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RULES/INSTRUCTIONS REGARDING PREPARATION OF PANELS; AND APPOINTMENT OF EMPLOYEES TO HIGHER CATEGORIES OF POSTS WHILE DISCIPLINARY PROCEEDINGS ARE PENDING AGAINST THEM

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Rule-5 & 6 OF AP STATE AND SUBORDINATE SERVICE RULES, 1996

(5) SELECTION POSTS:- (a) All first appointments to a State Service and all promotions / appointment by transfer in that service shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal, by the appointing authority as specified in sub-rule (a) of rule 6 from the panel of candidates. Such panel shall be prepared as laid down in rule 6 by the appointing authority or any other authority empowered in this behalf.

(b) Non-selection posts: - No non-gazetted post should be treated as selection post. Promotion and appointment by transfer to higher posts other than those mentioned in sub-rule (a) shall be made in accordance with seniority-cum-fitness, unless.

- (i) such promotion or appointment by transfer of a member has been withheld as a penalty; or
- (ii) a member is given special promotion for conspicuous merit and ability.

6. METHOD OF PREPARATION OF PANELS:- (a) The panel of approved candidates referred to in sub-rule (a) of rule – 5 shall be prepared by the appointing authority or any other authority empowered in this behalf, in consultation with, the Departmental Promotion Committee in respect of posts outside the purview of the Andhra Pradesh Public Service Commission and Screening Committee in respect of the posts within the purview of the Andhra Pradesh Public Service Commission to recommend the names to the Commission. The appointing authority shall make appointments of candidates from such panel/list, in the order in which the candidates in such panel are arranged in their order of preference.

(b) The panel of candidates for appointment by transfer to a service or a class of service in any case, where the Commission is not consulted on the suitability of candidate for such appointment under sub-clause (b) of Clause (3) of Article 320 of the Constitution of India or for promotion, shall be prepared ordinarily during the month of September every year on the basis of estimate of vacancies sent in terms of sub-rule (d). First September of the year shall be reckoned as the qualifying date to determine the eligibility of a candidate for such appointment, which shall cease to be in force on the afternoon of the 31st December of the succeeding year or till the next panel is prepared whichever is earlier and for the purpose of preparing the said panel, the zone of consideration shall be in the ratio of 1:3. The period from 1st September of the year to the 31st August of the succeeding year shall be reckoned for purpose of determining the number of vacancies during the panel:

Provided that for promotion in respect of Scheduled Caste and Scheduled Tribe candidates only, the zone of consideration in the ratio of 1:3, shall not be applicable in respect of posts whose total cadre strength is more than five. (Amended in G.O. Ms. No. 123, G.A. (Ser-D) Dept., dt: 19.4.2003)

Provided further that if the number of candidates to be included in the panel falls short of the number of vacancies estimated such shortfall shall be made good by considering the claims of the other qualified and eligible candidates, if any, in the seniority list place immediately below.

Provided also that the panel of candidates so prepared shall be reviewed after a period of six months reckoned from the date of approval of the panel, for the purpose of considering the cases of such other persons whose names were not included in the panel prepared earlier for not passing the prescribed tests or for not having special qualifications prescribed under the rules, if they have subsequently passed those tests or acquired the said qualifications and are otherwise found suitable for inclusion in the panel of the year. No such review of list of approved candidates shall, however, be undertaken where no tests or special qualifications are prescribed under the rules as condition precedent for promotion or appointment by transfer:

Provided also that no panel of candidates need be prepared;

- (i) if vacancies are not available for the particular panel period subject to the appointing authority recording a certificate to that effect; or
- (ii) where the appointing authority does not consider it necessary.

Provided also that the Government may order preparation of panel of candidates as frequently as may be necessary in the exigencies of administration.

(c) The panel of candidates for promotion or appointment by transfer to a service or class of a service, in any case where it is necessary to consult the Commission on the suitability of candidates for such appointment shall be prepared ordinarily in the month of September every year reckoning 1st September of the year as the qualifying date to determine the eligibility of a candidate for such appointment, which shall cease to be in force on the afternoon of 31st December of the succeeding year or till the next panel is prepared whichever is earlier. The period from first September of the year to 31st August of the succeeding year shall be reckoned for purpose of determining the number of vacancies during the panel.

(d) The panel of candidates under sub rule (b) or sub-rule (c) shall consist of such number of candidates as is equal to the number of vacancies which are estimated to arise on the following basis during the currency of that list;

- (i) the existing vacancies, including the vacancies which were not filled up in the previous years for any reason:
- (ii) (1) vacancies to arise owing the retirement;
(2) Consequential vacancies due to promotion or appointment by transfer;

Provided, that when the number of qualified and eligible candidates to be included in the panel of candidates is less than the number of vacancies estimated to arise during the currency of that list, such number of candidates

eligible and found fit only shall be included in the panel irrespective of the number of vacancies.

(e) A panel of candidates shall also be prepared taking into account the vacancies not exceeding 10% of the total estimate of vacancies, ignoring fraction of less than half or 0.5 and rounding of fraction of $\frac{1}{2}$ or more i.e. 0.5 and above to the next nearest number as reserve to fill up the vacancies likely to last for more than 2 months on account of:-

- (i) deputation;
- (ii) training;
- (iii) long leave; or

Provided also that the candidates kept in reserve in the approved list shall be not less than one, where the estimate of vacancies is five or less than five.

(f) Inclusion of a candidate's name in any panel of candidates of any State Service, class or category shall not confer on him any right for appointment to such service, class or category.

(g) The following persons shall be considered for inclusion in any panel prepared under sub-rules (b) and (c):-

- (i) Persons who are qualified on the qualifying date including those who had been included in the previous panel of approved candidates but who have not commenced their probation.
- (ii) Persons who had not possessed the prescribed qualifications at the time of preparation of the previous panel, but who have since acquired such qualification and are qualified as on the qualifying date.
- (iii) Persons who were qualified but were considered unsuitable for inclusion in the previous panel and who continue to possess the prescribed qualifications.

Explanation:- In considering the inclusion of persons, who had been included in the previous panel but who had not commenced their probation, in the current panel it shall not be necessary to carry forward their names without having regard to their relative merit and ability with reference to the relative merit and ability of other candidates coming up for fresh consideration. If such candidates are included in the current panel it shall not be necessary to arrange them in the same order in which they had been arranged in the previous panel.

(h) Persons included in more than one panel:- Where a candidate's name has been included in different panels of approved candidates for more than one service, the cadre controlling authority of the panel in which the candidate's name is included, should intimate the cadre controlling authority of the other panel of the inclusion of the name of the candidate in the former panel and it shall be the duty of the cadre controlling authority of the parent cadre to intimate the inclusion of the candidate's name to such other cadre controlling authority, if any, in whose panel the same candidate's name had been sponsored for inclusion by the cadre controlling

authority, of the parent cadre. The cadre controlling authority of the parent cadre to intimate the inclusion of the candidate's name to such other cadre controlling authority, if any, in whose panel the same candidate's name had been sponsored for inclusion by the cadre controlling authority of the parent cadre. The cadre controlling authority of the parent cadre shall require the candidate to initiate the service to which the candidate wishes to be appointed. On receipt of such intimation, the cadre controlling authority of the parent cadre shall inform the other cadre controlling authorities and such candidate's name shall be removed by such cadre controlling authority from the panel or panels of approved candidates for such service or services to which the candidate does not wish to be appointed.

(i) Non Selection Posts:- For non selection posts referred to in sub rule (b) of rule 5 the appointing authority shall prepare a list of eligible employees every year i.e. from first September of the year to 31st August of the succeeding year after considering the record sheet and the qualifications prescribed for the said post in the relevant Special Rules for promotion to next higher category of non selection post.

8. ELIGIBILITY FOR PROMOTION OR APPOINTMENT BY TRANSFER:

For appointment to a higher post either by promotion from one category to another within a service or by appointment by transfer from one service to another service, a member of a service or class of a service, shall have satisfactorily completed his probation in the category from which he is proposed to be promoted or appointed by transfer to such higher post.

Rule-12(3) (b) of AP State and Subordinate Service Rules says that "no person shall be eligible for appointment to a post by promotion or appointment by transfer unless he possesses the academic qualifications and technical or other qualification and has passed the departmental and other tests and has satisfactorily completed any course or training prescribed in the special rules as a prerequisite qualification, for the post, to which he is to be appointed by promotion or by transfer."

Rule-16 (c)(iii) of AP State and Subordinate Service Rules says that "a probationer in any category, class or service shall be eligible to count for probation his service in a higher category of the same service or class, as the case may be, or in any other service (State or Subordinate Service) towards his probation in the former service, to the extent of the period of duty performed by him in the latter service during which he would have held the post in the former service but for such appointment in the latter service."

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Departmental Promotion Committees – Reconstitution and guidelines – Orders – Issued.

GENERAL ADMINISTRATION (SERVICES-B) DEPARTMENT

G.O.Ms.No.187

Dated 25th April, 1985.

Read the following:-

1. G.O.Ms.No.283, G.A. (ARC&S) Department, dated: 30.05.1973.
2. G.O.Ms.No.397, G.A. (ARC&S) Department, dated: 26.07.1973.
3. G.O.Ms.No.337, G.A. (Ser-B) Department, dated: 18.06.1983.
4. G.O.Ms.No.5464, G.A.(Ser-B) Department, dated:14.11.1980.

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ORDER:

In the G.Os first to second read above orders were issued to constitute Departmental Promotion Committees for promotion to the various categories of non-gazetted posts and gazetted posts promotion to which are outside the purview of Andhra Pradesh Public Service Commission. The question of streamlining the functioning of the Departmental Promotion Committees in order to ensure maximum objectivity in the appraisal of merit and ability has been engaging the attention of Government for sometime. In the G.O. fourth read above, a committee was constituted under the Chairmanship of Sri G.R.Nair, IAS, Principal Secretary to Government, Revenue Department to formulate suitable guidelines in this regard. The report submitted by the above Committee was placed before the Secretaries meeting held on 12.3.1985. The recommendations of Sri G.R.Nair Committee were broadly endorsed in the Secretaries meeting. The recommendations of G.R.Nair Committee were carefully examined by the Governor and the following orders are issued.

2. In order to secure maximum degree of objectivity in the appraisal of merit and ability of Government employees for selection to various posts and also to ensure certain minimum level of uniformity in terms of procedures and principles to be adopted by the Departmental Promotion Committees, it has been decided to constitute Departmental Promotion Committees at 2 levels in place of the existing D.P.Cs. The composition of the Committees would be as follows:-

1st level D.P.C. to consider the cases for promotion to the posts of Heads of Departments (non-cadre) Additional Secretaries to Government, Joint Secretaries to Government in the Departments of Secretariat (non-cadre).

- | | | |
|--|------|---------------------|
| 1. Chief Secretary to Government | | Chairman |
| 2. Principal Secretary to Government to be nominated by
Chief Secretary | | Vice-Chairman |
| 3. Secretary to Government, General Admn.(Services)
Department | | Member/
Convenor |
| 4. Another Secretary to Government to be nominated by
Chief Secretary | | Member |
| 5. Secretary/Principal Secretary to Government of the
concerned Administrative Department | | Member |

2nd level Departmental Promotion Committees. to consider the cases for promotion to the posts in 3rd level Gazetted and above other than those to be considered by the 1st level Committee.

1. Principal Secretary to Government to be Chairman
nominated by Chief Secretary
2. Secretary to Government, General Administration Member/Convenor
(Services) Department
3. Secretary to Government to be nominated by Member
Chief Secretary
4. Secretary to Government of the concerned Member
Administrative Department
5. Concerned Head of the Department Member

3. In view of the work load for the 2nd level Committees it has been decided to constitute 3 (three) Committees following the above pattern of composition. Orders regarding the distribution of the Departments among the three Committees will be issued separately. However, in respect of the Departmental Promotion Committees constituted for the first level gazetted posts, the existing Departmental Promotion Committees will continue to process the cases.

4. In order to ensure that the cases are processed in accordance with the concerned Special/ad hoc rules, it has been decided that the proposals formulated in each Department would be scrutinized by General Administration (Services) Department and then only placed before the Departmental Promotion Committees. The Schedule of meetings of the Committees will be notified by the General Administration (Services) Department separately. However, the basic work relating to examination of cases with reference to special rules obtaining and furnishing of all the relevant information including Confidential Reports would continue to rest with the Administrative Department. All the Departmental Promotion Committees constituted earlier except the Departmental Promotion Committees constituted to consider the cases of first level gazetted posts cease to function with immediate effect. If the earlier Departmental Promotion Committees have already furnished their recommendations, which are pending in the Government, they need not be against placed before the Departmental Promotion Committees now ordered to be constituted.

5. In accordance with the recommendations of the Committee, the following revised guidelines are issued for the functioning of the above Committees.

The Zone of consideration would be determined as follows:-

No. of vacancies		No. of Officers to be considered
(a) 1	5
(b) 2	8
(c) 3	10
(d) 4 or more	3 times the number of vacancies

6. Prescription of qualifying date to determine a Candidate's eligibility for promotion:

It has been decided that 1st September of every year should be reckoned as the qualifying date to determine one's eligibility for promotion and the General Rules would be amended accordingly. If however the needs of a particular service warrant prescription of some other dates or where a different date has already been prescribed in the Special Rules the Administrative Department may consider the matter in consultation with General Administration (Services) Department and make a suitable provision or amendment in the Special Rules:

7. Prescription of a common proforma in which information could be given to the D.P.Cs. for furnishing their recommendations:

In order to ensure that the information furnished to the Departmental Promotion Committees is complete and that no vital information to be placed before the Departmental Promotion Committee is missed the information to be furnished to the Departmental Promotion Committees should in the Proforma prescribed in the Annexure to this order.

8. Number of years for which C.Rs. should be considered:

It has been decided that evaluation of the Confidential Reports of the last 5 years would be adequate to assess the suitability of a person for promotion. In cases where the Confidential Reports of the 5 preceding years are not available, the Confidential Reports of 5 years in the preceding period of 8 years and also a special report from the Officer under whom the individual is working at the time should be taken into consideration.

9. Procedure to be followed where adverse remarks have not been communicated or where a representation is pending against such adverse remarks:

It has been decided that adverse remarks which have not been communicated should not be taken into consideration. In cases where a representation filed by the individual before the competent authority for expunction of adverse remarks is pending or the time allowed for submission of the representation is not over, the consideration of the individual's case should be deferred. After the competent authority has taken a decision on the representation, the case should be placed again before the Departmental Promotion Committee.

10. (a) Procedure to be followed in evaluating cases of persons against whom enquiries are pending:

It is brought to the notice of the Committee that there is ambiguity in the instructions issued in G.O.Ms.No.424, General Administration (Ser-C) Department, dated 25-05-1976 as to their application to case where enquiries are in the preliminary stage. In order to avoid any ambiguity, it is ordered that the instructions in G.O.Ms.No.424 General Administration (Ser-C) Department, dated 25-05-1976 should be followed only when the enquiry has reached the following stage:-

1. In the case of Departmental enquiry, definite charges are framed against the individual or proposed to be framed or where it is proposed to appoint an enquiry officer under rule 19(2) of the C.C.A.Rules.
2. In respect of enquiry by the A.C.B., a preliminary enquiry has been completed and it is proposed to hold a regular enquiry.

10. (b) Thus, in respect of departmental enquiries, if the charges have not been framed or proposed to be framed and the matter is in the stage of preliminary enquiry, no cognizance need be taken and the case of an individual may be considered on merits disregarding the allegations which are under enquiry. Similarly in respect of the A.C.B. enquiry, if it is in the stage of preliminary enquiry the eligibility of a candidate's promotion may be determined without reference to the enquiry by the A.C.B.

11. Procedure to be followed to process the cases of persons who had undergone punishment:

It has been decided that an individual, who is undergoing punishment, should not be recommended for promotion. In case, where the period of punishment imposed is already over, each case has to be evaluated by Departmental Promotion Committee on merits.

12. Grading of Officers – Procedure to be followed:

It has been decided that the Members of Departmental Promotion Committees should be through the Confidential Reports of the candidates who come within the zone of consideration and after arriving at a consensus, grade the officers into one of the following categories:

1. Outstanding
2. Good
3. Satisfactory, and
4. Unfit.

Officers who are graded in the unfit category should not be included in the panel. Officers who are included in the other grades would be arranged keeping all the officers classified as outstanding first according to their seniority and then officers who have been categorized as good etc.

13. (a) Scope of review Departmental Promotion Committees:

It has been decided that in respect of the following cases the matter should again be placed before the Departmental Promotion Committees for review, in addition to the circumstances mentioned in G.O.Ms.No.32, General Administration (Ser-B) Department, dated 22-01-1981.

- (a) when eligible persons were omitted to be considered , or
- (b) Ineligible persons were considered by mistake, or

- (c) where the seniority of a person is revised with retrospective effect to differ with the seniority list placed before the earlier Departmental Promotion Committee, or
- (d) where some procedural irregularity was committed by Departmental Promotion Committee, or
- (e) when adverse remarks in the Confidential Reports were toned down or expunged after the Departmental Promotion Committee had considered the case of the officer; or
- (f) cases of persons considered and included in the panel in terms of G.O.Ms.No.424, General Administration (Ser-C) Department, Dt:25-05-1976 but who were subsequently awarded minor punishment.
- (g) Where the penalty imposed has been revoked after the DPC had considered the case of the officer

[Added by G.O.Ms.No:34, GA (DPC-I) Dept., dt:24-01-1989]

13. (b) Further when a review Departmental Promotion Committee meets, it should consider only those persons who were eligible as on the date of Original Departmental Promotion Committee meeting except in the cases covered by G.O.Ms.No.32, General Administration (Ser-B) Department, dt:22.1.1981. The review Departmental Promotion Committee should restrict its scrutiny to the Confidential Reports, for the period relevant to the FIRST Departmental Promotion Committee. The Confidential Reports written for subsequent period should not be considered. However, if any adverse remarks relating to the relevant period, were toned down or expunged, the modified confidential reports should be considered as if the original adverse remarks did not exist at all.

14. It has also been decided that no non-gazetted posts should be treated as Selection posts. Orders were already issued in G.O.Ms.no.82, General Administration (Ser-C) Department, dated 21-02-1985 abolishing the maintenance of the Confidential Reports in respect of all non-Gazetted categories except those which are feeder categories to gazetted posts. All Departments of the Secretariat should take immediate action to amend the relevant rules to be consistent with the above decision. The Departmental Promotion Committees constituted for preparation of panels for promotion to all non-gazetted posts stand abolished with immediate effect.

15. The instructions issued earlier in the references 1 to 3 which are not consistent with these orders, should be deemed to have been modified to the extent necessary.

16. Necessary amendments to General Rule 4 regarding preparation of panels and notification of qualifying date will be issued by General Administration (Services-D) Department separately.

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

SHRAVAN KUMAR
Chief Secretary to Government

ANNEXURE

PROFORMA IN WHICH PROPOSALS SHOULD BE SUBMITTED TO D.P.C.

1. Name of Department/Office:								
2. Name and designation of Members of the Departmental Promotion Committee: (copy of the orders constituting the D.P.C. to be attached).								
Name						Designation		
3. Post to which promotion is to be made:								
			Number of permanent/ Temporary posts in the Grade			Number of vacancies filling in the promotion quota		
Designa tion	classific ation	Scale of Pay	Filled	Unfilled	Filled on ad hoc basis	Existing	Anticipa ted	Total

3. (a) Number of vacancies out of total vacancies for promotions shown in last column 3 above reserved for

- (1) Scheduled Caste.....
- (2) Scheduled Tribe
- (3) Backward Classes.....

4. Recruitment Rules for the Grade Post:

(a) Date on which Recruitment Rules were issued

(b) Method of Recruitment prescribed:

- (i) % direct recruitment
- (ii) % promotion
- (iii) % deputation/transfer

(c) Whether an up-to-date copy of the recruitment rules has been enclosed (this should invariably be sent for reference). If any changes in the recruitment rules have been agreed to by the Commission after they were notified, details should be attached. If, after the approval of the recruitment rules any other post has been created which should normally be included in the field of promotion, give details.

5. Grade Post from which promotion is to be made:

Designation	Classification	Scale of Pay	Recruitment prescribed for eligibility for promotion	Whether reservations are required to be made for SC & ST and BCs for promotion from this Grade post indicated in S.No.3 above in accordance with orders in this regard.

6. Seniority list

- (a) Whether a seniority list as in the prescribed proforma has been enclosed. The seniority list should include names of eligible and ineligible candidates up to the last eligible candidate as per Zone of Consideration.
- (b) Whether the list, before finalization was circulated to all concerned.
- (c) Whether there are any officers whose seniority has not been finalised. If so, give details.
- (d) Whether the seniority list has been duly authorised by the appointing authority or the Dy.Secy. of the concerned Department,

7. Character Rolls:

Complete and up-to-date character rolls of all the eligible officers are required.

- (a) Whether a list (in duplicate) been attached showing the names of Officers whose character rolls are enclosed with this reference.
- (b) Are the character rolls complete and up-to-date.

8. Self contained note for the D.P.C.

The self contained note for the DPC explaining proposals for promotion should invariably contain information regarding any representations/writs/court cases pending in connection with the present promotion indicating the names of aggrieved parties and the present stage of cases. If there are any Government/Court/Tribunal orders relating to the promotion which the DPC has to keep in view may also be indicated in the note. Whether any enquiry/charges are pending against the persons being considered for promotion and if so the present stage may be indicated.

* This information may be furnished wherever the special/adhoc rules provides for reservation in promotions for SCs, STs, and B.Cs only.

Signature : _____

Designation: _____

Date : _____

vide item 6 of the DPC proforma

Seniority list of all Officers in the Grade of _____ as on - _____

Sl. No.	Name of the Officer	* whether belongs to Scheduled Caste or Scheduled Tribe or Backward Class. If not, say neither.	Date of Birth	Date of regular appointment for the grade	Post held on regular basis	Whether qualified for promotion or not	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

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**** Signature of Authenticating Officer**

Designation_____

Dated_____

* this information may be furnished
wherever the Special/Adhoc Rules provides
for reservation in promotions for SCs, STs.,
and BCs only

** to be signed by an Officer or above the
rank of Deputy Secretary.

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES - State and Subordinate Services - Promotion / Appointment of employees to higher posts while investigation into the allegations / disciplinary proceedings initiated against them are pending.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No.790

Dated: 29th Sept. 1970.

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ORDER:

At present there are no clear instructions as to the action to be followed in regard to consideration of cases of Government employees for promotion for appointment to higher posts while disciplinary proceedings are pending against them or when they are under suspension. Consequently, there has been no uniformity in the procedure followed by various appointing authorities in such cases. The question, therefore, was considered by the Services Sub-Committee of Secretaries to Government at its meeting held on 24-2-1970. The Committee recommended as follows.

"it was felt that the provisional withholding of promotions would be justified in the following categories of cases:-

- (a) Where an officer has been placed under suspension; or
- (b) Where charges have been framed and disciplinary proceedings initiated, and the charges are so grave that if they be held proved, the officer would not be promoted; or
- (c) Where an investigation has been conducted by the Anti-Corruption Bureau and it is established that there is a prima-face case for prosecution of taking disciplinary action on charges which, if held proved would warrant the supersession of the officer.

In cases where promotions are ordered deferring consideration of claims of any officers in the cases aforementioned, the Committee considered that it should be specifically stipulated that such promotions would be without prejudice to the claims of the officers the consideration of which has been deferred pending the clearance of the charges against them. Cases of all such officers as fall under the categories (a), (b) and (c) mentioned above should immediately proceedings, be reviewed for promotion as also for their rightful ranking in the light of the final outcome of these proceedings.

The Committee felt that promotion need not be withheld where the charges against an officer relate to minor lapses and have no bearing on the integrity or efficiency of an officer and which even if proved, will not stand in the way of the officer being promoted.

