

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare Department – Public Services– Rule of Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes– under Article 16(4A) of the Constitution of India – guidelines –Issued.

SOCIAL WELFARE (ROR.1) DEPARTMENT

G.O.Ms.No. 21,

Dated 18th March, 2003

Read the following;

G.O.Ms.No. 5, S.W.(ROR.1) Department, dt. 14-02-2003

ORDER:

In the G.O. read above, orders have been issued for implementation of Rule of Reservation in promotions in favour of Scheduled Castes and Scheduled Tribes in all categories of posts in all departments. As per para 4(g) of the G.O. read above, Government hereby issue the following detailed guidelines:

- a) Promotion in favour of Scheduled Castes and Scheduled Tribes shall be observed/implemented with effect from 14.2.2003 i.e. date of issue of G.O.Ms.No.5, SW(.ROR1)Dept. dt.14-02-2003 prospective only in services where it is not now available.
- b) Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes shall be implemented in promotion in all the categories of posts in all services whose total cadre strength of posts is more than five(5).
- c) The Rule 22 and the provisions thereunder of A.P.State and Subordinate Service Rules shall apply in promotion in favour of Scheduled Castes and Scheduled Tribes.
- d) Where the existing Special Rules of any services provide Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes, the existing order of rotation and the existing unit and cycle shall continue.
- e) Where the existing Special Rules do not provide reservation in promotion in favour of Scheduled Castes and Scheduled Tribes, a new and fresh order of rotation in a new and fresh unit of hundred vacancies as laid down in Rule 22 of A.P.State and Subordinate Services shall be followed in respect of Scheduled Caste and Scheduled Tribe vacancies only.
- f) Reservation in promotion in favour of Scheduled Caste and Scheduled Tribe shall be applicable to those candidates who are fully qualified eligible for promotion as

per the Special Rules of the service and A.P.State and Subordinate Service Rules, 1996.

g) The zone of consideration as laid down in rule 6 of A.P.State and Subordinate Service Rules, 1996 in respect of Scheduled Castes and Scheduled Tribes shall not be applicable to fill up the roster points meant for Scheduled Caste and Schedule Tribe employees.

h) While preparing the panels of eligible candidates for promotion, the names of eligible Scheduled Caste and Scheduled Tribe employees from the feeder Category have to be shown against the roster points earmarked for them irrespective of their seniority position in the feeder category. However, if an Scheduled Caste and Scheduled Tribe employees gets a higher place in the eligible candidates list by virtue of his seniority in the feeder category he need not be adjusted in a lower position which is earmarked for an Scheduled Castes and Scheduled Tribe employees as per the roster system. Such roster point has to be filled up by moving up an Scheduled Caste and Scheduled Tribe employees who is below in the seniority list in the feeder category. Filling up the roster points shall continue till the required percentage of Scheduled Caste and Scheduled Tribe candidates is obtained. Once the required percentage is obtained by taking into account both the Scheduled Caste and Scheduled Tribe candidates who are found in the list of candidates fit for promotion on account of their seniority in the feeder category and those who are moved up to fill up the required roster point, further adjustment of Scheduled Caste and Scheduled Tribe employees against roster points has to be stopped. Unutilized roster points after the required Scheduled Caste and Scheduled Tribe percentage is met shall lapse. If required number of Scheduled Caste and Scheduled Tribe employees are not available in the feeder category to obtain the required representation in the promotion category, the vacancies earmarked for Scheduled Caste and Scheduled Tribe employees according to the roster points will be carried forward. An illustration is given in Annexure.

i) The promotion panels already prepared for the panel year 2002-2003 and given effect to/operated/partly operated i.e. if promotions are affected, the said panels shall continue without any changes or review and they shall not be re-opened.

j) The panel for 2002-2003 which are prepared and are not operated as on 14.2.2003 have to be reviewed to provide special representation in promotion for Scheduled Caste and Scheduled Tribe employees.

k) 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, Grandhalaya Samsthas and Market Committees and other establishment which are funded or aided by the State Government.

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

NAIR,

SATHI

To:

All Departments of Secretariat, AP Hyderabad

All Heads of Departments

All District Collectors

The Secretary, A.P.Public Service Commission, AP Hyderabad

The Registrar, Andhra Pradesh High Court, AP Hyderabad

The Registrar, Andhra Pradesh Administrative Tribunal, AP Hyderabad

All Registrars of all Universities in the State

All Managing Directors of Public Sector Undertakings in A.P.,

The Commissioner of Printing and Stationery for publication in AP Gazettee

PS to Chief Secretary to Government, Genl. Admn. Department

PS to Secretary to Government(Poll) ,Genl.Admn. Department

PS to Secretary to Government(Ser), Genl. Admn. Department

PS to Secretary to Government, Law Department

PS to Principal Secretary to Government, Social Welfare Department

PS to Secretary to Government(TW), Social Welfare Department

PS to Principal Secretary to C.M.

PS to Special Secretary to C.M., AP Hyderabad

PS to Minister for Social Welfare, AP Hyderabad

PS to Minister for Tribal Welfare, AP Hyderabad

All Sections in Social Welfare Department

All Section in Genl. Admn. Department

SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE to the G.O.Ms..No.21, S.W.(ROR.I) Dept,dated 18.03.2003

Seniority list in the Feeder Category No. of postproposed to be filled up in the

Explanation :

CASE.I

Illustrates a situation where there are no ScheduledCaste employees in the first ten positions in the seniority list in the feeder category.As the posts to be filled up in the promotion category are ten there will be two rosterpoints at Sl.No.2&7 to be filled up by Scheduled Caste employees. In this caseScheduled Caste employees are available at S.No.22 & 28. As shown in the list Sl.No.22will be shown against Sl.No.2 and Sl.No.28 will be shown at S.No.7 in the promotion panel.

CASE.II:

Illustrates a situation when there is only one SCemployee in the first ten positions in the seniority list in the feeder category. In thiscase the SC employee is available at Sl.No.1. He will not be brought down to Sl.No.2 whichis a roster point in the promotion panel. He will remain at Sl.No.1 Sl.No.2 in thepromotion panel which is a SC point will be filled up by Q a SC employee, who is atSl.No.17 in the feeder category. Now that we have two required SC candidates in a panel often ,Sl No.7 in the panel will not be filled up by another SC candidate. It will be filledup by other candidate as per his turn in the seniority list.

CASE.III :

Illustrates a situation where there are two SCemployees in the first ten positions in the seniority list in the feeder category. In thiscase the SC employees are available at Sl.No.4(D) and Sl.No.10(J). In the promotion panelSl.No.2 and 7 which are SC points will be filled up by D at Sl.No.2 and J at Sl.No.7.

In all the examples it is assumed that the requiredGroup SC candidates are available to fill up the points earmarked for them. In cases wherethey are not available, they have to be picked up from wherever they are available in thefeeder category and shown against the points earmarked for the particular Group of SC. Ifthe particular Group SC candidate is not available the vacancy has to be filled up by thenext group and so on as laid down in G.O.Ms.No.47 Social Welfare (CV.I) Dept.,dated:31.5.2000.

SECTIONOFFICER
