OF RAJASTHAN  
DEPARTMENT OF PERSONNEL  
(A-Gr. II)**

No. F. 7(1)DOP/A-II/99

Jaipur, dated: 26 JUL 2017

1. All Additional Chief Secretaries/  
Principal Secretaries/Secretaries/  
Special Secretaries to Government.
2. All Heads of Departments (including  
Divisional Commissioners and  
Distt. Collectors).

**Circular**

**Subject-**Treatment to be given to the candidates belonging to the SC/ST/BC who are selected against unreserved category vacancies on the basis of their merit.


In supersession of this department's circular even number dated 04.03.2014 on the above-mentioned subject, the matter has been examined in consultation with the Law Department in the light of judgment passed by the Hon'ble Supreme Court in Civil Appeal No.3609 of 2012- Deepa E.V. V/s Union of India and Ors. dated 06.04.2017, following instructions are hereby issued for the guidance of all Appointing Authorities:-

- (a) If a candidate belonging to SC/ST/BC has not availed of any of the special concessions such as in age-limit, marks, physical fitness etc. in the recruitment process, which are available to the candidates belonging to these categories, except the concession of fees, and he secures more marks than the marks obtained by the last UR category candidate who is selected, such a candidate belonging to the SC/ST/BC shall be counted against the UR category vacancies and not the vacancies reserved for the SC/ST/BC, as the case may be.
- (b) If any SC/ST candidate gets selected against the UR category vacancies on the basis of his merit without availing of any of the special concessions which are available to the candidates belonging to these categories, except the concession of fees, such a SC/ST candidate will be treated as a SC/ST candidate, as the

case may be, for all further services matters, including further promotions, and all the benefits which are admissible to the other SC/ST persons under the various service rules/government instructions shall be admissible to them.

- (c) The SC/ST/BC category candidates who get selected against UR category vacancies on the basis of their merit without availing of any of the special concessions which are available to the candidates belonging to these categories, except the concession of fees, will not be counted against the posts reserved for these categories when it comes to the question of determining the total number of posts occupied by the candidates of these categories in the particular post/cadre.

All the Appointing Authorities are requested to ensure compliance of the above mentioned instructions. Cases disposed of before above instructions shall not be re-opened.

  
(Bhaskar A. Sawant)  
Secretary to Government

Copy forwarded to the following for information and necessary action :-

1. Secretary to Governor.
2. Principal Secretary to Hon'ble CM.
3. Registrar, Rajasthan High Court, Jodhpur/Jaipur.
4. Secretary, RPSC, Ajmer.
5. Secretary, RSMSSB, Jaipur.
6. Secretary, Rajasthan Legislative Assembly, Jaipur.
7. Secretary, Rajasthan Lokayukta Sachivalaya, Jaipur.
8. Secretary, Rajasthan Civil Services Appellate Tribunal, Jaipur.
9. Guard File.

  
Secretary to Government

38/2017