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2. The Government, after careful consideration, accept the above recommendations of the services Sub-Committee of the Secretaries to Government and direct that:-

- (i) Provisional withholding of promotions would be justified in cases failing under categories (a)(b) (c) mentioned in para 1 ante.
- (ii) Where promotions are ordered, deferring consideration of the claims of any such officers as fall under the categories (a) (b) (c) mentioned in para 1 ante it should be specifically stipulated that such promotions would be without prejudice to the claims of the officers the consideration of which has been deferred pending the clearance of the charges against them. Cases of all such officers as fall under the categories (a). (b) (c) mentioned in para 1 ante should, immediately after the conclusion of the disciplinary proceedings be reviewed for promotion, as also for their rightful ranking in the light of final outcome of these proceedings.
- (iii) Promotion need not, however, be withheld where the charges against an officer relate to minor lapses and have no bearing on the integrity of efficiency of an officer and which even if proved will not stand in the way of the officer being promoted.

3. The heads of Departments and Collectors etc. are requested to see that the above instructions are followed by all competent authorities, under their administrative control, in matters of promotion or appointment by transfer Government employees to higher posts while investigation into the allegations / disciplinary proceedings initiated against them are pending.

4. The receipt of this Memo. should be acknowledged.

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

**M.T.RAJU,
CHIEF SECRETARY TO GOVERNMENT.**

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES - State and Subordinate Services - Promotion/
Appointment of employees to higher posts while investigation into the
allegations/disciplinary proceedings initiated against them are pending.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No.211

**Dated the 31st March, 1975.
Read the following:-**

1. G.O.Ms.No.790, General Administration (Services.C)
Department, dated.29.9.1970.
2. From the Andhra Pradesh Public Services Commission,
Lr.No. 2494/B1/3/74, dated: 19.3.1975.

* * *

ORDER:

In partial modification of the G.O. cited and considering the impact of
certain judgment of the High Court on the instructions issued in the G.O.
cited, Government direct that consideration for promotion on over all merits
should not be kept in abeyance or deferred in the cases falling under the
categories (b) and (c) in para 1 of the G.O. cited viz.,

- (i) where charges have been framed and disciplinary proceedings initiated
and the charges are so grave that if they be held proved, the officer
would not be promoted; or
- (ii) where an investigation has been conducted by the anti corruption
Bureau and it is established that there is a prima facie case for
prosecution or taking disciplinary action charges which, if held proved,
would warrant the supersession of the officer.

On the other hand, Government direct that such cases also should be
given consideration to meet requirements of the principles of natural justice.

2. The Heads of Departments, Collectors etc., are requested to see that
the above instructions are followed by all competent authorities under their
administrative control in matters of promotion or appointment by transfer of
government servants to higher posts, in cases where investigation into the
allegations or disciplinary proceedings initiated against them are pending.

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

**N.BHAGAWANDAS,
CHIEF SECRETARY TO GOVERNMENT.**

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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - State and Subordinate Services - Promotion/
Appointment of employees to higher posts while investigation into the
allegations/disciplinary proceedings initiated against them are pending -
Revised Orders - Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No.424.

Dated the 25th May, 1976.
Read the following:-

1. G.O.Ms.No.790, General Administration (Services.C)
Department, dated:29-09-1970.
2. G.O.Ms.No.211, G.A.(Services-C) Department, dt:31-03-1975.

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ORDER:

Government have carefully considered the existing instructions regarding consideration of the claims for promotion of officers who are facing enquiry in any departmental proceedings or before a Criminal Court or whose conduct is under investigation and against whom Departmental proceedings or Criminal Prosecution is about to be instituted, and have decided that the following procedure shall be followed in such cases.

2. Officers who are facing enquiry, trial investigation can be categorized into the following groups based on the nature of the allegations / charges pending against them or about to be instituted.

- (i) an officer with a clean record the nature of charges/allegations against whom relate to minor lapses having no bearing on his integrity or efficiency, which even if held proved, would not stand in the way of his being promoted;
- (ii) an officer whose record is such that he would not be promoted, irrespective of the allegations/charges under enquiry, trial or investigation; and
- (iii) an officer whose record is such that he would have been promoted had he not been facing enquiry, trial or investigation, in respect of charges which, if held proved, would be sufficient to supersede him.

3. The suitability of all officers eligible for promotion including those mentioned above should be assessed at the time of consideration of promotion by the Departmental Promotion Committee or other authority, as the case may be. The Departmental Promotion Committee or other authority may consider promotion of officers coming under category (i) above and indicate the rank to be assigned to such officers in the promotion list, notwithstanding the enquiry, trial or investigation. Similarly, suppression may be recommended straightway in respect of officers coming under category (ii), on ground of their being unfit for promotion. In the case of officers coming under category (iii) the Departmental Promotion Committee or other authority should consider whether such an officer would have been

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recommended for promotion, if the officer had his conduct not been under enquiry trial or investigation, and make its recommendations and the rank to be assigned to him in the promotion list, in such cases the Departmental Promotion Committee may make a specific recommendation that their promotion should be deferred until after the termination of the disciplinary proceedings or criminal prosecution.

4. In the event of there being an officer whose promotion has been recommended to be deferred, the vacancy that could have gone to the officer should be filled only on a purely temporary basis by the next person in the approved list of candidates for promotion. If the officer concerned is completely exonerated he should be promoted to the post filled on a temporary basis, restoring him his rightful place in the list of promoted officers with restoring him his rightful place in the list of promoted officers with retrospective effect.

5. In cases where an officer is under suspension pending enquiry, investigation of trial the provisional withholding of promotions would be justified and the instructions issued in G.O.Ms.No.790, General Administration (Ser-C), dated 29-9-1970 would continue to apply.

6. This order issues in supersession of the order issued in G.O.Ms.No.211, General Administration (Services-C) Department dated 31-3-1975.

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

**N.BHAGAWANDAS
CHIEF SECRETARY TO GOVERNMENT**

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES - State and Subordinate Services - Promotion / appointment of employees to higher posts while investigation into the allegations / disciplinary proceedings initiated against them are pending - Further Instructions - Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No.104

**Dated 16-12-1990
Read the following:-**

1. G.O.Ms.No.790, General Administration (Services-C) Department, dated.29-09-1970.
2. G.O.Ms.No.211. General Administration (Services-C) Department, dated 31-03-1975.
3. G.O.Ms.No.424. General Administration (Services-C) Department, dated 25-05-1976.
4. O.M.No.22011/2/89-Estt.(A), Dated 12-1-1988, Govt. of India, Dept. of Personnel and Training.

-ooOoo-

ORDER:

In the G.O. third read above, instructions have been issued, among other things, for consideration of the claims for promotion of Officers who are facing enquiry in any Departmental proceedings or before a criminal court or whose conduct is under investigation and against whom departmental proceedings or criminal prosecution is about to be instituted as per the procedure laid down therein. It has also been ordered in para 2 (iii) of the said G.O. that in the case of an officer whose record is such that he would have been promoted had he not been facing enquiry, trial or investigation, in respect of charges which, if held proved, would be sufficient to supersede him, the Departmental Promotion committee or other authority should consider whether such an officer would have been recommended for promotion, of the officer, had his conduct not been under enquiry, trial or investigation, and make its recommendations and the rank to be assigned to him in the promotion list. In such cases, the Departmental Promotion Committee or other authority may make a specific recommendation that their promotion should be deferred until after the termination of the disciplinary proceedings or criminal prosecution.

However, there are no instructions to defer promotion / appointment to higher post of an officer included in the panel, if between the date of such inclusion in the panel and actual date promotion, investigation /inquiry/trial has been taken up against an officer so included in the panel and the charges are serious enough to warrant categorization of that officer into the group referred to in para 2 (iii) of the G.O. third read above. The Government of India, have issued instructions in their O.M. fourth read above to defer promotion / appointment in such cases, until after the termination of such proceedings.

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The Government have examined the issue, keeping in view the instructions issued by the government of India in this regard, and decided that promotion / appointment by transfer to higher post of an officer included in the panel, if between the date of inclusion in the panel and the date of actual promotion, disciplinary proceedings / investigation / enquiry / trial has been taken up against such officer whose case falls under the group referred to in para 2 (iii) of the G.O. third read as mentioned in para 1 above shall be deferred, until after termination of all such proceedings. In the event, the officer concerned is completely exonerated, he should be promoted/appointed to the post restoring him his rightful place with retrospective effect viz., with effect from the date on which his immediate junior was promoted or from the date on which he would have been promoted, has the enquiry / investigation / trial not been initiated against him, as the case may be.

All Departments of Secretariat / Heads of Departments are requested to follow the above instructions scrupulously and bring them to the notice of all concerned.

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

**G.R.NAIR,
CHIEF SECRETARY TO GOVERNMENT.**

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - State and Subordinate Services - Promotion / appointment of employees to higher posts while investigations disciplinary proceedings initiated against them are pending - Further orders - Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No.66.

Dated:30.1.1991.
Read the following:-

1. G.OMs.No.424, General Administration (Services-C) Department, dated 25-05-1976.
2. G.OMs.No.187, General Administration (Services-B) Department, dated 25-04-1985.
3. G.OMs.No.104, General Administration (Services-C) Department, dated 16-02-1990.

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ORDER:

In the G.O. first and second read above, instructions have been issued, among other things, for consideration of claims for promotion of officers who are facing enquiry in any Departmental proceedings or before a criminal court or whose conduct is under investigation and against whom departmental proceedings or criminal prosecution is about to be instituted, as per the procedure laid down therein. In the G.O. third read above, instructions have been issued that promotion / appointment by transfer to higher post of an officer include in the panel, if between the date of inclusion in the panel and the date of actual promotion, disciplinary proceedings / investigation / enquiry / trial has been taken up against such officer whose case falls under the group referred to in para 2 (iii) of the G.O. first read above, shall be deferred, until after termination of all such proceedings.

2. The Supreme Court in State of Madhya Pradesh Vs. Bani Singh, 1990 Cri. Ltd. 1315 has observed as follows:-

"Normally, pendency or contemplated initiation of disciplinary proceedings against a candidates must be considered to have absolutely no impact upon to his right to be considered. If the departmental enquiry had reached the stage of framing of charges after a prima-facie case has been made out, the normal procedure followed as mentioned by the Tribunal was 'sealed cover' procedure but if the disciplinary proceedings had not reached that stage of framing of the charge after prima-facie cases established the consideration for the promotion to a higher or selection grade cannot be withheld merely on the ground of pendency of such disciplinary proceedings. Deferring the consideration in the Screening Committee Meeting held on 26-11-1980 on this ground was therefore unsupportable."

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3. In another case, in C.O. Armugam and others Vs. State of Tamil Nadu and others 1990(1) S.L.R. P.298 the Supreme Court observed thus:

"----- it is necessary to state that every civil servant has a right to have his case considered for promotion according to his turn and it is guarantee flowing from Arts.14 and 16 (1) of the Constitution. The consideration of promotion could be postponed only on reasonable grounds. To avoid arbitrariness, it would be better to follow certain uniform principle. The promotion of persons against whom charge has been framed in the disciplinary proceedings or charge-sheet has been filed in criminal case may be deferred till the proceedings are concluded. They must, however, be considered for promotion if they are exonerated or acquitted from the charges. If found suitable, they shall then be given the promotion with retrospective effect from the date from which their juniors were promote."

4. It is obvious from the above observations of the Supreme Court that a promotion of member of service can be deferred if in the departmental enquiry or criminal case instituted against him charge has been framed or a charge-sheet has been filed against him, as the case may be.

5. Government, however, hereby direct that promotion / appointment by transfer to a higher post in respect of officers who are facing disciplinary proceedings or a criminal case or whose conduct is under investigation and whose case falls under the group referred to in para 2 (iii) of the G.O. first read above, shall be deferred, only when charges of misconduct are framed by the competent authority and served on the concerned delinquent officer,; or a charge-sheet has been filed against him in criminal court, as the case may be.

6. The instructions issued earlier in the G.Os. read above which are not consistent with these orders, should be deemed to have been modified to the extent necessary.

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

**V.P.RAMARAO
CHIEF SECRETARY TO GOVERNMENT.**

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - State and Subordinate Services - Promotion / appointment to higher posts of officers - Who are involved in Enquiries - Further Orders - Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No.74.

Dated:24.02.1994

Read the following:-

1. G.O.Ms.No.424, General Administration (Services-C) Department, dated 25-05-1976.
2. G.O.Ms.No.104, General Administration (Services-C) Department, dated 16-02-1990.
3. G.O.Ms.No.066, General Administration (Services-C) Department, dated 30-01-91.

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O R D E R:

In the G.Os. read above, instructions have been issued for consideration of the claims for promotion of officers who are facing enquiry in any Departmental proceedings or before a Criminal Court or whose conduct is under investigation and against whom Departmental proceedings or criminal prosecution is about to be instituted.

2. During the meeting of the Secretaries to Government held on 7-7-1992, the issue of inordinate delays in finalizing enquiries both Departmental and Anti-Corruption Bureau resulting in hardship to the employees, was discussed and an Officers Committee was constituted, to examine among others, the issue of "Promotion of Officers" involved in Enquiries and to submit proposals for review of the existing instructions. The Committee has accordingly made certain recommendations which have been accepted by the Standing Sub-Committee of Secretaries to Government in their meeting held on 6-12-1993.

3. Keeping in view the said recommendations and the procedure and guidelines issued by the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pension, Government of India vide their Memorandum No.22011/4/91, Estt.A. Dated 14-9-1992, Government direct that the following procedure be followed for promotion of Officers against whom disciplinary cases are pending.

4. The appointing authorities concerned should specifically bring to the notice of Departmental Promotion Committee/Screening Committee the following categories of disciplinary cases:-

- i) Officers under suspension
- ii) Officers in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending
- iii) Officers in respect of whom prosecution for a criminal charge is pending.

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5. The Departmental Promotion Committee/Screening Committee shall assess the suitability of the officers coming within the purview of the circumstances mentioned above, along with other eligible candidates following the procedure prescribed in G.O.Ms.No.424, General Administration (Ser.C) Department, dated 25-5-1976.

6. In cases where the Officer's promotion is deferred in terms of G.O.Ms.No.424 General Administration (Ser.C) Department, dated 25-5-76 and the proceedings have not been disposed of, such cases should be reviewed by the Departmental Promotion Committee in its next meeting to ascertain the progress made in the Disciplinary proceedings/Criminal Prosecution and further measures taken to expedite their completion.

7. There may be some cases, where the disciplinary case/criminal prosecution against the Officers is not concluded even after the expiry of two years from the date of the meeting of the first Departmental Promotion Committee. In such a situation, the appointing authority may review the case of the Officers, provided they are not under suspension, to consider the desirability of giving them ad hoc promotion, keeping in view the following aspects:-

- a) Whether the promotion of the officer will be against public interest.
- b) Whether the charges are grave enough, to warrant continued denial of promotion.
- c) Whether there is any likelihood of the case coming to a conclusion in the near future.
- d) Whether the delay in the finalization of proceedings, departmental or in a Court of Law, is not directly or indirectly attributable, to the officer concerned.
- e) Whether there is any likelihood of misuse of official position which the officer may occupy after ad hoc promotion, which may adversely affect the conduct of the departmental case/criminal prosecution.

8. If the disciplinary proceedings arose out of the investigations conducted by the Anti-Corruption Bureau, the Anti-Corruption Bureau should also be consulted and its views should be taken into account.

9. In case the appointing authority consider that it would not be against the public interest to allow ad hoc promotion to the officer concerned, his case should be placed before the next Departmental Promotion Committee held in the normal course to decide whether the officer is suitable for promotion on ad hoc basis. Where the officer is considered for ad hoc promotion, the Departmental Promotion Committee should made its assessment on the basis of the totality of the individual's record of service without taking into account the pending disciplinary case/criminal prosecution against him/her.

10. If a decision is taken to promote an officer on an ad hoc basis, an order of promotion may be issued making it clear in the order itself that:-

- i) The promotion is being made on purely ad hoc basis and the ad hoc promotion will not confer any right for regular promotion, and
- ii) The promotion shall be until further orders. It should also be indicated in the orders that the Government reserve the right to cancel the ad hoc promotion and revert at any time the officer to the post from which he was promoted.

11. If the officer concerned is acquitted in the criminal prosecution on the merits of the case or is fully exonerated in the departmental proceedings, the ad hoc promotion already made may be confirmed and the promotion treated as a regular one from the date of the ad hoc promotion with all attendant benefits. In case the officer could have normally got his regular promotion from a date prior to the date of his ad hoc promotion with reference to his placement in the Departmental Promotion Committee Proceedings, and the actual date of promotion of the person ranked immediately junior to him by the same Departmental Promotion Committee, he would also be allowed his due seniority and benefit of notional promotion.

12. If the Officer is not acquitted on merits in the criminal prosecution but purely on technical grounds and Government either proposes to take up the matter to a higher court or to proceed against him departmentally or if the officer is not exonerated in the departmental proceedings, the ad hoc promotion granted to him should be brought to an end.

13. The orders issued in the G.Os. read above shall be deemed to have been modified to the extent necessary as per these orders.

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

K. JAYABHARATH REDDY,
CHIEF SECRETARY TO GOVERNMENT.

(Note: This G.O. has been cancelled by G.O.Ms.No:257, General
Administration (Services-C) Department, dated 10-6-1999)

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Appointment by promotion/transfer to higher categories – Recommendation of Member of Service against whom a series of penalties are awarded – Further guidelines – Orders – Issued.

GENERAL ADMINISTRATION (SER.C) DEPARTMENT

G.O.Ms.No:203

Dated 05-05-1999
Read the following:-

G.O.Ms.No:187, GA (Ser.B) Department, dated 25-04-1985.

-ooOoo-

O R D E R:

According to the orders issued in the G.O. read above, an individual who is undergoing punishment should not be recommended for promotion. In cases, where the period of punishment imposed is already over, each case has to be evaluated by Departmental Promotion Committee on merits.

2. It has come to the notice, that where an officer had undergone a number of punishments, but they are not subsisting at the time of the meeting of the Departmental Promotion Committee or the Screening Committee and the Committees are not very comfortable in recommending his name but the existing instructions are such that they are interpreted to mean that a person can be recommended for promotion if there is no subsisting punishment besides there is being no charges or adverse entries even though he might have undergone a number of punishments in the past. It is noticed that in some Screening Committees or Departmental Promotion Committees where the presiding officer is very strict they do not recommend a person if in the past there are punishments even though at the time of the meeting there is no punishment subsisting. Government considers that this is the correct stand because a person who undergoes a number of punishments does not deserve to be promoted to a selection post even though at the time of Departmental Promotion Committee or Screening Committee meeting no punishment is subsisting. It is therefore decided to modify the existing instructions to the Departmental Promotion Committees or Screening Committees to the effect that they should take into account the overall performance of the officer concerned which includes past punishments and not merely be guided by the fact whether a punishment is subsisting as on the date of the meeting of the Departmental Promotion Committee or Screening Committee or on the qualifying date for the preparation of the panel.

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3. The Departments of Secretariat, Heads of Departments and the District Collectors are requested to follow the above guidelines for preparation of list of candidates for promotion or appointment by transfer to next higher categories.

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

N.V.H. SASTRY,
SECRETARY TO GOVERNMENT.

To

All Departments of Secretariat.

All Heads of Departments.

All District Collectors.

Copy to:

The Registrar, High Court of Andhra Pradesh, Hyderabad.

The Registrar, A.P. Administrative Tribunal, Hyderabad.

The General Administration (COI.CH)/(COI.R) Department.

All Special Chief Secretaries to Government

All Secretaries/Principal Secretaries to Government.

All Chairman, Departmental Promotion Committees/Screening Committees.

The Secretary to Vigilance Commissioner, A.P. Vigilance Commission,
Hyderabad.

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

//Forwarded::By order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - State and Subordinate Services - Appointment by Promotion/Transfer to higher categories of Employees who are facing disciplinary case - Guidelines - Issued.

GENERAL ADMINISTRATION (SER.C) DEPARTMENT

G.O.Ms.No.257.

Dated 10-06-1999.

Read the following:

1. G.O.Ms.No.424, GA (Ser.C) Dept., dt.25-05-76.
2. G.O.Ms.No.104, GA (Ser.C) Dept., dt.16-02-1990.
3. G.O.Ms.No.66, GA (Ser.C) Dept., dt.30-01-91.
4. From the Dept. of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions Govt.of India, Memo.No.22011/4/91-Estt. (A), dt.14-09-1992.
5. G.O.Ms.No.74, GA (Ser.C) Dept., dt.24-02-94.
6. G.O.Ms.No.203, GA (Ser.C) Dept., dt.05-05-99.

-ooOoo-

ORDER:

In the G.Os 1st to 3rd read above, orders were issued enunciating guidelines for consideration of employees who are facing disciplinary enquiries in regard to their appointment by promotion or transfer to higher categories.

2. In the reference fourth read above, the Ministry of Personnel, Public Grievances and Pensions, Government of India have issued guidelines in regard to consideration of Government servants against whom disciplinary or court proceedings are pending or whose conduct is under investigation, for promotion to next higher categories. Keeping in view the said guidelines, orders have been issued in the G.O. fifth read above, for consideration of employees for ad hoc promotion where the disciplinary case/criminal prosecution against the Govt. employees is not concluded even after the expiry of two years from the date of the meeting of the first Departmental Promotion Committee, in which the employee was considered, in case the employee is not under suspension.

3. It has come to the notice of Government, that the guidelines issued in the said orders are not being strictly adhered to in several departments and ad hoc promotion is being considered on the simple ground, that two years period has elapsed after institution of disciplinary proceedings against the employee without going into the desirability of making ad hoc promotion in such case. The Government have carefully reviewed the issue and accordingly it has been decided to cancel the orders issued in the G.O. fifth read above and issue suitable guidelines on the subject.

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4. Accordingly, orders issued in the G.O.Ms.No.74, General Administration (Ser-C) Department, dated the 24th February, 1994 are hereby cancelled with immediate effect.

5. Government also order that with immediate effect the following procedure and guidelines, be followed to consider the employees against whom disciplinary cases or criminal prosecution are pending or whose conduct is under investigation, for appointment by promotion or transfer, to next higher categories.

A. The details of employees in the zone of consideration for promotion falling under the following categories should be specifically brought to the notice of the Departmental Promotion Committees or Screening Committees:-

(i) Officers under suspension;

(ii) Officers in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending;

(iii) Officers in respect of whom prosecution for a criminal charge is pending.

B. Officers who are facing enquiry, trial or investigation can be categorised into the following groups based on the nature of the allegations of charges pending against them or about to be instituted namely:-

(i) an officer with a clean record, the nature of charges or allegations against whom relate to minor lapses having no bearing on his integrity or efficiency, which even if held proved, would not stand in the way of his being promoted;

(ii) an officer whose record is such that he would not be promoted, irrespective of the allegations or charges under enquiry, trial or investigation; and

(iii) an officer whose record is such that he would have been promoted had he not been facing enquiry, trial or investigation, in respect of charges which, if held proved, would be sufficient to supersede him.

C. The suitability of the officers for inclusion in the panel should be considered on an overall assessment based on the record which should include namely:-

(i) Adverse remarks recorded in the Annual Confidential reports, the penalties awarded and the bad reputation of the officer as vouchsafed by the Head of the Department and the Secretary to Government of the Department concerned;

The above cases should be considered as falling under category (ii) of item (B) above.

- (ii) The officers who do not have any adverse entry in the Annual Confidential Report, and who have no penalties awarded against them in the entire duration of the post and not merely in the past five years and whose reputation is vouchsafed by the Head of the Department and Secretary to Government of the Department concerned should be considered as falling under category (iii) of item (B) above.

The officers categorised as under item (iii) of G.O.Ms.No.424, GA (Ser.C) Dept., dated 25-05-76 as mentioned above only should be considered for adhoc promotion after completion of two years from the date of the Departmental Promotion committee or Screening committee Meeting in which their cases were considered for the first time.

6. The appointing authority should consider and decide that it would not be against public interest to allow ad hoc promotion to the officer concerned and this shall be decided with reference to the charge under enquiry. If the charge is one of moral turpitude, misappropriation, embezzlement and grave dereliction of duty then the appointing authority should consider as not in the public interest to consider ad hoc promotion to such charged officer. But, however, if the charge is not a grave one but is a minor one, not involving moral turpitude, embezzlement and grave dereliction of duty then only in such cases the appointing authority should consider that it would not be against public interest to allow ad hoc promotion because till then his record is clean with reference to ACRs, past punishment and reputation in the department as vouchsafed by the Head of the Department and Secretary to Government. The appointing authorities should strive to finalise the disciplinary cases pursuing them vigorously so that within two years the proceedings are concluded and final orders issued.

