

GOVERNMENT OF PUNJAB
DEPARTMENT OF PERSONNEL
(PERSONNEL POLICIES-I BRANCH)

To

**All the Financial Commissioners,
Principal Secretaries and
Secretaries to Government, Punjab &
Heads of Departments,
Commissioners of Divisions,
Deputy Commissioners of all Districts in the State
Registrar, Punjab and Haryana High Court, and
Sub- Divisional Magistrates in the State.**

No. 3/34/99-3PPI/ 17646

Dated, Chandigarh the 15th December, 2005

**Subject: Implementation of the Constitution (Eighty-Fifth) Amendment Act, 2001
in the State of Punjab.**

Sir/ Madam,

I am directed to refer to the subject noted above and to say that the Constitution (Eighty Fifth) Amendment Act, 2001 has amended Article 16 (4A) of the Constitution of India to inter alia allow "Consequential Seniority" in matters of promotion of Schedules Caste and Scheduled Tribe employees to any class or classes of posts.

2. After careful consideration of the matter and also keeping in view the interim orders of the Hon'ble Supreme Court and the present status of the case pending in the Apex Court, it has been decided that Scheduled Caste employees promoted to any class or classes of posts under the reservation policy, will be prospectively entitled to "consequential seniority" on the post to which they are promoted.

3. These instructions shall come into force w.e.f. 17th November, 2005 and shall be applicable to the posts falling vacant in future in all cadets. They are also subject to the final decision of the Hon'ble Apex Court in IA No.2 in Writ Petition (Civil) No. 61/2002- M. Nagaraj & others versus Union of India and others and Writ Petition (Civil) No. 234/2002- All India Equality Forum and others Vs. Union of India and others and other allied cases.

Yours faithfully,

(B.R. Marwaha)
Under Secretary Personnel