



GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare Department - Public Services - Representation of Scheduled Castes and Scheduled Tribes categories in the State and Sub-ordinate Services - Policy of providing rule of Reservation in promotions in favour of Scheduled Castes and Scheduled Tribes - Orders - Issued.

SOCIAL WELFARE (SW.ROR.I) DEPARTMENT

G.O.Ms.No.2

Dated 09.01.2004

Read the following:-

1. G.O.Ms.No. 5, SW (ROR.I) Department. dt. 14.02.2003
2. G.O.Ms.No.21 SW (ROR.I) Department. dt. 18.03.2003
3. G.O.Ms.No.123 GAD(Ser.D) Department. dt. 19.04.2003.

ORDER:

A P U S

In the G.O. 1st read above, the State Government have ordered for implementation of rule of reservation in promotion to ensure adequate representation of Scheduled castes and Scheduled Tribes, to the extent of 15% and 6% respectively in all categories of posts in all Departments, with effect from 14.2.2003. In the G.O. 2nd read above necessary guidelines have been issued and in the G.O 3rd read above, the Andhra Pradesh state and sub-ordinate service rule have been amended to give effect to the policy of rule of reservation in promotions in respect of Scheduled Castes and Scheduled Tribes.

2. The Government received representations asking for clarifications on certain issues pertaining to the policy of reservation in promotions to the Scheduled Castes and Scheduled Tribes. The Government have considered the representations and accordingly issue the following comprehensive orders:

3. Reservation in promotions shall be implemented in favour of scheduled caste and Scheduled Tribes, in all categories of posts in all state Government Departments, if they are not adequately represented to the extend of 15% and 6% respectively. The crucial date for implementing the rule of reservation in promotions shall be 14.2.2003 ie., date of issue of G.O. 1st read above.

4. **Computation of adequacy of representation:** For the purpose of computing adequacy of representation of Scheduled Castes (15%) and Scheduled tribes (6%) in various categories, the following procedure shall be followed.

(a) The persons belonging to Scheduled Castes and Scheduled Tribes who have been promoted on the basis of seniorty-cum-merit, i.e., without applying the rule of reservation should also be counted for judging the adequacy or otherwise of scheduled caste/Scheduled Tribe representation.

(b) The adequacy or otherwise representation should be counted in respect of each category. If adequate representation already exists as on 14.2.2003 or is attained at a later

date, the rule of reservation in promotion in favour of Scheduled Castes/Scheduled Tribes shall not be applied further.

(d) For the purpose of computing the adequacy in respect of scheduled castes (i.e. 15%) ABCD categorization will not be observed and the adequacy will be with reference to total number of employees irrespective of their ABCD categorisation.

5. Crucial date for determining the adequacy: 1st September shall be reckoned as crucial date to determine the adequacy of representation in each category of posts for Scheduled Castes & Scheduled Tribes. While arriving at the number of vacancies to be filled based on rule of reservation in promotions in respect of Scheduled Castes and Scheduled tribes categories, to achieve adequacy of representation, the fraction shall be ignored.

6. Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes shall be implemented in promotion to all the categories of posts, in all services whose total Cadre Strength is more than five.

7. Roster Points: The reservation in promotions in respect of Scheduled Castes and Scheduled Tribes shall also include the gender based reservation. In respect of Scheduled Castes the reservation shall be category based. The existing 100 point roster already prescribed in rule 22 of Andhra Pradesh State and Subordinate Service Rules for direct recruitment shall be followed for implementing the rule of Reservation for promotion for scheduled Castes and Scheduled Tribes. However in so far as providing reservation for Scheduled castes based on subcategorisation, the roster followed for direct recruitment shall be followed. The roster for promotion is at annexure.

Note: Once the adequacy is achieved to the required percentage of 15% in respect of Scheduled Castes and 6% in respect of Scheduled Tribes, in a category, the application of the rule of reservation in promotions shall be stopped and the promotions shall be effected based on merit cum seniority. The candidates so promoted shall be fitted into the same roster, without earmarking the reserved roster points. If on 1st September of any panel year, the representation of Scheduled Castes/Scheduled Tribes is inadequate, the reservation in promotions shall be resumed. The roster point shall start from next point of the candidate figuring in the previous panel prepared and given effect to. For Example as on 1st September of a panel year there are 20 posts in a particular category and there are 2 SC candidates in position. Therefore, as on 1st September of panel year, the adequacy of SC representation is short by one candidate, the vacancies for the panel year are estimated as 10. If the roster starts from 1st then the 2nd roster point has to be filled up by the SC-A candidate or with any other SC candidate as per the procedure stipulated. After inclusion of the said candidates there shall be adequacy of representation and there is no need to follow the SC roster. The other candidates shall have to be promoted, including the SC candidates if they are figuring in the general seniority list, based on merit cum-general seniority. They shall be shown at the continuous roster points. The 7th roster point of SC shall be filled up with the candidates based on merit cum seniority. The roster points from 1 to 10 shall have to be filled up in such manner. In the next panel year, if it is found that there is adequacy of SC representation then the promotions shall be effected based on general seniority and merit. If there is inadequacy of representation, SC Candidates shall be promoted based on roster. The roster point for that panel year shall start from 11 and the next SC roster point is available at 16 and the same shall be filled up with SC candidate.