7. If the Officer concerned is acquitted, in the criminal prosecution on the merits of the case or is fully exonerated in the departmental proceedings, the ad hoc promotion already made may be confirmed and the promotion treated as a regular one from the date of the ad hoc promotion with all attendant benefits. In case the officer could have normally got his regular promotion from a date prior to the date of his ad hoc promotion with reference to his placement in the Departmental Promotion Committee proceedings and the actual date of promotion of the person ranked immediately junior to him by the Departmental Promotion committee, he would also be allowed his due seniority and benefit of notional promotion.

8. If the Officer is not acquitted on merits in the criminal prosecution but purely on technical grounds and Government either proposes to take up the matter to a higher Court or to proceed against him departmentally or if the Officer is not exonerated in the departmental proceedings, the adhoc promotion granted to him should be brought to an end.

9. All the Departments of Secretariat and Heads of Departments should follow the above instructions scrupulously and bring it to the notice of all the concerned.

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

V. ANADARAU,
CHIEF SECRETARY TO GOVERNMENT

To
All Departments of Secretariat.
All Heads of Departments.
All Collectors/District Judges.
The Registrar, A.P. Administrative Tribunal, Hyderabad.
The Registrar, A.P. High Court, Hyderabad.
The Secretary, A.P. Public Service Commission, Hyderabad.
The Secretary to Vigilance Commissioner, A.P. Vigilance Commission,
Hyderabad.
All Service Sections in Genl. Admn. Department.

// Forwarded by Order //

Section Officer

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.C) DEPARTMENT

Cir.Memo.No:15813/Ser.C/2007

Dated 11-09-2007

Sub:- Public Services – State & Subordinate Services – Promotion/
Appointment of employees to higher posts while
investigation into allegations/disciplinary proceedings
initiated against them are pending – Orders issued –
Reiterated.

Ref:- 1) G.O.Ms.No:424, GA (Ser.C) Dept., dt:25-05-1976
2) G.O.Ms.No:104, GA (Ser.C) Dept., dt:16-02-1990
3) G.O.Ms.No:066, GA (Ser.C) Dept., dt:30-01-1991
4) G.O.Ms.No:257, GA (Ser.C) Dept., dt:10-06-1999
5) Cir.Memo.No:36500/Ser.C/2005, GA (Ser.C) Dept.,
dated 19-04-2006.

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In the G.O. 1st cited, orders were issued on the procedure to be followed assess the suitability of officer's eligibility for promotion to next higher category and to categorize the officers who are facing enquiry, trial investigation into the following groups based on the nature of allegations/charges pending against them or about to be instituted:-

- (i) an officer with a clean record the nature of charges / allegations against whom relate to minor lapses having no bearing on his integrity or efficiency, which even if held proved, would not stand in the way of his being promoted.
- (ii) an officer whose record is such that he would not be promoted, irrespective of the allegations / charges under enquiry, trial or investigation; and
- (iii) an officer whose record is such that he would have been promoted had he not been facing enquiry trial or investigation, in respect of charges which, if held proved, would be sufficient to supersede him.

2. The suitability of all officers eligible for promotion including those mentioned above should be assessed at the time of consideration of promotion by the Departmental Promotion Committee or other authority, as the case may be. The Departmental Promotion Committee or other authority may consider promotion of officers coming under category (i) above and indicate the rank to be assigned to such officers in the promotion list. notwithstanding the enquiry, trial or investigation. Similarly, suppression may be recommended straightway in respect of officers coming under category (ii), on ground of their being unfit for promotion. In the case of officers coming under category (iii) the Departmental Promotion Committee or other authority should consider whether such an officer would have been recommended for promotion, if the officer had his conduct not been under enquiry trial or investigation, and make its recommendations and the rank to be assigned to him in the promotion list, in such cases the Departmental Promotion Committee may make a specific recommendation that their

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promotion should be deferred until after the termination of the disciplinary proceedings or criminal prosecution.

3. In G.O.Ms.No:104, GA (Ser.C) Dept., dt:16-02-1990, orders issued "that promotion/appointment by transfer to higher post of an officer included in the panel, if between the date of inclusion in the panel and the date of actual promotion, disciplinary proceedings / investigation / enquiry / trial has been taken up against such officer whose case falls under the group referred to in para 2 (iii) of the G.O.Ms.No:424, GA (Ser.C) Dept., dt:25-05-1976 shall be deferred, until after termination of all such proceedings. In the event, the officer is completely exonerated, he should be promoted/appointed to the post restoring him his rightful place with retrospective effect viz., with effect from the date on which his immediate junior was promoted or from the date on which he would have been promoted, had the enquiry / investigation / trial not been initiated against him, as the case may be".

4. In the G.O. 3rd cited, orders were issued that promotion/appointment by transfer to a higher post in respect of officers who are facing disciplinary proceedings or a criminal case or whose conduct is under investigation and whose case falls under the group referred to in para 2(iii) of G.O.Ms.No:424, GA (Ser.C) Dept., dated 15-05-1976 shall be deferred only when charges of misconduct are framed by the competent authority and served on the concerned delinquent officer or a charge sheet has been filed against him/her in a criminal court, as the case may be.

5. In the G.O. 4th cited, orders were issued to consider adhoc promotion to the employees who are facing disciplinary cases, where such cases are pending for more than (2) years from the date of the Departmental Promotion Committee or Screening Committee meeting in which their cases were considered for the first time.

6. Instructions were issued in the reference 5th cited, for expeditious completion of disciplinary cases against Government employees wherein it is stated that if the delay is on the part of the Enquiry Officer in conducting inquiry, disciplinary action will be initiated against such Enquiry Officer for the delay.

7. The orders/instructions issued in the references cited are reiterated and direct the competent authority to ensure that the promotion to the Government employees shall be considered in accordance with the orders/instructions and procedure laid down. Wherever, the employees are facing disciplinary cases such employees shall be considered in accordance with the categorization ordered in G.Os 1st to 4th cited. It shall be ensured that the employees are considered for promotion to their rightful place at right time as per the orders in vogue. It should be the earnest endeavour of the Government to meet the objective of a sense of satisfaction of the work force for the smooth and efficient administration at all levels.

8. All the Departments of Secretariat, Heads of Departments and District Collectors should follow the above orders/instructions scrupulously and bring it to the notice of all concerned.

**J. HARI NARAYAN,
CHIEF SECRETARY TO GOVERNMENT**

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Promotion of the employees to the next higher category –
Further Orders – Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No. 529

Dated:19-08-2008.
Read the following:-

1. G. O. Ms. No. 424, Genl.Admn. (Ser-C) Deptt., dated. 25-5-76.
2. G. O. Ms. No. 104, Genl.Admn.(Ser-C) Deptt., dated.16-02-90.
3. G. O. Ms. No. 66, Genl.Admn. (Ser-C) Deptt., dated.30-01-91.
4. G. O. Ms. No. 203, Genl.Admn. (Ser-C) Deptt., dated.05-05-99
5. G. O. Ms. No. 257, Genl.Admn.(Ser-C) Deptt., dated.10-06-99.
6. Circular Memo. No.15813/Ser-C/2007, General Administration
(Services-C) Department, Dated.11-09-2007.

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ORDER:

In the G.O.'s read above, orders were issued on the procedure to be followed to consider promotions when the employees are facing the disciplinary cases. It was ordered that where disciplinary cases are not concluded even after two years and the promotion to the employees is deferred due to pendency of the disciplinary cases, ad-hoc promotions shall be considered pending finalization of the disciplinary cases. In spite of these specific orders, the Employees associations have brought to the notice of the Government that due to pendency of the disciplinary cases for years together, the employees are denied even the ad hoc promotion for next higher categories. It is also brought to the notice of the Government that in criminal cases registered against the employees, such employees are not considered for promotion even though they are acquitted, due to appeal filed in the Higher Courts.

2. After careful consideration, Government direct to consider the cases of employees for promotion to the next higher categories wherever the charges are held not proved by the Criminal Court and acquitted them, even though an appeal is preferred before the higher Court against such acquittal.

3. All the Departments of Secretariat, Heads of Departments and District Collectors should follow the above instructions scrupulously and bring it to the notice of all the concerned for strict implementation.

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

P.RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT

To
All Departments of Secretariat.
All Heads of Departments / All District Collectors.
The Registrar, A.P. Administrative Tribunal, Hyderabad.
The Registrar, High Court of A.P., Hyderabad.
The Secretary A.P. Public Service Commission, Hyderabad.

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The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
All Service Sections in G. A. D.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Employees acquitted by trial courts – Appeal preferred before the higher courts – Promotion of the employees to the next higher category – Amendment – Orders – Issued.

GENERAL ADMINISTRATION (SER.C) DEPARTMENT

G.O.Ms.No. 593

Dated: 21-10-2011.
Read:

G.O.Ms.No.529, General Administration (Services-C) Department,
dt.19-8-2008.

ORDER:

In the G.O., read above, orders were issued to consider the cases of employees for promotion to the next higher categories, wherever charges are held not proved by the criminal court and acquitted them, even though an appeal is preferred before the higher court against such acquittal.

2. It has been brought to the notice of the Government that a number of proposals are being placed before Departmental Promotion Committees / Screening Committees to review the cases of the employees for promotion to the next higher categories retrospectively, on par with their juniors, where appeals are pending in Higher court against their acquittal by the trial court. It is therefore felt necessary to issue a suitable amendment to the G.O., read above.

3. The Government, after careful examination of the matter, hereby makes the following amendment to the orders issued in G.O.Ms.No.529, General Administration (Services-C) Department, dt.19-8-2008:-

A M E N D M E N T

In the paragraph 2 of the said G.O., the following words shall be added at the end namely:-

“Such promotion shall be purely on temporary basis with prospective effect and subject to outcome of the appeal pending before higher court. Such consideration shall be in the ensuing Meeting of the Departmental Promotion Committee / Screening Committee only.”

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

B.VENKATESWARA RAO
SECRETARY TO GOVERNMENT (Ser. & HRM)

To
All the Departments of Secretariat.

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All the Heads of Departments.
All the District Collectors.
The Registrar, High Court of AP, Hyd.
The Registrar, APAT, Hyderabad.
The Secretary, APPSC, Hyderabad.
The Secretary to VC, APVC.

Copy to:

The Law (E) Department.
All the Service Sections in GAD.
The PS to Spl.CS to CM.
The PS to Chief Secy.
The PS to Secy.(Ser.)
The PA to Dy.Secy.(Ser.)
SF/SCs

//FORWARDED:: BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – State and Subordinate Services - Promotion/Appointment of employees to higher posts in respect of the cases, where charges were dropped or penalty orders are modified etc., - Further Orders – Issued.

GENERAL ADMINISTRATION (SER.C) DEPARTMENT

G.O.Ms.No.331

Dated:03.05.2013
Read the following:-

- 1) G.O.Ms.No.424, G.A.(Ser.C) Dept., Dt. 25.05.1976.
- 2) G.O.Ms.No.187, G.A.(Ser.B) Dept., Dt.25.04.1985.
- 3) G.O.Ms.No.34, G. A. (DPC.I) Dept., Dt.24.01.1989.
- 4) Circular Memo No.60897/Ser.C/99, G.A.(Ser.C) Dept., Dt.12.11.1999.

-ooOoo-

ORDER:

In the G.O first read above, orders were issued, among others, prescribing the procedure to be followed while considering the claims for promotion of the Officers who are facing enquiry in any departmental proceedings or before a criminal court or whose conduct is under investigation and against whom Departmental proceedings or criminal prosecution is about to be instituted.

2. In the G.O. second read above, orders were issued reconstituting the Departmental Promotion Committee's with revised guidelines to determine the eligibility of an employee for consideration for promotion. As per Para 11 of said G.O., the name of the employee, who is undergoing punishment, should not be recommended for promotion. Further, as per para-13(a) of the said G.O., read with G.O.Ms. No.34, GA (DPC.I) Department, dt.24-1-1989, the case of the officer where the penalty imposed has been revoked after the Departmental Promotion Committee had considered his case should again be placed before the Departmental Promotion Committee for review.

3. In the Circular Memo fourth read above, certain instructions were issued to the effect, that the disciplinary proceedings cannot be deemed to have been concluded unless they end with one of the penalties mentioned under CCA Rules or clearly state the fact that the delinquent officer is exonerated and charges are dropped. When words like "warning", or "let off", or "to be more careful in future" etc., are used in final order, it is to be construed that the charges and the guilt of the officer have been proved, but a lenient view is taken and no punishment is awarded. Such action will not be in accordance with the provisions of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and it was requested to keep the above in view while issuing final orders.

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4. In spite of the aforesaid orders / instructions, it has come to the notice of the Government that in several cases, the original order of penalty is being modified in appeal or revision petition by the authorities concerned after a lapse of considerable time i.e., after more than three years and in certain cases, even after ten years and also after retirement of the employee on humanitarian grounds. Further, in certain cases, charges are being dropped on humanitarian grounds, taking a lenient view etc., instead of the merits of the case. In criminal cases also, the delinquent officers are being acquitted by the Courts giving benefit of doubt. As such, they are claiming all the consequential benefits with retrospective effect by quoting the aforesaid GOs/ Circular Memorandums, which lead to additional burden on State Exchequer and also resulting in disturbing the settled seniority, besides legal complications.

5. In view of the aforesaid circumstances, the Government after careful examination of the matter, issue further orders that promotions shall be considered with prospective effect only in subsequent panel years duly placing the matter before the Departmental Promotion Committee/ Screening Committee afresh in respect of the cases where;

- (i) Charges were dropped using the words such as let off, warning, to be more careful in future, on humanitarian grounds, on benefit of doubt etc.,
- (ii) Original order of penalty was modified on appeal or revision, after elapse of stipulated time (or) on humanitarian grounds (or) due to retirement etc.,
- (iii) The individual was acquitted by courts on benefit of doubt in criminal cases.

6. All the Departments of Secretariat, Heads of Departments and District Collectors shall follow the above instructions scrupulously and bring it to the notice of all the concerned.

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

B.VENKATESWARA RAO
SECRETARY TO GOVERNMENT (SER & HRM)

To
All the Departments of Secretariat.
All Heads of Departments.
All District Collectors.

Copy to: The Registrar, High Court of A.P., Hyderabad.
The Registrar, A.P. Administrative Tribunal, Hyderabad.
The Secretary, A.P. Public Service Commission, Hyderabad.
The Secretary to Vigilance Commissioner,
A.P. Vigilance Commission, Hyderabad.
All Service Sections in General Administration Department.
The Law (E) Department.
SF/SC.

//FORWARDED : : BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Stoppage of increments with cumulative effect – Following the procedure under Rule 22 (2), treating it as major penalty – Orders – Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No:335

Dated 14-6-1993
Read the following:-

G.O.Ms.No.487, G.A.(Ser.C) Dept., dt. 14-9-92.

-ooOoo-

ORDER:

In "Kulwant Singh Gill vs. State of Punjab" (1990(3) SLJ-135) the Supreme Court held, "withholding of increments" of pay simpliciter without any hedge over it certainly comes within the meaning of Rule 5(iv) of the Rules. (Corresponding to Sub-Clause IV of Rule 9 of the Andhra Pradesh Civil services (Classification, Control and Appeal) Rules, 1991). But when penalty was imposed withholding two increments i.e., for two years with cumulative effect, it would indisputably mean that the two increments earned by the employee was cut off as a measure of penalty forever in his upward march of earning higher scale of pay. In other words the clock is put back to a lower stage in this time scale of pay and on expiry of two years the clock starts working from that stage afresh. The insidious effect of the impugned order by necessary implication, is that the appellant employee is reduced in his timescale by two places and it is imperpetuity during the rest of tenure of his service with a direction that two years increments would not be counted in his time-scale of pay as a measure of penalty. Considering from this angle we have no hesitation to hold that the impugned order would come with the meaning of Rule 5(v) of the said rules; (corresponding to Sub-Clause (iv) of Rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991); it is major penalty and imposition of the impugned penalty without enquiry is per se illegal".

2] The Andhra Pradesh Administrative Tribunal in O.A.No:8527/1991, dated 4-6-1991, while relying on the above judgment of the Supreme Court, has set aside the orders issued by the Government in G.O.Rt.No.73, HM&FW Dept., dt. 11-1-1990 on the ground that Rule 9(1)(iii) of the Andhra Pradesh Civil Services (CCA) Rules, 1963 does not empower the disciplinary authority to impose penalty of withholding increments of pay with cumulative effect except after holding an inquiry and following the prescribed procedure and considered that the said order issued by the Government is without jurisdiction or authority of Law.

3] The Andhra Pradesh Civil Services (CCA) Rules, 1991, have been issued through G.O.Ms.No.487, dated 14-09-92. The said rules came into force with effect from 01-10-92. Rule 22 of the said Rules deals with the procedure for imposition of Minor penalties. Among others, according to Sub-Rule (2) of Rule 22, notwithstanding anything contained in Clause (b) of

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sub-rule (1), if in a case it is proposed, after considering representation, if any made by the Government servant under clause (a) of that sub-rule, to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension payable to the Government servant or to withhold increments of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-rules (3) to (23) of Rule 20, before making any order imposing on the Government servant any such penalty. In other words, for imposing the penalty of withholding of increments of pay with cumulative effect for any period, the elaborate procedure prescribed under Rule 20 of the said Rules for imposition of a major penalty, have to be followed. The penalty of stoppage of increments with cumulative effect, therefore amounts to a major penalty under the A.P.C.S. (CCA) Rules, 1991, and the procedure for imposition of major penalty prescribed in these rules will have to be followed.

4] All the Departments of Secretariat and Heads of Departments are requested to keep in view the above rule position while dealing with cases where it is proposed to impose the punishment of stoppage of increments, keeping in view the provisions of Sub-Rule (2) of Rule 22 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

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

A. CHENGAPPA,
SECRETARY TO GOVERNMENT.

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PS – State and Subordinate Services – Promotion/appointment to higher posts of officers who are involved in Enquiries – Further orders – Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No:968

Dated 26-10-1995

Read the following:-

1. G.O.Ms.No.187 G.A.(Ser.B) Dept., dt. 25-4-85.
2. G.O.Ms.No.335 G.A.(Ser.C) Dept., dt. 14-6-93.

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ORDER:

In para 11 of the G.O. first read above, orders were issued individual who is undergoing punishment should not be recommended for promotion. In cases, where the period of punishment imposed is already over, each case has to be evaluated by the Departmental Promotion Committee on merits. In the G.O. second read above, orders were issued to the effect that the penalty of stoppage of increments with cumulative effect amounts to a major penalty under the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and the elaborate procedure prescribed under rule 20 of the said rules is to be followed.

2] A question arose whether the punishment of stoppage of increment with cumulative effect constitutes a permanent bar for promotion and also whether it is with or without cumulative effect, the punishment should be deemed to be subsisting to the extent of the number of annual grade increments stopped. There is a suggestion that if it is a case of stoppage of increments with cumulative effect, the punishment should be deemed to run for twice the period for which the increment is stopped for. For example, if the punishment is the stoppage of two increments with cumulative effect, the Officer should be denied of his promotion/appointment by transfer for four years.

3] After careful consideration, it has been decided that since the fact that the stoppage of increment with cumulative effect is a major penalty under the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the Government direct that whenever any Government servant is punished with the stoppage of increment with cumulative effect, the cases of such Officers shall not be considered for promotion/appointment by transfer for twice the number of years for which the increment(s) is/are stopped with cumulative effect.

4] All Departments of Secretariat/Heads of Departments shall follow the above orders scrupulously and bring it to the notice of all concerned.

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

M.S. RAJAJEE,
CHIEF SECRETARY TO GOVERNMENT.

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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Minor penalties – Censure – Further clarification – Orders – Issued.

GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

G.O.Ms.No:53

Dated 4-2-1997
Read the following:-

1. G.O.Ms.No.187 G.A.(Ser.B) Dept., dt.25-4-85.
2. Memo.No.322/Ser.B/87-6 GAD dt.8-2-88.

-ooOoo-

ORDER:

According to sub-rule (i) of rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, "Censure" is declared as a minor penalty. Para 11 of the G.O. first read above provides that an individual, who is undergoing punishment, should not be recommended for promotion and where the period of punishment imposed is already over, each period of punishment imposed is already over, each case has to be evaluated by Departmental Promotion Committee on merits. In the Government Memo. second read above, instructions were issued to the effect that solitary instance of minor punishment such as censure, fine, withholding of increments or recovery from pay of the pecuniary loss caused to the State Government or Central Government undergone or being undergone by a Government employee by itself does not automatically render a person unfit for promotion to a non-selection post.

2] The Government of India, Ministry of Home Affairs, in its instructions issued in O.M.No.39/21/56, Ests.(A), Dt.13-12-56 has clarified that an order of "Censure" is formal and public act intended to convey that the person concerned has been guilty of some blameworthy act or omission for which it has been found necessary to award him a formal punishment and nothing can amount to a "censure" unless it is intended to be such a formal punishment and imposed for 'good and sufficient reason' after following the prescribed procedure and that a record of the punishment so imposed is kept on the officer's confidential roll and the fact that he has been 'Censured' will have its bearing on the assessment of his merit or suitability for promotion to higher posts.

3] As the penalty of censure has a bearing on the assessment of the Government Servant about his merit or suitability for promotion to higher posts and as the currency of punishment based on previous record stands as an impediment for promotion, it is considered necessary to specify the time limit during which the said penalty of "Censure" is effective besides defining the penalty.

4] Hitherto, there are no specific orders in regard to definition of "Censure" and its implications. After careful consideration, the Government decided to issue the following orders in regard to definition of "Censure" and its implications in assessing the "merit" and suitability of the Government Servant for his promotion/appointment by transfer.

Definition: "Censure" is a formal and public act intended to convey that the person concerned has been guilty of some blameworthy act or omission for which it has been found necessary to award him a formal punishment, and nothing can amount to a "Censure" unless it is intended to be such a formal punishment and imposed for "good and sufficient reason" after following the prescribed procedure.

Effect: Every censure awarded shall debar a Government Servant for promotion/ appointment by transfer for one year to both Selection and Non-Selection posts.

5] All the Departments of Secretariat and Heads of Departments are requested to bring these orders to the notice of all concerned.

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

M.S. RAJAJEE,
CHIEF SECRETARY TO GOVERNMENT.

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Minor Penalties – Effect of Penalty – Orders – Issued.

GENERAL ADMINISTRATION (SER.C) DEPARTMENT

G.O.Ms.No:342

Dated 04-08-1997

Read the following:-

1. G.O.Ms.No.187 G.A.(Ser.B) Dept., dt. 25-4-85.
2. G.O.Ms.No.53 G.A.(Ser.C) Dept., dt.4-2-97.

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ORDER:

Under rule 9 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the following are the minor penalties:

- (i) Censure.
- (ii) Withholding of Promotion.
- (iii) Recovery from pay of the whole or part of any pecuniary loss caused by him to the State Government or the Central Government or to a Local Authority or to a Corporation owned or controlled by the State or the Central Government by negligence or breach of orders, while working in any department of the State or the Central Government local authority or Corporation concerned.
- (iv) Withholding of increments of pay.
- (v) Suspension, where a person has already been suspended under rule 8 to the extent considered necessary.

2] As per para 11 of G.O.Ms.No.187 General Administration (Services.B) Department, dated 25-4-1985 the individual who is undergoing punishment, should not be recommended for promotion. In case, where the period of punishment imposed is already over, each case has to be evaluated by Departmental Promotion Committee on merits.

3] The need for issue of comprehensive instructions on the currency and effect of minor penalties on Government employees who were involved in disciplinary cases and who come up for consideration for promotion to higher

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categories has been examined and further instructions are issued as follows:

PENALTY	EFFECT
(i) Censure	In terms of orders issued in G.O.Ms. No.53, General Administration (Ser.C) Department, dated 04-02-97 "every Censure awarded shall debar a Government employee for promotion/ appointment by transfer for one year to both selection and non-selection posts."
(ii) Withholding of Promotion	This penalty awarded to Government employee shall debar the individual for promotion/appointment by transfer to a higher post during the period of subsistence of penalty which shall be indicated in the order imposing the penalty subject to a minimum period of one year both for selection and non-election posts.
(iii) Recovery from pay of the whole or part of any pecuniary loss caused by him to the State Government or the Central Government or to a local authority or to a Corporation owned or controlled by the State or Central Government by negligence or breach of orders while in any department of the State or the Central Government, Local authority or Corporation concerned. [Recovery from pay i.e., sub-rule (iii) of rule-9 of APCS (CCA) Rules, 1991 has been deleted vide G.O.Ms.No:335, GA (Ser.C) Dept., dated 4-8-2005]	Whenever a Government employee is awarded the penalty of recovery from pay, it shall debar the individual for promotion/appointment by transfer to a higher post during the period of penalty which shall be indicated in the order imposing the penalty subject to a minimum period of one year both for selection and non-selection posts. Even if an employee remits the amount in one lumpsum, he/she *[shall not be recommended for promotion]/ appointment by transfer for minimum period of one year. *substituted by G.O.Ms.No:431, GAD., dated 14-10-1997
(iv) Withholding of increments of pay	
a) With cumulative effect:	(i) In G.O.Ms.No.335, General Administration (Ser.C) Department, dt.14-6-93 orders were issued to the effect that the penalty of stoppage of increments with cumulative effect amounts to a major penalty under the Andhra Pradesh Civil Services (CCA) Rules, 1991 and the elaborate procedure prescribed under rule 20 of the said rules is to be followed. (ii) In terms of G.O.Ms.No.968,

	<p>General Administration (Ser.C) Department, dated 25-10-95 whenever any Government employee is awarded the penalty of stoppage of increment with cumulative effect, the cases of such employees shall not be recommended for promotion/ appointment by transfer for twice the period for which the increment(s) is/are stopped with cumulative effect, both for selection and non-selection posts.</p> <p>(iii) Whenever any Government employee is awarded the penalty of stoppage of increment with cumulative effect, the individual [shall not be recommended for promotion] / appointment by transfer for twice the period with a minimum of one year both for selection and non-selection posts.</p>
(b) Without Cumulative effect:	<p>This penalty awarded to Government employee shall debar him/her for promotion/ appointment by transfer to a higher post during the period of subsistence of penalty which shall be indicated in the order subject to a minimum period of one year both for selection/non-selection posts.</p>
(v) Suspension where a person has already been suspended under rule 8 to the extent considered necessary.	<p>Where suspension is revoked exonerating a person fully his/her can may be considered for promotion with retrospective effect. Where the disciplinary proceedings finally resulted in a penalty he/she will be debarred during the period of penalty and subject to a minimum period of one year from the date of reinstatement. In case the suspension period itself is treated as substantive penalty, he/she shall be debarred for promotion / appointment by transfer for a period of minimum one year both for selection/non-selection posts.</p>

4] All departments of Secretariat/Heads of Departments; all District Collectors shall follow the above orders scrupulously and bring it to the notice of all concerned.

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

N.V.H. SASTRY,
SECRETARY TO GOVERNMENT.

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

Circular Memo.No:34633/Ser.C/99

Dated 4-11-1999

Sub: APCS (CCA) Rules, 1991 – Penalties as per Rule-9 – Stoppage of increments with or without cumulative effect – Currency of the penalty – Clarification – Issued.

Ref: G.O.Ms.No.342 G.A.(Ser.C) Dept., dt. 4-8-97.

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Rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 deals with "Penalties" and its classification as minor penalties and major penalties. Item (iv) specifies withholding of increment without cumulative effect which is a minor penalty and item (vi) specifies withholding of increment of pay with cumulative effect which is a major penalty. The currency of these penalties and their effect on promotion was ordered in the G.O. cited. The currency of the penalty is for a minimum period of one year during which the delinquent employee shall not be recommended for promotion.

2] According to F.R. 24 an increment shall ordinarily be drawn as a matter of course unless it is withheld as a measure of punishment. An increment may be withheld from a Government servant by the State Government, or by any authority to whom the State Government may delegate this power if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

3] It is clarified that where the penalty of stoppage of increments with or without cumulative effect is imposed, under rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the increment or increments falling due immediately after the date of issue of the order should be withheld. It is also clarified that the employee whose increments were withheld shall not be recommended for promotion during the period for which the increments were ordered to be withheld with effect from the date of the issue of the order imposing the penalty.

4] The District Collectors, Heads of Departments and Departments of Secretariat are requested to follow the above clarification in dealing with disciplinary cases.

N.V.H. SASTRY,
SECRETARY TO GOVERNMENT.

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GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT

Circular Memo.No.60897/Ser.C/99

Dated 12-11-1999

Sub: APCS (CCA) Rules, 1991 – Final orders in disciplinary proceedings – Regarding.

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It is being observed in a good number of cases that final orders are being issued by the concerned disciplinary authorities with either **"Warning"** or **"let off"** or **"to be more careful in future"** etc. None of these is a punishment listed in the A.P. Civil Services (CCA) Rules as a penalty under rule 9 of the rules. The disciplinary proceedings cannot be deemed to have been concluded unless they end with one of the penalties mentioned under the CCA Rules if any penalty is imposed or the delinquent officer is exonerated and specifically it is stated that charges are dropped. When words like warning, let off etc, are used it is to be construed that the charges and the guilt of the officer have been proved but a lenient view is taken and no punishment is awarded. Such action will not be in accordance with the CCA Rules.

2] In view of the above, all the Departments of Secretariat are requested to keep the above in view while issuing final orders and suitably instruct the offices under their control to clearly mention the penalty imposed if any under the CCA Rules or state the fact of exoneration in case the charged officer is proved not guilty, duly dropping the charges.

N.V.H. SASTRY,
SECRETARY TO GOVERNMENT.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh Civil Services (Classification, Control and Appeal)
Rules, 1991 – Amendment – Orders –Issued.

GENERAL ADMINISTRATION (SER.C) DEPARTMENT

G.O.Ms.No:335

Dated 04-08-2005
Read the following:-

1. G.O.Ms.No:487, G.A. (Ser.C) Dept., dated 14-09-1992.
2. G.O.Ms.No:284, G.A. (Ser.C) Dept., dated 07-07-1997.
3. G.O.Ms.No:373, G.A. (Ser.C) Dept., dated 06-12-2003.

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O R D E R:

Government have come across several disciplinary cases in which charges of misappropriation or loss caused to Government by the charged Government servant in discharging of their official duties or by negligence are proved. In proved cases of this nature the concerned Administrative Departments are often leaving the charged officers without imposing any penalty against them for the misconduct of causing loss, on the plea that loss is recovered from them and there is no need to impose any other penalty. Government have noticed that the above confusion might be due to the fact that recovery from pay of the whole or part of any pecuniary loss caused by the delinquent is a minor penalty under sub-rule (iii) of Rule 9 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991. In the case of Sri K.Chinnaiah Vs The Secretary, Ministry of Communications, 1995 (3) SLR Page 324, the Central Administrative Tribunal, Hyderabad held that "Normally, there will no need for two penalties at one time, but the penalty of recovery from the pay of whole or part of any pecuniary loss caused by an official by negligence or breach of order, can be imposed along with other penalties.

In view of the above, Government after careful examination of the matter have decided to omit the sub-rule (iii) of Rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 so that the disciplinary authorities impose penalties against the charged officers in proved cases of this nature besides recovery of the loss.

Accordingly, the following Notification will be published in the Andhra Pradesh Gazette

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 issued in G.O.Ms.No:487, General Administration (Ser.C) Department, dated 14th September, 1992 and published in the Andhra Pradesh Gazette Part-I, Extra-ordinary No.235, dated the 1st July, 1992 and as subsequently amended from time to time.

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AMENDMENT

In rule 9 of the said rules, under the heading "Minor Penalties" the existing sub-rule (iii) shall be omitted.

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

A.K. GOYAL,
Prl. Secretary to Government (Ser)

To
The Commissioner, Printing, Stationery and Stores Purchase,
Hyderabad (with a request to furnish 100 copies of Gazette Notification)
All Departments of Secretariat.
All Heads of Departments
All District Collectors
All Services Sections in General Administration Department.
The Secretary to A.P. Vigilance Commissioner, Hyderabad.
The Secretary, A.P. Public Service Commission, Hyderabad.
The Law (Scrutiny) Department
Copy to the Director of Prosecutions, A.P., Hyderabad.
A copy of the order is available on the internet and can be
accessed at the address <http://www.aps.gov.in/aptos>.
Stock File/Spare Copy

//Forwarded::By order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.C) DEPARTMENT

Circular Memo.No:5074/Ser.C/A1/2009-1

Dated 09-02-2009

Sub : Public Services – Disciplinary cases against Government employees – Penalties imposed as per rule 9 of the APCS (CCA) Rules, 1991 – Currency of the penalty – Promotion of the employees to next higher categories against whom the penalties are imposed – Clarification – Issued.

Ref: 1 G.O.Ms.No:342, General Administration (Ser.C) Department, dated 04-08-1997.
2 Circular Memo.No:34633/Ser.C/1999, General Administration Department, dated 04-11-1999.

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Rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 deals with "penalties" and its classification as minor and major penalties.

2. In G.O. 1st cited, comprehensive instructions were issued on the effect of disciplinary penalties for consideration of promotion of Government employees to next higher categories.

3. In Circular Memo. 2nd cited, a clarification was issued that the employees whose increments were withheld shall not be recommended for promotion during the currency of penalty period from the date of issue of orders imposing the penalty.

4. However, where the penalty of stoppage of increments with cumulative effect is imposed, it shall debar an employee for consideration for promotion to the next higher category for the twice the period for which the increments are stopped. But in no case it shall be less than one year.

5. Accordingly, it is further clarified that where the penalty of stoppage of increments with cumulative effect is imposed under rule-9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, an employee shall not be considered for promotion to the next higher category for twice the number of years for which the increment(s) is/are stopped subject to a minimum period of one year with effect from the date of issue of order imposing the penalty as ordered in the G.O. 1st cited.

6. All Departments of Secretariat/Heads of Departments/District Collectors shall follow the above instructions scrupulously and bring it to the notice of all concerned.

S. BALASUBRAMANYAM,
SECETARY TO GOVERNMENT (SERVICES)

To
All Departments of Secretariat.
All Heads of Departments.
All District Collectors.

Copy to:
The Registrar, High Court of Andhra Pradesh.

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The Registrar, Andhra Pradesh Administrative Tribunal.
The Secretary to Vigilance Commissioner, A.P.Vigilance Commission,
Hyderabad.
The Secretary, A.P.Public Service Commission, Hyderabad.
All Service sections in General Administration Department.
SF/SC

//Forwarded::By order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.C) DEPARTMENT

Circular Memo.No.27052/Ser.C/A1/2010-5

Dated 4-6-2011.

Sub: A.P. Civil Services (Classification, Control & Appeal) Rules, 1991- Final Orders in disciplinary proceedings – Reiteration of Instructions – Regarding.

Ref: Cir.Memo.No.60897/Ser.C/99, General Administration (Ser.C) Dept., Dated 12-11-1999.

In the reference cited, instructions were issued that the disciplinary proceedings initiated against a Government employee can be concluded either by award of the penalties mentioned under rule 9 of the Andhra Pradesh Civil Services (CCA) Rules, 1991, or by dropping further action against him where the delinquent officer is exonerated of the charges. When words like warning, let off, to be more careful in future etc., are used in the final order it is to be construed that the charges and the guilt of the officer have been proved but a lenient view is taken and no punishment is awarded. Such action is not in accordance with the provision of Andhra Pradesh Civil Services (CCA) Rules, 1991 and it was requested to keep the above in view while issuing final orders.

2. It was observed that in number of disciplinary cases the disciplinary authorities are using the above words in the final orders which were not listed as a penalty in the Andhra Pradesh Civil Services (CCA) Rules, 1991 even though instructions on the above were already issued vide reference cited.

3. The instructions issued in the reference cited are hereby reiterated and the disciplinary authorities are directed to comply with the above instructions strictly while concluding the disciplinary cases.

4. All the Departments of Secretariat, all Heads of Departments and all the District Collectors should follow the above orders/instructions scrupulously and bring it to the notice of all the concerned.

S.V. PRASAD,
CHIEF SECRETARY TO GOVERNMENT.

To
All Departments of Secretariat.
All Heads of Departments.
All District Collectors.
The Registrar, A.P. Administrative Tribunal, Hyderabad.
The Registrar, High Court of A.P., Hyderabad.
The Secretary, A.P. Public Service Commission, Hyderabad.
The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.
SF/Sc.

//Forwarded::By order//

SECTION OFFICER.

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GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – State and Subordinate Services – Prescription of minimum service for promotion / appointment by recruitment by transfer to next higher class, category or grade – Ad-hoc Rule – Re-issued.

GENERAL ADMINISTRATION (SERVICES-A) DEPARTMENT

G.O.Ms.No.627

Dated: 21-12-1983

Read the following:-

1. G.O.Ms.No.1647, General Administration (Services-A) Department, dated: 31.10.1960.
2. Memo.No.2741/G.A.(Ser-A)/68-3, dated:21.1.1969.
3. From the Secretary, APPSC Lr.No.2905/B1/ 1/78, dated:9-11-1978.
4. G.O.Ms.No.85, G.A.(Ser-A)Deptt., dated:12.2.1979.

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ORDER:

According to the policy enunciated in the G.O. first cited, in certain special/ ad-hoc rules relating to various State and Subordinate Services, a provision was made to the effect that a member of a service should ordinarily put in a period of five years of service in the lower category from which promotion is to be made to the next higher category in the same service or appointment is to be made by transfer from any other service. The Government with a view to avoiding administrative difficulties, issued an ad-hoc rule in the G.O. fourth cited reducing ordinarily five years in the lower category to three years, of which at least two years service was required to be in the category, class or grade from which promotion was to be made. The wording of the rule is considered to be defective, as it is capable of denoting the minimum service required in the lower category as three years and the same time two years in the category, class or grade from which promotion is to be made. Hence, to keep the matter beyond doubt without giving scope for any other interpretation, it has become necessary to make the following ad-hoc rule.

2. Accordingly, the following notification is published in the Andhra Pradesh Gazette:-

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers hereunto enabling and in supersession of the ad-hoc rules issued in G.O.Ms.No.85, General Administration (Ser-A) Department,, dt:12-2-1979, the Governor of Andhra Pradesh hereby makes the following ad-hoc rule:-

2. The ad-hoc rule hereby made shall be deemed to have come into force on the 12th February, 1979. All the Departments of Secretariat are requested to take action to amend the special/ad-hoc rules with which they are concerned to bring them in conformity with the ad-hoc rule.

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AD-HOC RULE

“Notwithstanding anything contained in the relevant Special Rules or the Ad-hoc rules for the State and Subordinate Services, the minimum period of “Ordinarily” five years of service wherever prescribed in the said rules for appointment of a member of a service from the lower category, class or grade, to the next higher category, class or grade, whether such appointment is made either by promotion in the regular line or by recruitment by transfer from any other service, that period shall be reduced to ordinarily three years, but in no case shall it be less than two years in the category, class or grade from which such promotion or transfer is made”.

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

**G.V. RAMAKRISHNA
CHIEF SECRETARY TO GOVERNMENT**

[This G.O. was annulled vide G.O.Ms.No:232, GA (Ser.A) Dept., dated 3-05-2014]

1. SHORT TITLE, SCOPE AND RELATION TO SPECIAL RULES.

- (a) These Rules may be called the Andhra Pradesh State and Subordinate Service Rules 1996.
 - (b) The gazetted and non-gazetted posts under the State Government shall be constituted into various State and Subordinate Services and they shall be governed by the Andhra Pradesh State and Subordinate Service Rules (General Rules) and the Special Rules as well as adhoc rules issued by the Government.
 - (c) These rules shall apply to the State and Subordinate Services and to the holders of posts, whether temporary or permanent included in any State or Subordinate Service except to the extent otherwise expressly provided:-
 - (i) by or under any law for the time being in force;
 - (ii) in respect of holders of any post, appointed by contract or agreement subsisting between such holders and the State Government.
 - (d) **Relation to Special Rules:** If any provision in these rules are repugnant to the provisions in the special rules applicable to any particular service in regard to any specific matter, the latter shall, in respect of such service and such specific matter, prevail over the provisions in these rules.
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Rule-16 of A.P.State and Subordinate Service Rules

(c) Period of Probation:- Unless otherwise stated in the special rules or in these rules, the period of probation shall be as follows:-

- (i) Every person appointed by direct recruitment to any post shall, from the date on which he commences his probation be on probation for a period of two years on duty within a continuous period of three years.
- (ii) Every person appointed to any post either by promotion or by transfer (not by transfer on tenure) shall, from the date on which he commences his probation, be on probation for a period of one year on duty within a continuous period of two years. 26
- (iii) A probationer in any category, class or service shall be eligible to count for probation his service in a higher category of the same service or class, as the case may be, or in any other service (State or Subordinate Service) towards his probation in the former service, to the extent of the period of duty performed by him in the latter service during which he would have held the post in the former service but for such appointment in the latter service.

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.D) DEPARTMENT

Memo.No:53975/Ser.D/2000-3

Dated 09-01-2001

Sub : Public Services - State and Subordinate Service Rules -
Prescription of minimum service for promotion/appointment
by transfer to next higher class, category or grade -
Commencement of probation - Clarification - Regarding.

-ooOoo-

In G.O.Ms.No:627, General Administration (Ser.A) Department, dated 21-12-1983 an adhoc rule has been issued reducing the minimum period of five years of service wherever prescribed in the special rules for appointment of a member of a service from the lower category, class or grade, to the next higher category, class or grade to three years, but in no case shall it be less than two years in the category, class or grade from which such promotion or transfer is made.

2. In all the special rules governing the State and Subordinate Services, minimum period for promotion/appointment by transfer to next higher categories has been prescribed.

3. Proposals are being received from various Departments for consideration of promotions to higher categories in relaxation of Special Rule relating to minimum service in the lower categories owing to the exigencies of service. Such proposals are being considered only for making adhoc and temporary promotions under rule 10(a) of the Andhra Pradesh State and Subordinate Service Rules to meet the urgent needs of the Departments concerned without resorting to any relaxation of rules. As per rule 10(c) of the said rules, a person appointed under sub-rule (a) shall not be regarded as a probationer in such service, class or category or be entitled by reason only of such appointment to any preferential claim to future appointment to such service, class or category.

4. It is noticed that in certain cases the persons considered for appointment by transfer, involving promotion on temporary basis referred to at para 3 above are being allowed to commence their probation from the date of temporary promotion made under rule 10(a).

5. It is clarified that a person appointed or promoted on adhoc or temporary basis without fulfilling the required number of years of service in the feeder category, by invoking rule 10(a) of the A.P.State and Subordinate Service Rules, may be allowed to count his service in higher category or class as the case may be to the extent of period of duty performed by him in the latter service during which he would have held the post in the former service but for such appointment in the latter service and the probation of such individual so promoted or appointed may have to be commenced from the next date of such completion of the required period of service in the former service (in the lower feeder category).

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6. All the Heads of Departments/Departments of Secretariat/ District Collectors/District Judges are requested to bring these instructions to the notice of all the appointing authorities to follow the scrupulously

G.S.R.C.V. PRASAD RAO,
SECETARY TO GOVERNMENT (SER)

To
All Departments of Secretariat.
All Heads of Departments.
All District Collectors.
All District Judges.
Copy to the Secretary, A.P.Public Service Commission, Hyderabad.
Copy to:Law (E) Department.

//Forwarded::By order//

SECTION OFFICER

(The above Memo. was annulled vide Circular Memo.No.13452-A/Ser-D/
A2/2014-1, Dated: 31-05-2014)

**GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.D) DEPARTMENT**

Cir.Memo.No.28085/Ser-D/2011,

Dated:20-10- 2011.

Sub:- Public Service – A.P. State & Subordinate Service Rules, 1996
– Prescription of minimum service for promotion / appointment
by transfer to next higher class, category or grade –
Commencement of probation – further clarification – Regarding.

Ref:- 1. G.O.Ms.No.436, GA (Ser-D) Dept., dt: 15.10.1996.
2. Memo. No. 53975/Ser.D/2000-3, Dated: 9.1.2001.

<<<>>>

It has brought to the notice of the Government that number of Departments are referring the cases for relaxation of minimum service in the lower categories owing to the exigencies of service and such proposals are being considered only for making ad hoc and temporary promotions under rule-10(a) of A.P.State and Subordinate Service Rules 1996 to meet the urgent needs of the Department concerned without resorting to any relaxation of rules. According to the rule-10(c) of the said rules, a person appointed under sub-rule (a) shall not be regarded as a probationer in such service, class or category or be entitled by reason only of such appointment to any preferential claim to future appointment to such service, class or category.

2. In the reference 2nd cited, it was clarified that a person appointed or promoted on ad hoc or temporary basis without fulfilling the required number of years of service in the feeder category by invoking rule-10(a) of A.P. State and Subordinate Service Rules 1996, may be allowed to count his service in higher category or class as the case may be to the extent of the period of duty performed by him in the latter service during which he would have held the post in the former service but for such appointment in the latter service and the probation of such individual so promoted or appointed may have to be commenced from the next date of such completion of the required period of service in the former service (in the lower feeder category).

3. In spite of above clarification, proposals are being received to consider the cases of employees for promotion / appointment by transfer to the next higher category, who are not approved probationers in the feeder category and also without any justification on exigency of administration for invoking rule-10(a) of AP State & Subordinate Service Rules, 1996.

4. Government therefore, hereby reiterate the clarification issued in reference 2nd cited and further direct that the appointing authority shall justify the exigency of administration while invoking the provisions of rule-10(a) of A.P. State & Subordinate Service Rules, 1996 duly keeping in-view the rule-8 of the AP State & Subordinate Service Rules, 1996 and it should be invoked in respect of all categories of employees, who are approved probationers but not for implementing rule of reservation only while considering promotion/by appointment by transfer to higher category of posts. The appointing authorities are directed to strictly adhere to the above rule position.

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5. All the Departments of Secretariat / Heads of Departments / District Collectors are requested to issue instructions to all the appointing authorities under their administrative control to follow the above instruction scrupulously.

**PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT**

To
All Departments of Secretariat.
All Heads of Departments.
All District Collectors.
The Registrar General, High Court of A.P.
for issuing suitable instructions to the concerned.
Copy to the Secretary,
A.P. Public Service Commission, Hyderabad.
Copy to: Law (E) Department
Sf/sc.

//Forwarded:: By Order//

SECTION OFFICER

(The above Memo. was annulled vide Circular Memo.No.13452-A/Ser-D/
A2/2014-1, Dated: 31-05-2014)

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES - State and Subordinate Services - Prescription of minimum service for promotion/appointment by recruitment by transfer to next higher class, category or grade - Ad-hoc Rule annulled and re-issued.

GENERAL ADMINISTRATION (SERVICES-A) DEPARTMENT

G.O.Ms.No. 230

Dated:31-05-2014.
Read

G.O.Ms.No.627 G.A.(Ser.A)Department, dated:21.12.1983.

<<>>

ORDER:-

According to the policy enunciated in the G.O. cited, in certain special/adhoc rules relating to various State and Subordinate Services, a provision was made to the effect that the minimum period of service was reduced from 'five years' to 'three years' but in no case shall it be less than two years in the category, class or grade from which promotion or appointment by transfer is proposed to the next higher category, class or grade. The above rule position created certain confusion. Hence, to keep the matter beyond doubt without giving scope for any other interpretation, it has become necessary to make the following ad-hoc rule.

2. Accordingly, the following notification is published in the Andhra Pradesh Gazette:-

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling and in supersession (annulling) of the ad-hoc rule issued in G.O.Ms.No.627 G.A.(Ser.A)Department, dated:21.12.1983, and subsequent amendments issued there on if any, the Governor of Andhra Pradesh hereby makes the following ad-hoc rule:-

3. The ad-hoc rule hereby made shall be come into force with immediate effect. All the Departments who are following the ad-hoc rules framed in G.O.Ms.No.627 G.A.(Ser.A) Department, dated:21.12.1983, shall issue separate rules prescribing minimum service in the feeder cadre/category as 3 years.