8. Eligibility of Candidates: Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes shall be applicable to those candidates who are fully qualified and eligible to hold the posts as per the existing Rules and guidelines. If no qualified and eligible candidates are available, the vacancy shall be carried forward.

9. Zone of consideration:- The zone of consideration, as laid down in Rule 6 of A.P. State and Sub-ordinate Service Rules, in respect of Scheduled Castes and Scheduled Tribes categories, shall not be applicable to fill up the roster points meant for SC and ST categories.

10. The panels for the year 2002-2003, which were prepared prior to 14.2.2003 and operated totally or partially, shall continue without any changes and they shall not be reopened. The panels for the year 2002-2003, which were prepared and are not operated as on 14.2.2003 shall have to be reviewed to implement the rule of reservation in promotion to Scheduled Caste and Scheduled Tribe categories.

11. Non-availability of eligible candidates: If eligible candidates for promotion are not available for promotion as per the roster point specified, it shall be filled in by including the next candidate belong to the next group of Scheduled Caste.

Note: If an eligible candidate for promotion is not available from Scheduled Caste-A, the roster point may be filled by a candidate of Scheduled Cast-B, and so on and so forth. In case of women candidates also, the same process shall be followed viz., if an eligible Scheduled Caste-A (Women) is not available, the roster point may be filled up by Scheduled Caste-B (Women) candidates and so on and so forth.

12. Conversion of roster points of Women: In case there are no qualified women candidates available, the following procedure shall be followed.

(a) If no eligible woman candidate is available to fill up the roster point earmarked for scheduled Caste (Woman), the vacancy shall be filled up with male candidate. However while filling the said vacancy, the roster point shall be filled up with the same group of Scheduled Caste male candidate as that of Scheduled Caste (Woman), to which it was originally earmarked. If no male candidate is available then the same shall be filled up with other Scheduled Castes candidates following in the same order.

Note: In the case of roster points fixed for Scheduled Caste (Woman), if scheduled Caste-A (Woman) is not available, the vacancy may be filled up by a Scheduled Cast-B (Woman) and so on. If Scheduled Caste (A,B,C,D) woman candidate is not available, the vacancy may be filled up by Scheduled Caste-B male candidate is available, the roster point shall be filled up with Scheduled Caste-C male candidate and so on and so forth.

(b) In respect of Scheduled Tribes, if Scheduled Tribe (Woman) candidates is not available for promotion to fill in the roster point earmarked for Scheduled Tribe (woman), the vacancy shall be filled by a Scheduled Tribe Male candidate.

13. Carry forward of vacancies: Regarding carry forward of vacancies, if no qualified candidates are available, the following procedure shall be followed.

In case qualified Scheduled Caste/Scheduled Tribe candidates are not available for a particular panel year the vacancy shall be carried forward to the subsequent year. In the second year if Scheduled Caste/Scheduled Tribe candidates are not available, the vacancies or points meant for Scheduled Caste/Scheduled Tribe candidates may be filled up by candidates from the feeder category based on merit and seniority. The number of such vacancies meant for Scheduled Caste and Scheduled Tribe should be carried forward and filled up first in the immediate subsequent year with Scheduled Caste/Scheduled Tribe candidates.

14. Special representation (reservation) in promotion in favour of Scheduled Caste and Scheduled Tribe shall also apply to all Educational Institutions, Panchayat Raj Institutions, Municipalities, Corporations, Boards, Authorities, Grndhalaya Samasthas and Market Committees and other establishments, where in the policy of reservation for Scheduled Castes and Scheduled Tribes in direct recruitment is being followed.

15. Appropriate amendment to Rule 22 and 22-A of Andhra Pradesh State and Subordinate Service Rule shall be issued separately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MOHAN KANDA

Chief Secretary to Government