AD-HOC RULE

"Notwithstanding anything contained in the relevant Special Rules or the Adhoc rules for the State and Subordinate Services, the minimum period of service wherever prescribed in the said rules for member of a service from the lower category, class or grade, to the next higher category, class or grade, whether such appointment is made either by promotion in the regular line or by recruitment by transfer from any other service, that period shall be

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three years in the category, class or grade from which such promotion or transfer is made".

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

S.K.SINHA
SPL. Chief Secretary to Government (Ser & HRM)[FAC]

To
All Departments of Secretariat,
All Heads of Departments,
All Collectors and District Judges
All Service Sections in GAD.

//Forwarded :: By Order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER-D) DEPARTMENT

Circular Memo.No.13452-A/Ser-D/A2/2014-1

Dated: 31.05.2014.

Sub:- PUBLIC SERVICES - State and Subordinate Services -
Prescription of minimum service for promotion / appointment
by transfer to next higher class, category or grade -
Commencement of probation - Further clarification -
Regarding.

Ref: - 1. Govt. Memo No.53975/Ser.D/2000-3, GAD, dt. 09-01-2001.
2. Cir.Memo.No.28085/Ser-D/2011, GAD, dated: 20-10-2011.

In the reference first cited, it was clarified that a person appointed or promoted on adhoc or temporary basis without fulfilling the required number of years of service in the feeder category by invoking rule-10(a) of A.P. State and Subordinate Service Rules, 1996, may be allowed to count his service in higher category or class as the case may be to the extent of the period of duty performed by him in the latter service during which he would have held the post in the former service but for such appointment in the latter service and the probation of such individual so promoted or appointed may have to be commenced from the next date of such completion of the required period of service in the former service (in the lower feeder category).

2. In the reference second cited, while reiterating the said instruction, it was further directed that the appointing authority shall justify the exigency of administration while invoking the provisions of rule10(a) of A.P. State and Subordinate Service Rules, 1996, duly keeping in-view the rule-8 of the said rules and it should be invoked in respect of all categories of employees, who are approved probationers but not for implementing rule of reservation only while considering promotion / by appointment by transfer to higher category of posts.

3. In spite of above clarifications, proposals are being received to consider the cases of employees for promotion / appointment by transfer to the next higher category, without any justification on exigency of administration for invoking rule-10(a) of A.P. State and Subordinate Service Rules, 1996. It is noticed that the departments in many cases, who have completed one year of service, are invoking rule-10(a) of A.P. State and Subordinate Service Rules, 1996, by using the said Cir.Memos, though there is no exigency to fill up the said posts. In fact provision of Rule-10(a) of A.P. State and Subordinate Service Rules, 1996, is being invoked not for any administrative exigencies, but for ensuring promotion to certain employees even though he is retiring on the same day when such promotions are given to him / her.

4. In view of the above, the clarifications issued in the circular Memos., 1st and 2nd cited, are hereby cancelled with immediate effect, so as to safeguard rule-10(a) of A.P. State and Subordinate Service Rules, 1996, to be adhered strictly by all departments hereafter.

(P.T.O.)

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5. All the Departments are therefore requested to invoke rule-10(a) of A.P. State and Subordinate Service Rules, 1996, wherever / whenever necessary duly justifying the public interest to fill any vacancy emergently.

S.K. SINHA,
Special Chief Secretary to Government (Ser. & HRM) (FAC)

To
All Departments of Secretariat.
All Heads of Departments.
All District Collectors
The Registrar General, High Court of A.P.
for issuing suitable instructions to the concerned.
Copy to the Secretary, APPSC, Hyderabad.
Copy to Law (E) Department.
SF/SC.

//Forwarded::By order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Rules - Andhra Pradesh Secretariat Service Rules, 1998 - Amendment -
Orders - Issued.

GENERAL ADMINISTRATION (SERVICES-B) DEPARTMENT

G.O.Ms.No. 232

Dated: 31-05-2014
Read the following:-

- 1) G.O.Ms.No.445, G.A. (Ser.B) Department, dated:29.10.1998.
- 2) From the Secretary, APPSC Letter No. 683/RR/2014,
dt.29-05-2014.

ORDER:

In Andhra Pradesh Secretariat Service Rules issued in the G.O. read above, minimum service was prescribed in rule 6, which read as "....., unless he has put in not less than three years of service but in no case shall it be less than two years," which is giving scope for ambiguity. In order to clear this, the Government decides to amend the said rule 6.

2. Accordingly, the following notification will be published in the Andhra Pradesh Gazette:-

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers hereunto enabling, the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Secretariat Service Rules, 1998 issued in G.O.Ms.No.445, General Administration (Ser.B) Department, dated the 29th October, 1998 and as subsequently amended from time to time.

AMENDMENT

In the said rules, for rule 6, the following shall be substituted, namely:-

" 6. Minimum Service:

Unless otherwise specified elsewhere in these rules, no person shall be eligible for appointment by transfer or promotion unless he has put in not less than **three** years of service, in the category from which promotion or appointment by transfer is made.

Provided that in the case of appointment by transfer of Assistant Section Officers including Assistant Section Officer (SC) or Special Category Stenographers in the Andhra Pradesh Secretariat Subordinate Service, the minimum service of three years shall be exclusive of any period of service rendered in any Non-Secretariat Department.

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Provided further that the service put in by any Officer as Private Secretary/ Personal Secretary or Personal Assistant to Ministers shall count towards the minimum period of qualifying service of **three** years for the purpose of promotion, but for his appointment as Private Secretary/ Personal Secretary/ Personal Assistant he would have continued in his parent post.

Provided also that the above stipulation of minimum service shall not be applicable for appointment to the post of Addl. Secretary to Government (Non Cadre) including Secretary to Government (NC) in Law Department, only approved probationers who have satisfactorily completed the period of probation are eligible for promotion as per rule-8 of A.P. State & Subordinate Service Rules and as per rule-7 of A.P. Secretariat Service Rules.

Provided also that the service of Section Officers (SC) as Section Officers shall also count for purposes of promotion".

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

S.K.SINHA,
SPECIAL CHIEF SECRETARY TO GOVT.,(Services & HRM) (FAC)

To
The Commissioner,
Printing, Stationery & Stores Purchase, AP, Hyderabad. (with a request to publish in AP Gazette and supply 500 copies of the same)
All the Departments of Secretariat.
All the Heads of the Departments.
All District Judges.
The Law (E) Department.
The Secretary, APPSC, Hyderabad.
All Service Sections in G.A.D.
SF/SC.

//FORWARDED :: BY ORDER //

SECTION OFFICER

Rule-23; 24 & 25 of AP State and Subordinate Service Rules, 1996

23. APPEAL, REVISION AND REVIEW OF ORDERS OF APPOINTMENT (INCLUDING PROMOTION) TO HIGHER POSTS :- An order appointing a member of a service or class of service or category, to a higher post by transfer or by promotion may, within a period of six months from the date of such order, be revised by an authority to which an appeal would lie against the order of dismissal passed against a member of a service, class or category, such revision may be made by the appellate authority aforesaid, either on its own motion or on an appeal filed by the aggrieved member of the service, class or category:

Provided that the Government may, irrespective of whether they are the appellate authority or not, revise such order of appointment after the expiry of the period of six months aforesaid, for special and sufficient reasons to be recorded in writing:

Provided further that no order or revision under this rule shall be passed unless the person likely to be affected by such revision is given an opportunity of making his representation against the proposed revision.

Provided also that a member of service may submit a revision petition against the order of the Appellate Authority, within three months of the order passed by the Appellate Authority, to the Government.

[Amended in G.O.Ms.No.76, G.A.(Ser. D) Dept., dt: 11-3-2003. (3rd proviso added)]

24. REVISION OF LISTS OF APPROVED CANDIDATES (PANELS) OR LIST OF ELIGIBLE CANDIDATES FOR APPOINTMENT BY PROMOTION OR BY TRANSFER:- (a) The State Government shall have the power to revise in any manner they consider suitable, any panel of approved candidates for appointment by transfer or by promotion to any category class or service, prepared by a Head of the Department or any other authority subordinate to the Head of the Department, in exercise of the powers conferred on them by the special rules or these rules:

Provided that before revision of the panel is under taken the cases for review should be placed before the D.P.C/Review D.P.C/ Screening Committee and their recommendations obtained:

Provided that where the panel is prepared by an authority subordinate to a Head of the Department, in exercise of the powers conferred on him by the special rules, the aforesaid power of revision may be exercised by the Head of the Department. This will not preclude the State Government from exercising the powers of the revision aforesaid, against the orders either of the Head of the Department or of any other subordinate authority aforesaid.

(b) The State Government and the Head of the Department shall have power to revise in any manner they consider suitable, any list of eligible candidates for promotion to any category, class or service in respect of the

subordinate service, prepared in accordance with rule-5. The aforesaid power of revision by the State Government could be exercised by them in respect of an order passed by the Head of the Department or by any other subordinate authority.

(c) The aforesaid power or revision mentioned in sub rule (a) and sub-rule (b), may be exercised by the State Government or by the Head of the Department on their own motion, at any time, or on an application made by the aggrieved person, within a period of six months from the date of order of appointment or promotion of a person junior to the aggrieved person:

Provided that the time limit of six months aforesaid may, for good and sufficient reasons to be recorded in writing, be waived by the State Government.

Provided further that where the panel referred to in sub-rule (a) has been partially utilized, any order of revision likely to affect a person who has already been appointed from such panel shall be given an opportunity of making his representation against the proposed revision, before any order of revision is passed.

Provided also that if any revision of list of eligible candidates mentioned in sub-rule (b) is likely to affect a person already promoted from the aforesaid list of eligible candidates, he shall be given an opportunity of making a representation against the proposed revision before any order of revision is passed.

Provided also that where a panel has been prepared on the basis of the recommendations made by a DPC / Screening Committee any revision of such panel shall be made only after consultation with such D.P.C / Screening Committee.

25. REVIEW: The State Government may, of their own motion or otherwise, review any original order passed by them, promoting a member of a service or class, to a higher post or approving a panel of candidates for appointment or promotion to any category, class or service, prepared by them, or any order of revision passed by them under rule 24, if it was passed under any mistake, whether of fact or of law, or in ignorance of any material fact or for any other sufficient reason.

Provided that no order of review under this rule shall be passed unless the person affected or likely to be affected thereby is given an opportunity of making his representation against the proposed review.

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES - Departmental Promotion Committees - Reconstitution
and Guidelines - Amendment - Orders - issued.

GENERAL ADMINISTRATION (DPC-I) DEPARTMENT

G.O.Ms.No.62

**Dated 8th February, 1989.
Read the following:-**

G.O.Ms.No.187, General Administration (Ser.B) Department, dated
25-04-1985.

* * *

O R D E R:

Under General Rule 36 of Andhra Pradesh State and Subordinate Service Rules the state Government have power to revise in any manner they consider suitable, any list of approved candidates, for appointment or promotion to any category, class or service prepared by the head of a Department in exercise of the powers conferred category class or service in accordance with General rule 34(b)(ii). Such revision may be made by the State Government either on their own motion at any time or on an application made by the person affected within a period of six months from the date of order of application, or promotion of his immediate junior. The time limit may, for sufficient reasons to be recorded in writing, be waived by the Government.

2. Under General Rule 36-A, the State Government may of their own motion or otherwise review, any original order passed by them, promoting a member of a service or class to a selection category of grade, for approving any list of candidates for appointment or promotion to any category, class or service prepared by them in exercise of the powers conferred on them by Special Rules for any service or any order of revision passed under Rule 35 or Rule 36 if it was passed under any mistake, whether of fact or law, or in ignorance of any material fact or for any other sufficient cause.

3. Proposals are being received by Government for review of panels prepared earlier in consultation with the Departmental Promotion Committees Concerned in regard to grading of some persons considered. A question has arisen whether for undertaking the review or revision of the panels prepared and approved in consultation with the Departmental Promotion Committees whether Government should take action under the provisions of Rule 36-A of the General Rules straightaway or whether before passing orders under the provisions of the above rules the cases should be placed the Departmental Promotion Committees/Review Departmental Promotion Committees. The Government have examined the issue and have decided that before action is taken under General Rule 36-A, the cases for review should be placed before the Departmental Promotion Committee concerned and its recommendations obtained. It is accordingly ordered that cases of review or revision relating to grading etc., should be placed before the Departmental Promotion Committee/Review Departmental Promotion Committee concerned in addition to cases mentioned in para 13(a) of G.O.Ms.No.187 General Administration (Ser.B) Department, dated 25-4-1985.

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4. The Government after due consideration have also decided that while reviewing the panels, the Departmental Promotion Committees shall adopt the uniform criteria and assessing merit that should not be reassessed, the panel on review/revision by the inclusion of fresh names should be restricted or limited to the number of persons whose names are included in the original panel. If, in the process of review/revision it is decided to include the names of certain number of persons in the panel, the names of an equal number of persons included at the end of the original panel should be deleted from the panel.

5. Accordingly, the orders issued in G.Ms.No.187, General Administration (Ser.B) Department, dated 25-4-1985 shall stand modified to this extent.

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

**C.R.KAMALANATHAN
SECRETARY TO GOVERNMENT**

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Assignment of notional dates of seniority – Consideration for further promotion – Instruction – Issued.

GENERAL ADMINISTRATION (SERVICES.A) DEPARTMENT

G.O.Ms.No.354

**Dated: 11-5-1990.
Read the following:-**

1. G.O.Ms.No.62, General Administration (DPC-II) Department, dated. 8-2-1989.

* * *

ORDER:

According to the provisions contained in rule 36 in Part-II of the Andhra Pradesh State and Subordinate Service Rules, the State Government may revise the list of approved candidates for appointment or promotion as per the stipulations contained therein. Normally, the revision should be done within six months from the date appointment of the persons concerned. However, in a few cases, it becomes necessary to revise the lists of approved candidates even after three or four years. It is now therefore, well settled that a notional date of promotion can be given whenever it is found that the claims of the member of service for such promotion in due turn were ignored without justification and the competent authority or the court dealing with the said claim upheld the plea and directed such promotion. Such retrospective notional service is given in order to compensate the Officer by reckoning such period during which he was deprived of promotion as deemed promotion to render effective justice to him. Such deemed period must necessary mean, period during which he was not on duty and indeed could not have been on duty. In this connection, in cases where a review has been undertaken and the list of approved candidates has been revised, the two issues which normally emerge for consideration are whether the notional date of promotion to a member of service can be taken into consideration.

- (a) for computing, the qualifying length of service in a category prescribed in the relevant rules for promotion to a next higher category; and
- (b) whether such notional service can be counted for the purposes of probation in the promotional category.

2. Whether such a restoration of promotion is made retrospectively, such restoration normally includes the service benefits which would accrue to a member of service had he been promoted in the normal course. In the case of normal course of promotion the duty period would have been reckoned for computing the minimum qualifying service as well as for other purpose like probation, sanction of increments etc. In this connection, the procedure/practice followed in Government of India and the State Government of Karnataka and Tamilnadu has been examined carefully. After careful consideration of all the aspects, the Government have decided that the notional date of promotion may be taken into consideration for computing the qualifying length of service in the feeder category for promotion to the next higher category and that the notional service may be counted for the purpose of declaration of probation also in the feeder category.

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2. In this context, where notional promotions are decided to be given with retrospective effect, the orders issued in the G.O.Ms.No.62, General Administration (DPC-I) Department, dated the 8th February, 1989 shall also be kept in view and the panel prepared on review/ revision by the inclusion of fresh names should be restricted or limited to the number of persons whose names are included in the original panel. If, in the process of review/ revision, it is decided to include the names of certain number of persons in the panel, the names of an equal number of persons included at the end of the original panel should be deleted from the same.

4. Necessary amendment in this regard will be issued to the Andhra Pradesh State and Subordinate Services Rules by the General Administration (Services.D) Department, separately.

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

**G.R.NAIR,
CHIEF SECRETARY TO GOVERNMENT.**

Rule-33(c) of A.P.State and Subordinate Service Rules, 1996

(c) Whenever notional date of promotion is assigned, such date of notional promotion shall be taken into consideration for computing the qualifying length of service in the feeder category for promotion to the next higher category and that the notional service shall be counted for the purpose of declaration of probation also in the feeder category.

Requirements of Review DPC/Screening Committees

Sl. No:	Description of the document	
01	Self contained note in detail for the use of Screening Committee/ Departmental Promotion Committee, duly indicating the reasons for review of the proposed officer.	
02	Proforma in which proposals should be submitted to the Screening Committee/Departmental Promotion Committee.	
03	Seniority list of officers, which was placed before the Screening Committee/Departmental Promotion Committee for the relevant panel year.	
04	Seniority list of officers, after inclusion of the name of the proposed officer at appropriate place for the relevant panel year.	
05	Copy of the proceedings of the Screening Committee/Departmental Promotion Committee meeting for the relevant panel year.	
06	Copy of order, wherein the panel was approved.	
07	Copies of charge memos/punishment orders etc., in respect of the proposed officer.	
08	Copies of orders issued for regularization of suspension period/ dropping the charges/setting aside the punishments etc., in respect of the proposed officer.	
09	Copy of order, wherein the proposed officer was promoted notionally in the feeder category.	
10	Copy of order, wherein junior to the proposed officer was promoted.	
11	Copies of orders, if any relevant to the present review.	
12	ACRs in respect of the proposed officer for the relevant period of 5 years.	
13	Furnish the ACRs proforma duly attested by the officer not below the rank of Deputy Secretary to Government	
14	Copies of Court orders etc.	

Rule-22 of A.P.State and Subordinate Service Rules, 1996

22. SPECIAL REPRESENTATION (RESERVATION) : 1 Reservations may be made for appointments to a service, class or category in favour of Scheduled Castes, Scheduled Tribes, Backward Classes, Women, Physically handicapped, Meritorious Sportsman, Ex-Servicemen and such other categories, as may be prescribed by the Government from time to time, to the extent and in the manner specified hereinafter in these rules or as the case may be, in the special rules. The principle of reservation as hereinafter provided shall apply to all appointments to a service, class or category:-

- (i) by direct recruitment, except where the Government by a General or special order made in this behalf, exempt such service, class or category;
- (ii) otherwise than by direct recruitment the principle of reservation in the matter of promotion and appointment by transfer involving promotion in so far it relates to Scheduled Castes and Scheduled Tribes only shall apply to such Services, Class or Category whose total cadre strength of the post is more than five.

[Amended in G.O.Ms.No. 123, G.A.(Ser. D) Dept., dt:19-04-2003 (w.e.f. 14-02-2003.)]

2. (a) The unit of appointment for the purpose of direct recruitment shall be hundred vacancies of which fifteen shall be reserved for Scheduled Castes, six shall be reserved for Scheduled Tribes, twenty five shall be reserved for Backward Classes and remaining fifty four appointments shall be made on the basis of open competition and subject to Rule 22-A of these rules.

2(a)(i) The unit of appointment for the purpose of reservation in the matter of promotion and appointment by transfer involving promotion shall be hundred vacancies of which fifteen shall be reserved for Scheduled Castes and six for Scheduled Tribe employees as per the roster points in sub-rule 2(e).

A. In the case of appointments / promotions to the posts referred to in clause 2 (a) (i) above, 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.

B. If a Scheduled Caste and Scheduled Tribe employee 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 Caste and Scheduled Tribe employees as per 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.

C. 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 point has to be stopped.

D. Unutilized roster points after the required Scheduled Caste and Scheduled Tribes percentage is met, shall lapse.

E. 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.

[Amended in G.O.Ms.No. 123 G.A.(Ser. D) Dept., dt: 19-04-2003 (w.e.f. 14-02-2003.)]

(b) Out of fifty four appointments to be made on the basis of open competition, three appointments shall be reserved for direct recruitment of the physically handicapped persons.

(c) In the case of appointments to clerical posts including the posts of typists i.e. in Group II and Group IV services in the case of posts in the Andhra Pradesh Police Subordinate Service, to which the principle of reservation of appointments applies, out of fifty four as the case may be, fifty one appointments to be made on the basis of open competition, two appointments shall be reserved for direct recruitment of Ex-servicemen.

(d) In the case of appointments to the posts of Junior Assistants, Junior Stenographers and Typists in the offices of Heads of Departments, Assistant Section Officers, Typist-cum-Assistants and Junior Stenographers in the Secretariat to which the principle of reservation of appointment applies, out of fifty four, as the case may be, forty nine appointments to be made on the basis of open competition, one appointment shall be reserved for direct recruitment of meritorious sportsmen.

[G.O.Ms.No:147, GA (Ser.D) Dept., dt:16-05-2003 with effect from 1-6-2001]

(Subs by G.O.Ms.No:674, GA (Ser.D) Dept., dt:30-10-2008)

Provided that the claims of members of the Scheduled Castes, Scheduled Tribes, Backward Classes, Women and the Physically handicapped persons or the Ex-servicemen as the case may be, shall also be considered for the remaining appointments which shall be filled on the basis of open competition, the number of appointments reserved for that category shall in no way be affected during the period the reservation for that category is in force.

(e) Appointments under this rule shall be made in the order of rotation specified below in a unit of hundred vacancies:-

1.	Open competition	Women	
2.	Scheduled Castes	Women	
3.	Open Competition		
4.	Backward Class (Group-A)	Women	
5.	Open Competition		

6.	Visually Handicapped	Women	Amended in G.O.Ms. No: 252, General Admn (Ser-D) Department, dt:28-08-2004 with effect from 27-11-2003
7.	Scheduled Castes		
8.	Scheduled Tribes	Women	
9.	Open Competition		
10.	Backward Class (Group-B)	Women	
11.	Open Competition		
12.	Open Competition	Women	
13.	Open Competition		
14.	Backward Class (Group-C)	Women	In every 3rd cycle of 100 point roster, this point shall be reserved for Women belonging to BC-C category [vide GO Ms. No.476. GA (Ser.D) Dept., dt: 15-11-97]
15.	Open Competition		
16.	Scheduled Castes		
17.	Open Competition	Women	
18.	Backward Class (Group-D)	Women	
19.	Open Competition		
20.	Backward Class (Group-A)		
21.	Open Competition		
22.	Scheduled Castes	Women	
23.	Open Competition	Women	
24.	Backward Class (Group-B)		
25.	Scheduled Tribes		
26.	Open Competition		
27.	Scheduled Castes		
28.	Open Competition		
29.	Backward Class (Group-A)		
30.	Open Competition	Women	
31.	Hearing Handicapped	Open	Amended in G.O. Ms. No. 252, GA (Ser-D) Dept., dt: 28-08-2004 with effect from 27-11-2003
32.	Open Competition		
33.	Scheduled Tribes		
34.	Open Competition	Women	
35.	Backward Class (Group-B)		
36.	Open Competition		
37.	Open Competition		
38.	Open Competition	Women	
39.	Backward Class (Group-D)		
40.	Open Competition		
41.	Scheduled Castes		

42.	Open Competition		
43.	Backward Class (Group-D)		
44.	Open Competition	Women	
45.	Backward Class (Group-A)	Women	
46.	Open Competition		
47.	Scheduled Castes	Women	
48.	Open Competition		
49.	Backward Class (Group-B)	Women	
50.	Open competition	Women	
51.	Open Competition		
52.	Scheduled Castes		
53.	Open Competition		
54.	Backward Class (Group-A)		
55.	Open Competition	Women	
56.	Orthopedically Handicapped	Open	Amended in G.O. Ms. No. 252, GA (Ser-D) Dept., dated 28-08-2004 with effect from 27-11-2003
57.	Open Competition		
58.	Scheduled Tribes	Women	
59.	Open Competition	Women	
60.	Backward Class (Group-B)		
61.	Open Competition		
62.	Scheduled Castes		
63.	Open Competition		
64.	Backward Class (Group-D)	Women	
65.	Open Competition	Women	
66.	Scheduled Castes	Women	
67.	Open Competition		
68.	Backward Class (Group-D)		
69.	Open Competition		
70.	Backward Class (Group-A)		
71.	Open Competition	Women	
72.	Scheduled Castes		
73.	Open Competition		
74.	Backward Class (Group-B)		
75.	Scheduled Tribes		
76.	Open Competition		
77.	Scheduled Castes		
78.	Open Competition	women	
79.	Backward Class (Group-A)		
80.	Open Competition		
81.	Backward Class (Group-B)	Women	
82.	Open Competition		
83.	Scheduled Tribes		
84.	Open Competition	Women	
85.	Backward Class (Group-B)		
86.	Open Competition		
87.	Scheduled Castes	Women	
88.	Open Competition		

89.	Backward Class (Group-D)		
90.	Open Competition	Women	
91.	Scheduled Castes		
92.	Open Competition		
93.	Backward Class (Group-D)		
94.	Open Competition		
95.	Backward Class (Group-B)		
96.	Open Competition	Women	
97.	Scheduled Castes		
98.	Open Competition		
99.	Backward Class (Group-B)	Women	
100.	Open Competition		

Provided that :- (i) in the case of appointments to a post referred to in sub-rule (c), the 13th and 37th turns in each unit of hundred vacancies shall be reserved for ex-servicemen. Out of 13th and 37th roster points, preference to one of the two points for women can be given and if women candidates are not available, both the points with men shall be considered. However, wherever the special or adhoc rules provide that there shall be no reservation for ex-servicemen or if a qualified and suitable candidate is not available from ex-servicemen, the turn allotted to ex-servicemen shall be deemed to be allotted to Open Competition.

(Amended in G.O.Ms.No.310, G.A.(Ser. D) Dept., dt: 19-7-2005 w.e.f. 10.2.2005)

"(ii) In the second cycle of 100 roster points the following points shall be reserved as follows:-

"106. (Visually Handicapped) (Open)
131. (Hearing Handicapped) (Women)
156. (Orthopaedically Handicapped) (Open)

" In the third cycle of 100 roster points the following points shall be reserved as follows:-

"206. (Visually Handicapped) (Open)
231. (Hearing Handicapped) (Open)
256. (Orthopaedically Handicapped) (Women)"

The 6th, 31st and 56th points in each cycle of 100 vacancies shall be allotted to the Visually Handicapped, Hearing Handicapped and Orthopaedically Handicapped persons respectively as stated above and where qualified and suitable candidates are not available from among them, the turn allotted for them in the unit referred to above shall be carried forward for three succeeding recruitment years. In the third succeeding recruitment year, if disabled candidates from any category are not available for appointment in the turn allotted, the vacancy shall be filled by next group of disabled in rotation by effecting interchange and the reservation shall cease thereafter".

(Amended in G.O. Ms. No. 252, G.A. (Ser-D) Dept. dt: 28.8.2004 w.e.f 27.11.2003)

(f) The reservation in the case of Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) and Physically Handicapped persons shall be in force for the period commencing from the 23rd September, 1990 to 31st May, 2011

[Amended in G.O. Ms. No. 147 G.A.(Ser. D) Dept., dt: 16-05-2003 w.e.f.01-06-2001.]

(g) If in any recruitment, qualified candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) and women are not available for appointment to any or all the vacancies reserved for them, a limited recruitment confined to candidates belonging to them shall be made immediately after the general recruitment to select and appoint qualified candidates from among the persons belonging to these communities to fill such reserved vacancies.

(h) (I) If in any recruitment, qualified candidates belonging to Scheduled Castes or, Scheduled Tribes or, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or women are not available for appointment to all or any of the vacancies reserved for them even after conducting a limited recruitment as specified in sub-rule (g), such vacancies or vacancy may be allotted to the Open Competition after obtaining the permission of the Government and may, thereafter, be filled by a candidate or candidates selected on the basis of Open Competition.

(II) Where any vacancies reserved for the Scheduled Castes or Scheduled Tribes or, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women are so filled by candidates belonging to other communities, an equal number of vacancies shall be reserved in the succeeding recruitment for the Scheduled Castes or Scheduled Tribes or, Backward Classes or Women in addition to the vacancies that may be available for that recruitment for them and if in the said succeeding recruitment year also, qualified candidates belonging to the Scheduled Castes or Scheduled Tribes or, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women are not available for appointment all or any of the additional vacancies which are so reserved in the that succeeding recruitment year, an equal number of vacancies shall again be reserved in the next succeeding recruitment year for the Scheduled Castes or, Scheduled Tribes or, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women in addition to the number of vacancies that may be available for the next succeeding recruitment for the Scheduled Castes or, Scheduled Tribes or, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women.

Provided that if in the said second succeeding recruitment also no qualified candidates belonging to the Scheduled Castes or Scheduled Tribes or Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women are available for appointment to all or any of the additional vacancies which are so reserved in that succeeding recruitment year, an equal number of vacancies shall again be reserved in the next succeeding recruitment year for the Scheduled Castes or, Scheduled Tribes or, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women in addition to the number of vacancies that may be

available for the next succeeding recruitment for the Scheduled Castes or, Scheduled Tribes or Backward Classes or Women.

Provided further that in the third succeeding recruitment if qualified candidates belonging to the Scheduled Tribes or as the case may be Scheduled Castes are not available, a vacancy reserved to be filled by a candidate belonging to Scheduled Tribes may be filled by a candidate belonging to Scheduled Castes and a vacancy reserved to be filled by a candidate belonging to Scheduled Castes may be filled by a candidate belonging to Scheduled Tribes and if a qualified candidate belonging to a particular group of Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) is not available for appointment, the vacancy reserved to that group shall accrue to the next group.

Third Proviso omitted (G.O. Ms. No. 236, G.A. (Ser-D) Dept., dt: 25.6.1998)

(III) If any additional vacancy or vacancies reserved in favour of candidates belonging to the Scheduled Castes or Scheduled Tribes or Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) or Women in any recruitment in accordance with the provisions in clause (II), appointments thereto shall be made before the appointments in the order of rotation for the relevant recruitments are made.

(i) At no selection for recruitment other than any limited recruitment made in accordance with the provisions of sub-rule (g), the number of reserved vacancies including the additional vacancies reserved under sub-rule (h), shall exceed 52% of the total number of vacancies for the selection; and all vacancies in excess of 52% of the total number of vacancies for which recruitment is made on any particular occasion shall, notwithstanding anything in this rule, be treated as unreserved:

Provided further that the carry forward vacancies and current reserved vacancies in a recruitment year shall be available for utilisation even where the total number of such reserved vacancies exceeds 52% of the vacancies filled in that recruitment, in case the overall representation of the Scheduled Castes, Scheduled Tribes, Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) and Women in the total strength of the concerned grade or cadre, has not reached and prescribed percentage of reservation of 15% for the Scheduled Castes, 6% for the Scheduled Tribes, 7% for Backward Classes (Group-A), 10% for Backward Classes (Group-B), 1% for Backward Classes (Group-C), 7% for Backward Classes (Group-D) respectively.

(j) Where there is only a single solitary post borne on the class, or category of a service, the rule of special representation shall not apply for appointment to such post, notwithstanding anything contained in the foregoing sub-rules. Provided that the rule of special representation shall be applicable for appointment if the number of posts borne on the cadre, category of grade is more than one, even though selection is to be made against only one vacancy at any recruitment other than limited recruitment.

(k) In respect of appointments by promotion or recruitment by transfer from Subordinate Service to State Service, where such appointments or recruitment by transfer is required to be made on the principle of merit and ability, seniority being considered only where merit and ability are approximately equal, the claims of any members of the Scheduled Castes and Tribes shall be considered for such appointment on the basis of seniority subject to fitness. Provided that a member of the Scheduled Caste or the Scheduled Tribe possessing superior merit and ability shall be allowed to supersede not only others but also the members of Scheduled Castes or Scheduled Tribes as the case may be. Note:-

1) The principle of carry forward of vacancies in respect of Backward Classes (Group-A), (Group-B), (Group-C) and as the case may be (Group-D) shall be with effect from the 18th March, 1996.

2) The principle of carry forward of vacancies in respect of women shall be with effect from the 28th October, 1996.

3) The principle of roster points for women candidates shall be with effect from the 1st August, 1996.

(As amended in G.O.Ms.No.65, Genl. Admn. Dept., (Ser. D) Dept., dt:15-2-1997)

22-A WOMEN RESERVATION IN APPOINTMENTS :- Not withstanding anything contained in these rules or special rules or Adhoc rules:-

(1) In the matter of direct recruitment to posts for which women are better suited than men, preference shall be given to women: Provided that such absolute preference to women shall not result in total exclusion of men in any category of posts.

(2) In the matter of direct recruitment to posts for which women and men are equally suited, there shall be reservation to women to an extent of 33 1/3% of the posts in each category of Open Competition, Backward Classes (Group-A), Backward Classes (Group-B), Backward Classes (Group-C), Backward Classes (Group-D), Scheduled Castes, Scheduled Tribes and Physically Handicapped and Ex-servicemen quota.

(3) In the matter of direct recruitment to posts which are reserved exclusively for being filled for women, they shall be filled by women only.

(4) In the matter of promotion and appointment by transfer involving promotion to posts for which women and men are equally suited and where the cadre strength of posts is more than five there shall be reservation to women to an extent of 33 1/3% in favour of Scheduled Castes and Scheduled Tribes.

Provided that where no eligible women candidate available to fill up the roster point earmarked to them, the vacancy shall be filled up with male SC/ST candidates as the case may be.

NOTE:- (1) The principle of reservation for women candidates to the extent of 30% in the matter of direct recruitment shall be from 02-01-1984 to 27-05-1996 (G.O.Ms.No.928, General Administration (Services D) Department, dated 06-10-1995).

(2) The principle of reservation for women candidates to the extent of 33 1/3 % in the matter of direct recruitment shall be with effect from the 28th May, 1996 (G.O.Ms.No.237, General Administration (Services D) Department, dated 28-5-1996).

(As amended in G.O.Ms.No.65, General Administration (Services D) Department, Dated 15-2-1997).

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department - Public Services - State and Subordinate
Services - Rule of Reservation in promotions in favour of Scheduled Castes
and Scheduled Tribes - under Article 16(4A) of the Constitution of India -
Orders - Issued

SOCIAL WELFARE (SW.ROR.1) DEPARTMENT

G.O.Ms.No:5

Dated: 14th February, 2003
Read the following:

1. The Constitution (Eighty Fifth Amendment) Act, 2001 to Article 16(4A) .
2. G.O.Ms. No.47, Social Welfare (CV.1) Department, dated 31-5-2000.

....

ORDER:

Article 16(4A) of the Constitution as amended by the Constitution (Eighty Fifth Amendment) Act, 2001 reads as follows:

“ 16(4A): Nothing in this article shall prevent the State from making any provision for reservation in matters 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 service under the State”.

2. The said Amendment to the Constitution has been made with an objective of making a 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 Scheduled Castes and Scheduled Tribes which in the opinion of the State, are not adequately represented in the service under the State.

3. In view of the said amendment to the Constitution of India and the demand for rule of reservation in promotion in favour of Scheduled Castes and Scheduled Tribes from various Service Organisations of Scheduled Castes and Scheduled Tribes, to all categories of posts in all departments has been examined by the Government.

4. The Government after careful consideration, have decided to implement rule of reservation in promotion to ensure adequate representation of the Scheduled Caste and Scheduled Tribe employees, i.e., 15% and 6% respectively in all categories of posts in all departments. The Government therefore direct that;

- a) Reservation shall be implemented in favour of Scheduled Castes and Scheduled Tribes in promotion in all categories of posts in all State Government departments with immediate effect.
- b) Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes is applicable to all categories or cadres whose cadre strength is more than five.

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- c) The existing 100 point roster already prescribed in Rule 22 of the Andhra Pradesh State and Subordinate Service Rules by the State Government shall be followed in cases of promotion in all the categories where reservation in promotion in favour of Scheduled Castes and Scheduled Tribes is followed.
- d) Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes shall be prospective and shall be made applicable to the posts to be filled up. As on the date of issue of these orders, the Panel year for 2002-2003 has already commenced from 1st September, 2002 and therefore the panels already prepared and given effect shall not be disturbed. The Panels which are not yet prepared shall now be prepared based on rule of reservation in promotion and Panels prepared and not given effect to, shall be reviewed on the principle of reservation in promotion in favour of Scheduled Castes and Scheduled Tribes.
- e) 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 post as per existing Rules and guidelines.
- f) Reservation in promotion in favour of Scheduled Castes and Scheduled Tribes shall also apply to other institutions in which reservation in respect of Scheduled Castes and Scheduled Tribes is followed.
- g) Detailed guidelines on filling up the roster points based on the rule of reservation in promotions will be issued separately.
5. Appropriate amendment to Rule 22 of the Andhra Pradesh State and Subordinate Service Rules, 1996 will be issued separately.

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

SATHI NAIR,
Chief Secretary to Government

To:

All Department 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 Hyd
All Registrars of all Universities in the State
All Managing Directors of Public Sector Undertakings in A.P.
The Commr. of Printing and Stationery, for publication in AP Gazette
PS to Chief Secretary to Government, Genl. Admn. Department
PS to Secretary to Government(Poll), Genl. Admn. Dept
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 CM., 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 Sections in Genl.Admn. Department

//Forwarded::By Order//

SECTION OFFICER

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

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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 there under 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

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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)

SATHI NAIR,
Chief Secretary to Government

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 post proposed to be filled up in the

Explanation:

CASE.I

Illustrates a situation where there are no Scheduled Caste 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 roster points at Sl.No.2&7 to be filled up by Scheduled Caste employees. In this case Scheduled Caste employees are available at S.No.22 & 28. As shown in the list Sl.No.22 will 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 SC employee in the first ten positions in the seniority list in the feeder category. In this case the SC employee is available at Sl.No.1. He will not be brought down to Sl.No.2 which is a roster point in the promotion panel. He will remain at Sl.No.1 Sl.No.2 in the promotion panel which is a SC point will be filled up by Q a SC employee, who is at Sl.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 filled up by other candidate as per his turn in the seniority list.

CASE.III :

Illustrates a situation where there are two SC employees in the first ten positions in the seniority list in the feeder category. In this case the SC employees are available at Sl.No.4(D) and Sl.No.10(J). In the promotion panel Sl.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 required Group SC candidates are available to fill up the points earmarked for them. In cases where they are not available, they have to be picked up from wherever they are available in the feeder category and shown against the points earmarked for the particular Group of SC. If the particular Group SC candidate is not available the vacancy has to be filled up by the next group and so on as laid down in G.O.Ms.No.47 Social Welfare (CV.I) Dept., dated:31.5.2000.

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

A.P.State and Subordinate Service Rules, 1996 - Amendment to Rule 22 and
6 of the A.P. State and Subordinate Service Rules, 1996 - Orders - Issued.

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

G.O.Ms.No:123

Dated 19-04-2003
Read the following:-

1. G.O.Ms.No:436, G.A.(Ser.D) Department, dated 15-10-1996
2. G.O.Ms.No:5, Social Welfare (ROR-I) Department, dt:14-02-2003
3. G.O.Ms.No:21, Social Welfare (ROR-I) Department, dt:18-03-2003
4. From the APPSC., Lr.No:532/RR/2/2003, dated 17-04-2003.

-ooOoo-

O R D E R:

The following notification will be published in the Andhra Pradesh Gazette:

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers hereunto enabling the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh State and Subordinate Service Rules, 1996, issued in G.O.Ms.No:436, G.A. (Ser-D) Department, dated 15th October, 1996 and subsequently amended from time to time.

The amendments hereby made shall be deemed to have come into force with effect from 14-02-2003.

AMENDMENTS

In the said rules, ----

- I (1) In Rule 6 (b), the following shall be inserted as first proviso, namely,-

"Provided that for promotion in respect of Scheduled Caste and Scheduled Tribe candidates only, the zone of consideration in the ratio 1:3, shall not be applicable in respect of posts whose total cadre strength is more than five".

(2) After inserting the above proviso, ----

(a) In the second proviso, for the words "provided that" the words "provided further that" shall be substituted.

(b) In the third proviso, for the words "provided further that" the words "provided also that" shall be substituted.

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II. In Rule 22,

(1) for clause (ii) of sub-rule (1) the following shall be substituted, namely, --

(ii) "otherwise than by direct recruitment the principle of reservation in the matter of promotion and appointment by transfer involving promotion in so far it relates to Scheduled Castes and Scheduled Tribes only shall apply to such services, Class or Category whose total cadre strength of the post is more than five".

(2) for, sub-rule 2(a), the following shall be substituted, namely,---

2(a) The unit of appointment for the purpose of direct recruitment shall be hundred vacancies of which fifteen shall be reserved for Scheduled Castes, six shall be reserved for Scheduled Tribes, twenty five shall be reserved for Backward Classes and remaining fifty four appointments shall be made on the basis of open competition and subject to Rule 22-A of these rules.

2(a)(i) The unit of appointment for the purpose of reservation in the matter of promotion and appointment by transfer involving promotion shall be hundred vacancies of which fifteen shall be reserved for Scheduled Castes and six for Scheduled Tribe employees as per the roster points in sub-rule 2(e).

- A. In the case of appointments/promotions to the posts referred to in clause 2 (a) (i) above, 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.
- B. If a Scheduled Caste and Scheduled Tribe employee 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 Caste and Scheduled Tribe employees as per 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.
- C. 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 point has to be stopped.
- D. Unutilized roster points after the required Scheduled Caste and Scheduled Tribes percentage is met, shall lapse.
- E. 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.

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.ROR1) DEPARTMENT

G.O.Ms.No.2

Dated: 9th January, 2004.
Read the following:-

- 1 G.O.Ms.No.5, Social Welfare (ROR1) Department, Dated: 14.2.2003.
- 2 G.O.Ms.No.21, Social Welfare (ROR1) Department, Dated: 18.3.2003.
- 3 G.O.Ms.No.123, General Administration (Ser.D) Department, Dated: 19.4.2003.

-ooOoo-

ORDER:

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 Rules 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 Castes and Scheduled Tribes, in all categories of posts in all State Government Departments, if they are not adequately represented to the extent of 15% and 6% respectively. The crucial date for implementing the rule of reservation in promotions shall be 14.2.2003, i.e., 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 seniority 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 of posts but not for the Department as a whole.
- (c) If in respect of any 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 promotions 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 sub-category based. The existing 100 point roster already prescribed in Rule 22 of Andhra Pradesh State and Sub-ordinate 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 sub-categorisation, 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 a 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 1, then the 2nd roster point has to be filled up with SC-A candidate or with any other SC candidate as per the procedure stipulated. After inclusion of the said candidate 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 candidate 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 candidate 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 belonging 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 up by a candidate of Scheduled Caste-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 (Woman) is not available, the roster point may be filled up by Scheduled Caste-B (Woman) candidate and so on and so forth.

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

(a) If no eligible women 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 Caste-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 (A,B,C,D) Male candidate in

that order. If the roster point is earmarked for Scheduled Caste-B woman candidate and no Scheduled Caste woman candidate is available, the roster point shall be filled up with male candidate belonging to Scheduled Caste-B category. If no 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 Schedule Tribes, if Scheduled Tribe (Woman) candidate is not available, for promotion to fill in the roster point earmarked for Scheduled Tribe (Woman), the vacancy shall be filled up by a Scheduled Tribe Male candidate.

13. Carry forward 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, Grandhalaya Samsthas 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 Sub-ordinate Service Rule shall be issued separately.

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

MOHAN KANDA
CHIEF SECRETARY TO GOVERNMENT.

To

All Departments of Secretariat, A.P., Hyderabad.

All Heads of Departments.

All District Collectors.

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

The Registrar, A.P.High Court, Hyderabad.

The Registrar, Andhra Pradesh Administrative Tribunal, A.P., 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, A.P., Hyderabad (with a request to print and furnish 400 copies)

P.S. to Chief Secretary to Government.
 P.S. to Secretary to Government (Ser.), General Administration Dept..
 P.S. to Secretary to Government, Law Department.
 P.S. to Principal Secretary to Government, Social Welfare Department.
 P.S. to Secretary to Government (TW), Social Welfare Dept.
 P.S. to Principal Secretary to C.M.
 P.S. to Special Secretary to C.M., A.P., Hyderabad.
 P.S. to Minister for Social Welfare, A.P., Hyderabad.
 P.S. to Minister for Tribal Welfare, A.P., Hyderabad.
 All Sections in Social Welfare Department.
 All Sections in General Administration Department.
 SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER.

 ANNEXURE TO G.O.Ms. No. 2, SOCIAL WELFARE (ROR.1) DEPARTMENT,
 DT.09.01.2004.

Roster Point No.	Roster of SC (ABCD)/ST W= Women
1.	--
2.	SC (W) - A
3.	--
4.	--
5.	--
6.	--
7.	SC-B
8.	ST (W)
9.	--
10.	--
11.	--
12.	--
13.	--
14.	--
15.	--
16.	SC-C
17.	--
18.	--
19.	--
20.	--
21.	--
22.	SC (W) - B
23.	--
24.	--
25.	ST
26.	--

27.	SC-C
28.	--
29.	--
30.	--
31.	--
32.	--
33.	ST
34.	--
35.	--
36.	--
37.	--
38.	--
39.	--
40.	--
41.	SC-B
42.	--
43.	--
44.	--
45.	--
46.	--
47.	SC(W)-C
48.	--
49.	--
50.	--
51.	--
52.	SC-D
53.	--
54.	--
55.	--
56.	--
57.	--
58.	ST(W)
59.	--
60.	--
61.	--
62.	SC-B
63.	--
64.	--
65.	--
66.	SC(W)-C
67.	--
68.	--
69.	--
70.	--
71.	--
72.	SC-B
73.	--
74.	--
75.	ST
76.	--
77.	SC-C
78.	--
79.	--

80.	--
81.	--
82.	--
83.	ST
84.	--
85.	--
86.	--
87.	SC(W)-B
88.	--
89.	--
90.	--
91.	SC-C
92.	--
93.	--
94.	--
95.	--
96.	--
97.	SC-B
98.	--
99.	--
100.	--

SECTION OFFICER.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

S.W.Department - Rule of reservation in promotions - Comprehensive guidelines issued in G.O.Ms.No.2 SWD, dt.9-1-2004 - Amendment to guideline regarding arriving at the number of vacancies to be filled up - Orders - Issued.

SOCIAL WELFARE (SW.ROR1) DEPARTMENT

G.O.Ms.No.76

Dated 19th October, 2004.
Read the following:-

G.O.Ms.No.2, SW(ROR1) Department, dt.9-1-2004.

-ooOoo-

ORDER:

In the G.O. read above comprehensive guidelines were issued for implementing the Rule of Reservation in Promotions. Para No.5 reads as follows:

"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 and 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".

2. Thus, it has been ordered to ignore the fraction while arriving at the number of vacancies to be filled based on rule of reservation in promotions.

3. Due to this condition - **"ignoring of fraction"** in arriving at the adequacy for Scheduled Castes and Scheduled Tribes, injustice is being caused to SCs/STs while arriving at the adequacy. For example, if the cadre strength of a post is 6 in a particular Department, 15% adequacy comes to 0.90. If fraction is to be ignored, as per the above guideline, the required number of Scheduled Castes would be Zero, and, therefore, there would not be any inadequacy.

4. Several representations have also been received to delete the condition of "ignoring the fraction" in the aforesaid G.O. to arrive at the adequacy.

5. The Government after careful examination of the matter hereby decided to amend the Para-5 of G.O.Ms.No.2, SW (ROR1) Department, dated 9-1-2004. Accordingly the following amendment is issued to the G.O.read above.

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6. The amendment hereby made shall come into force with effect from the current panel year 2004-2005.

AMENDMENT

In paragraph-5 of the G.O.Ms.No.2, S.W. (ROR1) Dept., dated 9-1-2004 for the expression "the fraction shall be ignored", the following expression shall be substituted namely;

"the fraction of 0.5 or more shall be rounded off to the next higher digit".

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

**MOHAN KANDA
CHIEF SECRETARY TO GOVERNMENT.**

To

All Departments of Secretariat, A.P., Hyderabad.(with a request to communicate the GO to the Heads Depts. under their control including the public sector undertakings).

All District Collectors.

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

The Registrar, A.P.High Court, Hyderabad.

The Registrar, Andhra Pradesh Administrative Tribunal, A.P., Hyderabad.

All Registrars of all Universities in the State.

The Commissioner of Printing and Stationery, A.P., Hyderabad (with a request to print and furnish 400 copies)

P.S. to Chief Secretary to Government.

P.S. to Secretary to Government (Ser.), General Administration Dept..

P.S. to Secretary to Government, Law Department.

P.S. to Principal Secretary to Government, Social Welfare Department.

P.S. to Secretary to Government (TW), Social Welfare Dept.

P.S. to Principal Secretary to C.M.

P.S. to Special Secretary to C.M.,A.P., Hyderabad.

P.S. to Minister for Social Welfare, A.P., Hyderabad.

P.S. to Minister for Tribal Welfare, A.P., Hyderabad.

All Sections in Social Welfare Department.

All Sections in General Administration Department.

Copy to Law (J) Department.

SF/SC.

//Forwarded::By order//

SECTION OFFICER.

**SOCIAL WELFARE DEPARTMENT
(C.V.I.)**

**CANCELLATION OF ANDHRA PRADESH
SCHEDULED CASTES (RATIONALIZATION
OF RESERVATIONS) RULES, 2000 ISSUED
IN G.O.MS.NO.47, S.W.(CVI) DEPARTMENT,
DATED 31-05-2000.**

*[G.O.Ms.No. 91, Social Welfare (CVI), 23rd
December, 2004.]*

No. 8.

The Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Act 2000 (Act 20 of 2000) has been enacted to provide for Rationalisation of Reservations to Scheduled Castes in the State of Andhra Pradesh. In pursuance of the aforesaid Act, the Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Rules, 2000, have been issued in G.O.Ms.No.47, S.W. (CVI) Department, dated 31-05-2000.

2. The Hon'ble Supreme Court of India in their Judgment dated 5-11-2004, in Civil Appeal Nos.6758/2000, 6934/2000, 7344/2000 and 3442/2001 declared the Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Act, 2000, as unconstitutional.

3. In the above circumstances, the Government hereby cancel the Rules issued in the G.O.Ms.No.47, S.W. (CVI) Department, dated 31-05-2000.

4. Necessary Amendments shall be issued separately to the Orders already issued with regard to reservations in promotions in favour of Scheduled Castes pursuant to the aforesaid Rules.

Dr. MOHAN KANDA,
Chief Secretary to Government.

Printed and Published in the Andhra Pradesh Gazette, Part-I, Issue No. 53, dated 30-12-2004.
at Page Nos. 868.

H-19/260.

SP/140

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department - Public Services - Policy of providing Rule of Reservation in Promotions in favour of SCs/STs - Modification - Orders - Issued.

SOCIAL WELFARE (SW.ROR1) DEPARTMENT

G.O.Ms.No.16

Dated: 17th February, 2005.
Read the following:-

1. G.O.Ms.No.5, SW(ROR1) Dept., dated: 14-2-2003.
2. G.O.Ms.No.21, SW(ROR1)Dept., dated: 18-3-2003.
3. G.O.Ms.No.123, GA(Ser.D) Dept., dated: 19-4-2003
4. G.O.Ms.No.2, SW(ROR1)Dept., dated: 9-1-2004.
5. G.O.Ms.No.76, SW(ROR1) Dept., dated:19-10-2004.
6. Hon'ble Supreme Court Judgment dated:5-11-2004 in Civil Appeal Nos.6758/2000, 6934/2000, 7344/2000 and 3442/2001, filed by Dr.E.V.Chinnaiah & others Vs. State of A.P.
7. G.O.Ms.No.91, SW (CV1)Dept., dated:23-12-2004.

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ORDER:

In the G.O.first 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. second read above, necessary guidelines have been issued, and in the G.O. third read above, the Andhra Pradesh State and Sub-ordinate Service Rules have been amended to give effective to the policy of Rule of Reservation in promotions in respect of Scheduled Castes and Scheduled Tribes. In the G.O. fourth read above, detailed guidelines were issued for implementing the Rule of Reservation in promotions, inter alia prescribing a roster of 100 points earmarking roster points as per categorization of Scheduled Castes.

2. In view of the Hon'ble Supreme Court's Judgment dated. 5-11-2004, orders have been issued in G.O. seventh read above, cancelling the rules issued in G.O.Ms.No. 47, Social Welfare (CV1) Dept., dated: 31-5-2000, in which reservation in public appointments or posts and admissions to Educational Institutions to Scheduled Castes was provided based on A,B,C,D groups.

3. Consequent to the issue of orders in G.O.Ms.No.91, Social Welfare (CV1) Dept., dated.23-12-2004, the orders issued in G.O.Ms.Nos.5, Social Welfare (ROR1)Dept. dated: 14-2-2003, G.O.Ms.No.21, Social Welfare (ROR1)Dept., dated: 18-3-2003 and G.O.Ms.No.2, Social Welfare (ROR1)Dept., dated: 9-1-2004, read above are hereby modified to the extent of Reservation in promotions based on A,B,C,D groups Scheduled Castes. In other words, there shall be no categorization among Scheduled Castes.

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4. The other conditions/ guidelines for implementation of Rule of Reservation in Promotions for Scheduled Castes /Scheduled Tribes shall remain unchanged and be followed accordingly, while implementing the Rule of Reservation in promotions for Scheduled Castes and Scheduled Tribes.

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

MOHAN KANDA
CHIEF SECRETARY TO GOVERNMENT

To
All Departments of Secretariat, A.P., Hyderabad
All Heads of Departments.
All District Collectors.
The Secretary, A.P.Public Service Commission, A.P., Hyderabad.
The Registrar, A.P.High Court, Hyderabad.
The Registrar, Andhra Pradesh Administrative Tribunal, A.P., Hyderabad.
All Registrars of all Universities in the State.
The Commissioner of Printing and Stationery, A.P., Hyderabad (with a request to print and furnish 400 copies)
P.S. to Chief Secretary to Government.
P.S. to Secretary to Government (Ser.), General Administration Dept..
P.S. to Secretary to Government, Law Department.
P.S. to Principal Secretary to Government, Social Welfare Department.
P.S. to Secretary to Government (TW), Social Welfare Dept.
P.S. to Principal Secretary to C.M.
P.S. to Special Secretary to C.M.,A.P., Hyderabad.
P.S. to Minister for Social Welfare, A.P., Hyderabad.
P.S. to Minister for Tribal Welfare, A.P., Hyderabad.
All Sections in Social Welfare Department.
Copy to Law(J) Dept.

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SECTION OFFICER.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department - Public Services - State and Subordinate Services - Rule of Reservation in Promotions in favour of SCs/STs - under Article 16(4A) of the Constitution of India - Amendment - Orders - Issued.

SOCIAL WELFARE (SW.ROR1) DEPARTMENT

G.O.Ms.No.17

Dated: 17th February, 2005.

Read the following:-

1. G.O.Ms.No.5, SW(ROR1) Dept., dated: 14-2-2003.
2. G.O.Ms.No.91, SW(CV1)Dept., dt.23-12-2004.
3. G.O.Ms.No.16, SW(ROR1)Dept., dt.17-2-2005.

-ooOoo-

ORDER:

The following Amendment is issued to the G.O.Ms.No.5, SW(ROR1) Dept., dated.14-2-2003.

AMENDMENT

In the said order the words "2, G.O.Ms.No.47, Social Welfare (CV1) Dept., dated:31-5-2000" referred to under read the following, shall be deleted.

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

**MOHAN KANDA
CHIEF SECRETARY TO GOVERNMENT**

To
All Departments of Secretariat, A.P., Hyderabad
All Heads of Departments./All District Collectors.
The Secretary, A.P.Public Service Commission, A.P., Hyderabad.
The Registrar, A.P.High Court, Hyderabad.
The Registrar, Andhra Pradesh Administrative Tribunal, A.P., Hyderabad.
All Registrars of all Universities in the State.
The Commissioner of Printing and Stationery, A.P., Hyderabad
(with a request to print and furnish 400 copies)
P.S. to Chief Secretary to Government.
P.S. to Secretary to Government (Ser.), General Administration Dept..
P.S. to Secretary to Government, Law Department.
P.S. to Principal Secretary to Government, Social Welfare Department.
P.S. to Secretary to Government (TW), Social Welfare Dept.
P.S. to Principal Secretary to C.M.
P.S. to Special Secretary to C.M.,A.P., Hyderabad.
P.S. to Minister for Social Welfare, A.P., Hyderabad.
P.S. to Minister for Tribal Welfare, A.P., Hyderabad.
All Sections in Social Welfare Department./Copy to Law(J) Dept.

//Forwarded::By order//

SECTION OFFICER.

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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 SCs/STs – Amendment - Orders – Issued.

SOCIAL WELFARE (SW.ROR1) DEPARTMENT

G.O.Ms.No.18

Dated: 17th February, 2005.
Read the following:-

1. G.O.Ms.No.2, S.W.(ROR1) Dept., dt.9-1-2004.
2. G.O.Ms.No.91, SW (CV1)Dept., dt.23-12-2004.
3. G.O.Ms.No.16, SW(ROR1)Dept., dt.17-2-2005.

-ooOoo-

ORDER:

The following Amendment is issued to the G.O.Ms.No.2, SW(ROR1) Department, dt.9-1-2004.

AMENDMENT

The Para-4 (d) of the said order, the expression " 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 categorization" shall be deleted.

For Para. 7 of the said order, the following shall be substituted

"Roster Points : The reservation in promotions in respect of Scheduled Castes and Scheduled Tribes shall also include the gender based reservation. The existing 100 point roster already prescribed in Rule 22 of Andhra Pradesh State and Sub-ordinate Service Rules for direct recruitment shall be followed for implementing the Rule of Reservation for promotion for Scheduled Castes and Scheduled Tribes

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 a panel year, the adequacy of SC representation is short by one candidate. 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

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the candidate 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".

The Annexure appended to the said order shall be deleted.

The Para. 11 including note of the said order shall be deleted.

For Para.12 of the said order, the following shall be substituted " In case there are no qualified women candidates available, for promotion to fill in the roster points earmarked for SC(Women) / ST (Women) the vacancies shall be filled by SC(Male) / ST (Male) candidates"

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

MOHAN KANDA
CHIEF SECRETARY TO GOVERNMENT

To

All Departments of Secretariat, A.P., Hyderabad).

All Heads of Departments

All District Collectors.

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

The Registrar, A.P.High Court, Hyderabad.

The Registrar, Andhra Pradesh Administrative Tribunal, A.P., Hyderabad.

All Registrars of all Universities in the State.

The Commissioner of Printing and Stationery, A.P., Hyderabad (with a request to print and furnish 400 copies)

P.S. to Chief Secretary to Government.

P.S. to Secretary to Government (Ser.), General Administration Dept..

P.S. to Secretary to Government, Law Department.

P.S. to Principal Secretary to Government, Social Welfare Department.

P.S. to Secretary to Government (TW), Social Welfare Dept.

P.S. to Principal Secretary to C.M.

P.S. to Special Secretary to C.M.,A.P., Hyderabad.

P.S. to Minister for Social Welfare, A.P., Hyderabad.

P.S. to Minister for Tribal Welfare, A.P., Hyderabad.

All Sections in Social Welfare Department.

//Forwarded::By order//

SECTION OFFICER.

GOVERNMENT OF ANDHRA PRADESH
SOCIAL WELFARE (CV.1) DEPARTMENT

Memorandum No:8904/CV.1/2000

Dated 01-02-2006

Sub:- SWD - Clarification sought on the Judgment of Hon'ble Supreme Court of India, dated 5-11-2004 in Civil Appeal No:6758/2000 E.V.Chinnaiah Vs.State of Andhra Pradesh - Clarification issued - Regarding.

Ref:- 1. The Hon'ble Supreme Court's Judgment dt:05-11-2004
2. I.A.No:5 in Civil Appeal No:6758/2000, Judgment of the Hon'ble Supreme Court of India, dated 25-09-2006.

-ooOoo-

The attention of all the Departments of Secretariat and Heads of Departments is invited to the reference 1st cited and they are informed that the Hon'ble Supreme Court passed Judgment in Civil Appeal No:6758 of 2000 and batch dated 5-11-2004, declaring the A.P.Scheduled Castes (Rationalisation of Reservations) Act 20 of 2000 as ultra virus to the Constitution.

They are also informed that in view of the above orders, an application has been filed in the Hon'ble Supreme Court of India to permit the State Government to implement the orders of Hon'ble Supreme Court with prospective effect alone, for the reasons stated therein. The Hon'ble Supreme Court in its judgment, dated 25-9-2006 in I.A.No:5 in Civil Appeal No:6758 of 2000 has passed judgment is as follows:

"Counsel appearing on behalf of the non-applicants, who were appellants in these appeals have no objection to a clarification being given that all selections made and admissions granted in educational institutions prior to the judgment of this court shall not be affected. Similarly, all appointments made prior to the judgment of this Court on the basis of reservation permitted by the Legislation which has been struck down by this Court, shall also not be affected. Promotions, if any, already granted before the judgment of this Court shall also remain unaffected."

Further clarified that "no admission granted, appointment made or promotion granted subsequent to the judgment of this Court be valid, if they are in breach of the law laid down by this court in its aforesaid judgment.

All the Departments of Secretariat and Heads of Departments are therefore requested to take necessary further action in the matter, as per the Hon'ble Supreme Court orders and also acknowledge the receipt of the Memo.

AJOYENDRA PYAL,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
All Departments in Secretariat.

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GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare Department - Rule of Reservation in Promotions - Comprehensive Guidelines issued - Amendment to Guidelines - Orders Issued.

SOCIAL WELFARE (ROR-I) DEPARTMENT

G.O.Ms.No. 4

Dated: 24-01-2007
Read the following:-

1. G.O.Ms.No. 123, G.A.(Ser.D) Dept., Dt. 19-04-2003
2. G.O.Ms.No. 2, S.W.(ROR.1) Dept., Dt. 09-01-2004
3. G.O.Ms.No. 76, S.W.(ROR.1) Dept., Dt. 19-10-2004

-ooOoo-

ORDER:

1. In the G.O. 2nd read above, comprehensive guidelines were issued for implementing the rule of reservation in promotions.
2. In the G.O. 3rd read above, an amendment was issued to the paragraph 5 of G.O.Ms.No 2, Social Welfare (ROR.1) Department dated 9-1-2004 that the fraction of 0.5 or more shall be rounded off to the next higher digit.
3. The rule of reservation is to be implemented where there is inadequacy of scheduled caste/scheduled triple candidates provided that the cadre strength is more than five. It is observed that in case of scheduled tribes, if the cadre strength is 6, the required adequacy would be 0.36 i.e. nil (6% of 6 posts). Hence when the required adequacy is nil, there is no question of inadequate representation and rule of reservation in promotions need not be implemented. Similarly, for the posts where the cadre strength is 7 or 8 also, rule of reservation in promotion in respect of scheduled tribes can not be implemented, even though the cadre strength is more than 5.
4. Several representations have also been received for amendment to Para 5 in G.O.Ms.No.2, SW(ROR.1), Department, dated 9-1-2004, to the effect that in respect of scheduled tribes the required adequacy may be taken as one for the posts whose cadre strength is 6,7 or 8.
5. The Government, after careful examination of the matter, hereby decide to amend the G.O.Ms.No.2, SW(ROR.1) Department, dated 9-1-2004, so as to make applicable the rule of Reservation in promotions, in respect of scheduled tribes, for the posts where the cadre strength is 6,7 or 8. Accordingly, the following amendment is issued to G.O.Ms.No.2, Social Welfare (ROR.1) Department, dated 9-1-2004.

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6. The amendment hereby made shall come into force with effect from the current panel year 2006-07, and the roster point shall be filled with the scheduled tribe candidate where the turn comes, for implementation of rule of reservation in favour of scheduled tribes.

AMENDMENT

At the end of the paragraph 5 of the said G.O. the following shall be added, namely:-

"In respect of Scheduled tribes, the required adequacy may be taken as one for the posts whose cadre strength is 6, 7 or 8".

Appropriate amendment to rule 22 of Andhra Pradesh State & subordinate Service Rules shall be issued separately.

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

J.HARINARAYAN
CHIEF SECRETARY OF GOVERNMENT

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

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department - Rule of Reservation in promotions - Comprehensive guidelines issued - Amendment to guidelines - Orders - Issued.

SOCIAL WELFARE (ROR1) DEPARTMENT

G.O.Ms.No.154

Dated.30-7-2008.
Read the following:-

- 1.G.O.Ms.No.123, G.A.(Ser.D) Department, dated.19-4-2003.
- 2.G.O.Ms.No.2, SW(ROR1)Department, dated. 9-1-2004.
- 3.G.O.Ms.No.76, SW(ROR1)Department, dated.19-10-2004,
- 4.G.O.Ms.No.4, SW(ROR1)Department, dated.24-1-2007.
- 5.Representation of Sri G.Jojappa, General Secretary, A.P.State Govt. BC, SC & ST Employees Association and others, dated: 18.04.2008 and of Secretariat SC/ST employees dated.28-3-2006.

-ooOoo-

ORDER :-

In the G.O. 2nd read above, comprehensive guidelines were issued for implementing the Rule of Reservation in Promotions.

2. In the G.O.3rd read above, an amendment was issued to the Paragraph 5 of G.O.Ms.No.2, Social Welfare (ROR1) Department, dated 9-1-2004 that the fraction of 0.5 or more shall be rounded off to the next higher digit".

3. In the G.O.4th read above, an amendment was issued at the end of the Paragraph 5 of the G.O. 2nd read above, i.e., "In respect of Scheduled Tribes, the required adequacy may be taken as one for the posts whose cadre strength is 6,7 or 8".

4. In the reference 5th read above, the General Secretary, of A.P.State Government SC, ST and BC Employees Association and others have represented to the Government that, as per Rules the panel year starts on 1st September of the year and ends on 31st August of the subsequent year and that while preparing the panels, the adequacy of representation of the SCs / STs is being calculated and worked out as per the position existing on 1st September of the year only as indicated in Para 5 of the G.O.Ms.No.2, SW(ROR1) Dept., dated.9-1-2004, and the vacancies which will arise due to retirements or on further promotions etc., of SC/ST candidates within the panel year i.e., upto the 31st August of the subsequent year, are not being filled up till the preparation of the new panel. This is causing much hard ship to the SC/ST candidates and is also detrimental to the policy of the Government in introducing the Rule of Reservations for SCs and STs in promotions. Hence they have requested the Government to issue suitable amendment to Para 5 of G.O.Ms.No.2, SW (ROR1) Department, dated 9-1-2004.

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5. The Government, after careful examination of the matter, hereby decided to amend suitably to Paragraph 5 of G.O.Ms.No.2, SW (ROR1) Department, dated 9-1-2004, so as to enable to take into consideration the vacancies which may arise in the panel year besides the existing vacancies of SC/ST candidates as on 1st September.

6. Accordingly, the following amendment is issued to G.O.Ms.No.2, SW (ROR1) Department, dated 9-1-2004.

AMENDMENT

To Paragraph-5 of G.O.Ms.No.2, Social Welfare (ROR1) Department dated.9-1-2004, the following 'Note' shall be added namely:-

NOTE:-"While preparing panels for giving effect to the rule of reservation in promotions, the existing vacancies of SC/ST candidates and those which may arise in the panel year shall also be taken into consideration for including those candidates in the panel for achieving their adequate representation. The rule 6(b), d(i) & (ii) (1)(2) and (e) of the A.P. State & Subordinate Service Rules, 1996 shall be followed scrupulously".

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

P. RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT

To

All Departments of Secretariat, A.P., Hyderabad
All Heads of Departments.
All District Collectors.
The Secretary, A.P.Public Service Commission, A.P., Hyderabad.
The Registrar, A.P.High Court, Hyderabad.
The Registrar, Andhra Pradesh Administrative Tribunal, A.P., Hyderabad.
All Registrars of all Universities in the State.
The Commissioner of Printing and Stationery, A.P., Hyderabad
(with a request to print and furnish 400 copies)
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P.S. to Secretary to Government, Law Department.
P.S. to Principal Secretary to Government, Social Welfare Department.
P.S. to Secretary to Government (TW), Social Welfare Dept.
P.S. to Principal Secretary to C.M.
P.S. to Special Secretary to C.M.,A.P., Hyderabad.
P.S. to Minister for Social Welfare, A.P., Hyderabad.
P.S. to Minister for Tribal Welfare, A.P., Hyderabad.
All Sections in Social Welfare Department.
Copy to Law (J) Dept.

// FORWARDED BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department – Rule of Reservation in promotions in favour of Scheduled Caste/Scheduled Tribe employees – Amendment to G.O.Ms.No.5, SW (ROR1) Department, dated.14-2-2003 – Issued.

SOCIAL WELFARE (ROR1) DEPARTMENT

G.O.Ms.No.26

Dated.20-02-2009.
Read the following:-

1. G.O.Ms.No.5, SW(ROR1) Dept., dated.14-2-2003.
2. G.O.Ms.No.2, SW(ROR1)Dept., dated.9-1-2004.
3. From the CSW, AP, Hyderabad, Lr.No.R1/12131/2008, dated.20-11-2008.

-ooOoo-

O R D E R:

In the G.O. first read above, orders were issued to implement rule of reservation in promotions to ensure adequate representation of Scheduled Castes and Scheduled Tribes in services to the extent of 15% and 6% respectively. Accordingly, comprehensive guidelines were issued for implementing the rule of reservation vide G.O. second read above.

2. It was brought to the notice of the Government that certain Engineering Departments in the State are resorting to make in charge arrangements for holding higher promotional posts instead of effecting promotions/ad hoc promotions as there are certain court cases pending regarding finalization of seniority. Hence, requests are made to implement rule of reservation in favour of Scheduled Castes/Scheduled Tribes while making incharge arrangements for holding higher promotional posts and also to insert the words "with consequential seniority" in consonance with Article 16 4 (A) of Constitution of India (85th Amendment, Act, 2001) in the operative part of the G.O.Ms.No.5, Social Welfare (ROR.1) Department, dated. 14-2-2003.

3. In view of the above, and the circumstances reported by the Commissioner of Social Welfare, AP, Hyderabad in the letter third read above, Government, after careful examination of the matter, hereby decide to amend the G.O.Ms.No.5, Social Welfare (ROR.1) Department, dated 14-2-2003, to ensure implementation of rule of reservation in favour of Scheduled Castes /Scheduled Tribes in services effectively.

4. Accordingly, the following amendment is issued to the orders issued in G.O.Ms.No.5, S (SW.ROR.1) Dept., dated.14-2-2003.

A M E N D M E N T

In the said G.O.,

(1) for paragraph 4(a), the following shall be substituted, namely;

"(a) Reservation shall be implemented with consequential seniority in favour of Scheduled Castes and Scheduled Tribes in promotion in all

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categories of posts in all State Government Departments with immediate effect".

(2) after paragraph 4(g), the following shall be added, namely:-

"(h) For the purpose of achieving adequacy of Scheduled Castes /Scheduled Tribes in services, the Rule of Reservation in making incharge arrangements in exigencies of administration for holding higher promotional posts shall be followed, whenever such arrangements are made after obtaining relaxation of Rule 10 (h) of A.P. State and Subordinate Service Rules, 1996

Note: The incharge arrangements for holding higher promotional posts/ adhoc promotions already made by observing the rule of reservation in favour of Scheduled Castes / Scheduled Tribes shall be continued to achieve the objective of implementation of rule of reservation in favour of Scheduled Castes / Scheduled Tribes in services".

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

P. RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT.

To
All Departments of Secretariat, A.P., Hyderabad
All Heads of Departments.
All District Collectors.
Copy to the Registrar, A.P.High Court, Hyderabad.
Copy to the Registrar, Andhra Pradesh Administrative Tribunal, A.P., Hyd.
The Commissioner of Printing and Stationery, A.P., Hyderabad (with a request to print and furnish 400 copies)
P.S. to Chief Secretary to Government.
P.S. to Secretary to Government (Ser.), General Administration Dept..
P.S. to Secretary to Government, Law Department.
P.S. to Principal Secretary to Government, Social Welfare Department.
P.S. to Secretary to Government (TW), Social Welfare Dept.
P.S. to Principal Secretary to C.M.
P.S. to Special Secretary to C.M.,A.P., Hyderabad.
P.S. to Minister for Social Welfare, A.P., Hyderabad.
P.S. to Minister for Tribal Welfare, A.P., Hyderabad.
The General Administration (Ser.D) Department.
Copy to Law(J) Dept.
SF/SCs.

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SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh State & Subordinate Service Rules - Amendment to Rule-22-A - Orders - Issued.

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

G.O.Ms.No. 449

Dated:15-9-2009
Read the following:-

- 1) G.O.Ms.No.436, General Administration (Services-D) Department, Dated: 15.10.1996.
- 2) G.O.Ms.No.5, Social Welfare (ROR.1) Department, Dated:14.2.2003.
- 3) G.O.Ms.No.123, General Administration (Ser-D) Department, Dated:19.4.2003.
- 4) G.O.Ms.No.2, Social Welfare (ROR.1) Deptt., Dated: 9.1.2004.
- 5) From the Secretary, Andhra Pradesh Public Service Commission, Lr.No.924/RR/09, Dated:5-9-2009

ORDER:-

The following notification shall be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of Constitution of India, the Governor of Andhra Pradesh, hereby makes the following amendment to the Andhra Pradesh State and Subordinate Service Rules, 1996, issued in G.O.Ms.No.436, General Administration (Services-D) Department, dated the 15th October, 1996 as subsequently amended from time to time.

2. The amendment shall be deemed to have come into force on the 14th February. 2003.

AMENDMENT

In rule 22-A of the said rules, after sub-rule (3) the following shall be added, namely:-

“(4) In the matter of promotion and appointment by transfer involving promotion to posts for which women and men are equally suited and where the cadre strength of posts is more than five there shall be reservation to women to an extent of 33 1/3% in favour of Scheduled Castes and Scheduled Tribes.

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Provided that where no eligible women candidate is available to fill up the roster point earmarked to them, the vacancy shall be filled up with male SC/ST candidates as the case may be".

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

M. VEERABHADRAIAH
Secretary to Government (Services & HRM)

To
The Commissioner, Printing Stationery & Stores Purchase, Hyderabad
for publication of the notification in the A.P. Extraordinary Gazette,
with a request to supply 50 copies.
All Departments of Secretariat,
All Heads of Departments,
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad,
All District Collectors,
All Service Sections in the General Administration Department,
The Law(E)Department,
The PS to Chief Minister,
The PS to Chief Secretary,
Sc/Sf.

//Forwarded::By Order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Dept. for Women, Children, Disabled and Senior Citizens – Reservation of Posts in favour of Persons with Disabilities and Interchange among the 3 categories of Disabled Persons in accordance with PWD Act, 1995 & Order of APAT in OA No.9612 of 2009 dated 11-08-2010 – Revised - Orders – Issued.

DEPT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS (DW)

G.O.Ms.No.23

Dated: 26-05-2011
Read the following:-

- 1) G.O.Ms.No.115,WDCW & ((WH.Desk) Deptt.Dt.30-7-1991.
- 2) GO. Ms .No. 18, WD, CW & L Dept, dt:01-03-1994.
- 3) G.O.Ms.No.72 WD&CW (WH.Desk) Deptt.Dated 5-8-1997
- 4) G.O.Ms.No.112,WD&CW (WH) Deptt.dt.6-12-1997.
- 5) G.O.Ms.No.385, G.A.(Ser.D)Deptt.dt.18-11-2000.
- 6) G.O.Ms.No.52, WDCW & DW (DW) Deptt,dt.25-10-2002
- 7) G.O.Ms.No.41, WDCW&DW (DW) Deptt.dt.27-11-2003
- 8) G.O.Ms.No.252, G.A.(Ser.) Deptt.dt.28-8-2004.
- 9) Orders of A.P.A.T., Hyd dated 11-8-2010 in O.A.No.9612/09
- 10) From the Commissioner, Disabled Welfare, Hyderabad,
Letter.No.C1/3490/2010, dt.20-11-2010.

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O R D E R:-

Orders were issued in the reference 1st read above, fixing 3% reservation in favour of Handicapped persons in the ratio of 1:1:1 for the Blind, Deaf/ Dumb and Orthopedically Handicapped respectively. In the reference 3rd read above, orders were issued fixing roster points to the different categories of handicapped including women.

2. Based on the orders issued in the G.O.7th read above, General Administration (Ser.D) Department had issued orders fixing the roster points and amended the State and Subordinate Service Rules accordingly in the reference 8th read above.

3. According to rule 22 (2) (e) of the Andhra Pradesh State and Subordinate Service rules, 1996 as amended in G.O.Ms.No.252, G.A.(Ser.D) Department dated 28-8-2004, the 6th,31st and 56th points in each cycle of 100 vacancies shall be allotted to the Visually Handicapped, Hearing Handicapped and Orthopedically Handicapped persons respectively as stated above and where qualified and suitable candidates are not available from among them, the turn allotted for them in the unit referred to above shall be carried forward for three succeeding recruitment years. In the third succeeding recruitment year, if disabled candidates from any category are not available for appointment in the turn allotted, the vacancy shall be filled by next group of disabled in rotation by effecting interchange and the reservation shall cease thereafter.

4. Section 36 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation Act, 1995 (Central Act No.1 of 1996) provides that where in any recruitment year any vacancy under Section 33, cannot be filled up due to non availability of a suitable person with

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disability or, for any other sufficient reason, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also person with disability is not available, it may first be filled by interchanging among three categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability:

Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the three categories with the prior approval of the appropriate Government.

5. The Andhra Pradesh Administrative Tribunal, Hyderabad in its order in O.A.No.9612/2009, dated 11-08-2010 while allowing the said O.A. in part quashing the rule issued under G.O.ms.No.252, G.A.(Ser.D) Deptt.dt.28-08-2004 to the extent of prescribing the period of three years.

6. Government after careful examination of the matter and in consonance with the provisions of Section 36 of the PWD Act, 1995 (Central Act No.1 of 1996) and the aforesaid orders of the Andhra Pradesh Administrative Tribunal and in supersession of the orders issued in the references 1st to 7th read above, issue the following comprehensive orders:-

i) 3% of vacancies in case of Direct Recruitment for persons or class of persons with disability of which one per cent, each shall be reserved for persons suffering from:-

- a) blindness or low vision;
- b) hearing impairment;
- c) locomotor disability or cerebral palsy,

Provided that the Government may, having regard to the type of work carried on in any department or establishment, by notification subject to such conditions, if any, as may be specified in such notifications, exempt any establishment from the provisions of this reservation, as per the procedure prescribed at para (7) of this Order.

ii) Definitions of disabilities: Definitions of categories of disabilities for the purpose of reservations in posts shall be as stipulated in PWD Act.

iii) The reservation among the 3 categories of Persons with Disabilities i.e. Blindness or Low vision, Hearing Impairment and Locomotor Disability or Cerebral Palsy in three cycles and reservation for women among them shall be as follows:-

1 TO 100		
06 (Blindness or Low Vision) (Women)	31 (Hearing Impaired) (open)	56 (Locomotor Disability or Cerebral Palsy) (Open)

101-200		
106 (Blindness or Low Vision) (Open)	31 (Hearing Impaired) (women)	156 (Locomotor Disability or Cerebral Palsy) (Open)
201-300		
206 (Blindness or Low Vision) (Open)	231 (Hearing Impaired) (open)	256 (Locomotor Disability or Cerebral Palsy) (Women)

- iv) Where in any recruitment year, any vacancy cannot be filled up due to non availability of a suitable person with disability or, for any other sufficient reason as specified above, such vacancy shall be carried forward to the succeeding recruitment year for being filled from the same category. If in that year also qualified candidates of the same category are not available, the same shall be notified for being filled up by interchanging from among the three categories. Only when there is no person with disability of any of the 3 categories available for the post, the employer shall fill up the vacancy by appointment of a person, other than a person with disability.

Provided that if qualified women candidates are not available for the posts reserved for women, qualified male candidates of the same category of disabled may be appointed.

Illustration 1 for Para 6 (iv):-

- In the case of 6th roster point fixed for Blindness or Low Vision(Woman), if woman candidate with Blindness or Low Vision is not available in the initial recruitment year, the vacancy may be carried forward to the succeeding recruitment year for being filled up by woman with Blindness or Low Vision;
- If woman candidate with Blindness or Low Vision in that succeeding recruitment year also is not available, the same shall be notified inviting applications from male candidate also with Blindness or Low Vision. If male candidate with Blindness or Low Vision is also not available, the post may first be notified for Hearing impaired candidate (being next category in the roster) and if no such candidate comes forward it may be notified for locomotor disability or cerebral palsy (being the next category in the roster);
- Only when there is no person with disability of any of the 3 categories available for the post, the employer shall fill up the vacancy by appointment of a person other than a person with disability.
- For the other roster points reserved for women for remaining two categories of disabilities i.e. roster points 131, 256 the Same procedure explained at (a) to (c) above shall be followed.

Illustration 2 :-

- a) Similarly in the case of 31st roster point fixed for Hearing Impaired, if candidate with Hearing Impairment is not available in the initial recruitment year, the vacancy may be carried forward to the succeeding recruitment year for being filled up by a candidate who is Hearing Impaired.
- b) If candidate with Hearing Impairment in that succeeding recruitment year also is not available, the same shall be notified for being filled up by interchanging from among the remaining 2 (two) categories first by candidate with Locomotor Disability or Cerebral Palsy and then by Blindness or Low Vision (being next roster points)
- c) Only when there is no person with disability of any of the 3 categories available for post shall the employer fill up the vacancy by appointment of a person, other than a person with disability.
- d) For the other roster points reserved for three categories of persons with disabilities other than women i.e. roster points 56, 106, 156, 206 and 231 the same procedure explained above at (a) to (c) shall be followed.

7. When any department considers that it is not possible to provide reservation for any category of Persons with Disabilities or that the extent of reservation needs to be reduced or that the extent of disability needs to be specified, keeping in view the nature of duties to be performed by the employees in that particular department, the department may seek partial or full exemption from such reservation. Such exemption shall however be decided by the following Inter Departmental Committee:-

1	Secretary to Government, Department for Women, Children, Disabled and Senior Citizens	:	Chairman/ Chairperson
2	Commissioner, Department for the Welfare for Disabled and Senior Citizens	:	Convener
3	Secretary to Government, General Administration (Services) Department	:	Member
4	Director, Medical and Health Department	:	Member
5	Secretary to Govt., or his nominee of the department concerned who sought exemption	:	Member

8. These orders shall come into force with retrospective effect from 28-08-2004 i.e. issue of G.O.Ms.No.252, G.A.(Ser.D) Department, dated 28-08-2004. However, this amendment shall not have the effect of nullifying a benefit which has been granted or availed of under the Old Rules.

9. The General Administration (Ser.D) Department shall issue necessary amendments to the A.P. State and Subordinate Service Rules, 1996 accordingly.

10. All the Departments of Secretariat, Heads of Departments and all officers concerned are requested to implement the above orders.

11. This order is available on the Internet and can be accessed at the address <http://aponline.gov.in/apgos>.

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

M.CHAYA RATAN,
SPL.CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner,
Dept. for the Welfare of Disabled & Senior Citizens, Hyderabad.
All Departments of Secretariat
All Heads of Departments
All District Collectors
Director, Health, Hyd
All Officers concerned through their respective HODs
Commissioner, Information & Public Relations, Hyd with a request
to give wide publicity.
Copy to:
P.S. to Chief Secretary
P.S. to Spl.Secretary to C.M.
P.S. to Minister (IKP, Pensions,SHGs & WDCW&DW)
P.S. to Spl.C.S., Dept. for WCD & SC
P.S. to Secretary, G.A. (Ser)Department
P.S.to Secretary, Legal Affairs
S.F/S.Cs

//forwarded::by order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Department for Women, Children, Disabled & Senior Citizens - Public Services - Providing reservation in promotions to the Differently Abled employees - Orders - Issued.

DEPTT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS(DW)

G.O.Ms.No. 42

Dated:19-10-2011.
Read the following:-

1. G.O.Ms.No.115 WD CW & L(WH-Desk) Dept, dt.30.7.1991.
2. G.O.Ms.No.145, WDCW&L (WH.Desk) Dept.dt.28-8-1992.
3. G.O.Ms.No.5 Social Welfare (SW:ROR.I) Dept. dt.14-02-2003
4. G.O.Ms.No.21 Social Welfare (SW:ROR.I) Dept.dt. 18-03-2003
5. From the Commissioner, Disabled Welfare Dept, Hyd
Lr. No.S.II/867/2004, dated 05.08.2004 and 05.01.2006
6. G.O.Ms.No.23 Deptt. for Women, Children, Disabled & Sr.
Citizens, dated 26-05-2011.

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ORDER:-

Orders have been issued in the G.O. 1st read above, duly providing trifurcation of the 3% reservation for each of the categories of disabled as mentioned there in.

2. Government, while taking into consideration the representations received for providing reservation in promotion in favour of disabled employees and the orders issued by Government of India vide O.M.No.36035/B.09-Estt.(SC.I), dated 20.11.1985, and as a measure of encouragement, hereby order implementation of 3% reservation in promotions to the disabled employees as follows:-

- (i) Reservation in promotion in favour of disabled employees is applicable to all services of State Government where the cadre strength is more than five;
- (ii) The existing 100-point roster already prescribed under Rule 22 of the Andhra Pradesh State and Subordinate Service Rules by the State Government shall be followed in case of promotions also i.e. 6th ,31st & 56th;
- (iii) Reservation in promotion in favour of disabled employees shall be applicable to those candidates who are fully qualified and eligible to hold the post as per existing Rules and Guidelines;
- (iv) Reservation shall be implemented in favour of disabled employees in promotions to all the categories of posts in all State Government services except those exempted or may be exempted or as may be modified in pursuance of orders issued in the reference 6th read above.
- (v) (a) If any department considers that it is not possible to provide reservation in promotions for any category of Persons

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with Disabilities, keeping in view the nature of duties to be performed by the employees in that particular department, the department may seek partial or full exemption from such reservation in promotions, however such exemption or modification shall be decided by an Inter Departmental Committee as specified in the G.O. 6th read above;

(b) Departments who wish to seek exemptions may do so within (90) days from the date of issue of these orders during which period the Rule of Reservation shall not apply to such departments for the posts identified by them for exemption. The orders issued by the Committee thereafter shall be final and further action taken accordingly.

- (vi) While preparing the panels of eligible candidates for promotion, the names of eligible disabled 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 a disabled employee gets higher place in the eligible candidates list by virtue of their seniority in the feeder category he/she need not be adjusted in a lower position, which is earmarked for a disabled employee as per the roster system. Such roster point has to be filled up by moving up a disabled employee who is below in the seniority list in the feeder category. Filling up the roster points shall continue until the required percentage of disabled candidates is obtained. Once the required percentage is obtained by taking into account the candidate who are found in the list of the 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 disabled employees against the roster points has to be stopped. Unutilized roster points after the required disabled employee's percentage is met shall lapse.
- (vii) If required number of disabled employees is not available in the feeder category, the vacancies earmarked for disabled employees according to the roster will be carried forward as per orders issued from time to time as in case of Rule of reservation in promotion for SC/ST persons.

3. All Departments of Secretariat and Heads of Departments concerned are requested to issue necessary amendments to the A.P. State & Subordinate Service Rules 1996 and Spl. Rules of the respective Department wherever necessary for strict implementation of Rule of Reservation in promotions to the employees with disabilities in the State Government.

4. This order is available on the Internet and can be accessed at the address <http://aponline.gov.in/apgos>.

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

M.CHAYA RATAN,
Spl.Chief Secretary to Government

To
All the Departments of Secretariat, Andhra Pradesh, Hyderabad.

All Head of the Departments, Andhra Pradesh, Hyderabad.
All the District Collectors
The Secretary, A.P.P.S.C., Hyderabad
The Registrar, Andhra Pradesh High Court, Hyderabad.
The Registrar, Andhra Pradesh Administrative Tribunal, AP, Hyderabad.
All Registrars of all Universities in the State.
All the Managing Directors of Public Sector Undertaking in A.P.
The Commissioner, Printing, Stationary & Stores Purchase, Chanchalguda,
Hyderabad.
The State Commissioner for Persons with Disabilities & Senior Citizens
Welfare,
Hyderabad.
The President, Differently Abled Employees Welfare Association, A.P.,
Hyderabad.
Copy to: P.S. to Spl.Secretary to C.M.
P.S. to M (IKP, Pensions & SHGs & WCD&SC)
P.S. to Chief Secretary to Govt.
P.S. to Spl. Chief Secretary, Deptt. for WCD&SC
S.F./S.Cs

//FORWARDED: BY ORDER//

SECTION OFFICER

Roster Points at a glance

<i>ROR IN PROMOTIONS</i>			
SCs		STs	
02(W);	07; 16;	08 (W); 25; 33;	
22(W);	27; 41;	58 (W); 75; 83;	
47(W);	52; 62;	Differently Abled	
66(W);	72; 77;	06;	31; 56;
87(W);	91; 97;	(V)	(H) (P)
		O *	W O
		W*	O O
		O	O W
		(*) Amended vide G.O.Ms.No:3, Department for Women, Children, Disabled & Senior Citizens (Prog.II), dated 12-02-2015	

GOVERNMENT OF ANDHRA PRADESH
SOCIAL WELFARE (ROR) DEPARTMENT

Circular Memo.No:14721/ROR.1/2012

Dated:11-03-2013

Sub: SW - ROR - Carried forward vacancies - Carried forward vacancies filled up by the candidates from the feeder category by merit and Seniority - Filling up with SC/ST eligible candidates - Clarification - Issued - Regarding.

- Ref: 1. G.O.Ms.No:2, SW (ROR) Dept., dt:01-09-2004.
2. Govt.Memo.No:16224/Ser.I.2/2011, I&CAD Dept., dated 6-9-2011.
3. From I&CAD Dept., SC & ST Engineers' Welfare Association, Hyderabad representation dt:6-11-2012.

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Orders have been issued under para-13 of the G.O. 1st cited, stating that "In case qualified SC/ST candidates are not available for a particular panel year the vacancy shall be carried forward to the subsequent year. In the second year if SC/ST candidates are not available, the vacancies or points meant for SC/ST candidates may be filled up by candidates from the feeder category based on merit and seniority. The number of such vacancies meant for SC and ST should be carried forward and filled up first in the immediate subsequent year with SC/ST candidates".

2. In the reference 2nd cited, the I&CAD (Ser.I) Department with the concurrence of Social Welfare Department have clarified that if in the event of inadequacy, no eligible SC/ST candidate is available at the respective Roster Point, the SC/ST roster point has to be carried forward to the subsequent year and the number of such carried forward vacancies, have to be filled first in the immediate subsequent year with the SCs/STs. If, in the subsequent year also no eligible SC/ST candidates are available the carried forward vacancy has to be filled up with candidates from the feeder category based on merit and seniority. The carried forward roster point once filled, as per the merit and seniority will no more be available to anyone.

3. In the reference 3rd cited, the General Secretary, SC & ST Engineers Welfare Association, I&CAD Department, Hyderabad has represented that the clarification issued by the I&CAD Department with the concurrence of SW Department is causing a grave injustice to the SC & ST employees and therefore, requested to issue necessary revised clarification and do the needful justice to the SC & ST employees.

4. After careful examination of the entire issue in detail, it is further clarified that as per-13 of the G.O.Ms.No:2, SW (ROR) Department, dt:09-01-2004 as referred to at para (1) above, the carried forward vacancies in the 1st year and the vacancies meant for SCs & STs in the 2nd year which were filled up with the candidates from the feeder category by merit and seniority, shall be filled up first with SC/ST eligible candidates, if available in the 3rd year, to meet the inadequacy of representation and shown them in the available roster point, irrespective of their roster points in the previous years as the enabling provision of Art.16(4A) can be enforced till the inadequacy exists.

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5. All the Departments noted in the address entries are requested to follow the above clarification scrupulously to meet the inadequacy of representation of SC & ST candidates.

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

All the Departments of Secretariat (with a request to address all the HODs under their administrative control)

All District Collectors in the State.

Copy to:

The Commissioner of Social Welfare, A.P., Hyderabad.

The Commissioner of Tribal Welfare, A.P., Hyderabad.

The Secretary, A.P.S.W.R.F.I.S., Hyderabad.

The VC & MD., APSCCFC Ltd., Hyderabad.

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

The Secretary to C.C.L.A., A.P., Hyderabad.

The Finance (SMPC) Department.

The GA (Ser.A) Department.

SF/SCs

//Forwarded::By order//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Department for Women, Children, Disabled & Senior Citizens – Change of 6th Roster Point reserved for Blindness or Low Vision (Women) to Blindness or Low vision (Open) and 106th Roster Point reserved for Blindness or Low Vision (Open) to Blindness or Low Vision (Women) – Amendment – Orders – Issued.

DEPARTMENT FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS (PROG.II)

G.O.MS.No. 3

Dated:12-02-2015
Read the following:-

1. G.O.Ms.No.23, Dept. for Women, Children, Disabled & Sr. Citizens (DW), dt.26.05.2011.
2. Representation from the President, Visually Challenged Employees Association, Vijayawada, Krishna District. Dt.23.07.2012.
3. From the Director, Welfare of Disabled & Senior Citizens, Hyderabad, Lr.No.C2/3567/2012, dt.17.10.2012.

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O R D E R:

In the circumstances reported by the Director, Welfare of Disabled & Senior Citizens, Hyderabad in the letter 3rd read above, the Government hereby make the following amendments to the G.O.Ms.No.23, Department for Women, Children, Disabled & Senior Citizens (DW), Dated 26-05-2011.

A M E N D M E N T S

In the said G.O. in para 6, -

(1) under item (iii), in the Table thereunder,

- (a) In the cycle 1 to 100, under roster point 6, for the word, 'Women' the word 'open' shall be substituted.
- (b) In the cycle 101-200, under roster point 106, for the word 'open', the word 'woman' shall be substituted,

(2) (a) the "Illustration 1 for Para 6 (iv)", shall be read as "Illustration 2'.

- (b) In the Illustration 2 so amended, in clause (a), for the expression 'in the case of 6th roster point', the expression 'similarly in the case of 106th roster point' shall be substituted.

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- (3) (a) the ' Illustration 2', shall be read as, 'Illustration 1 for Para 6 (iv)'
- (b) In the Illustration 1 so amended,
(i) in clause (a), the word, 'similarly' shall be omitted.
(ii) for clause (d), the following clause shall be substituted namely:-

"(d) for the other roster points reserved for three categories of persons with disabilities other than women viz., Roster points 6, 56, 156, 206 and 231 the same procedure explained above at (a) to (c) shall be followed".

2. The General Administration (Ser.D) Department shall issue necessary amendments to the A.P. State & Subordinate Service Rules, 1996 accordingly.
3. All the Departments of Secretariat, Heads of Departments and all Officers concerned are requested to implement the above orders.

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

NILAM SAWHNEY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director, Welfare of Disabled & Sr. Citizens,
Vikalangula Samkshema Bhavan, Nalgonda 'X' Roads, Hyderabad.
All Departments of Secretariat All Heads of Departments.
All Dist. Collectors (through Director, WD&SC, AP, Hyderabad.)
The Director of Health, Andhra Pradesh, Hyderabad.
All Officers concerned through their respective HoDs.
The Commissioner, Information & Public Relations, Hyderabad - with a request to give wide publicity.

Copy to:

The P.S. to Chief Secretary.
P.S. to Prl. Secy. to CM
P.S. to Minister (WD&SC)
P.S. to Prl. Secy. to Govt. Dept. for WCD&SC
P.S. to Secretary to Govt. G.A.(Ser) Dept.
P.S. to Secretary, Legal Affairs.
The President, Visually Challenged Employees, Vijayawada, Krishna District.
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SERVICES.C) DEPARTMENT**

Memo.No.50/Ser.C/87-1,

Dated: 12-2-1987.

Sub:- Public Services – Personal files – Prompt Communication of adverse remarks – Further Instructions – Issued.

- Ref:-
1. G.O.Ms.No.1385, G.A. (Ser.C) Dept., dated. 31-10-1961.
 2. Memo.No.3232/Ser.C/64-2 Genl.Admn.Dept., dt:23-11-64.
 3. Memo.No.512/Ser.C/69-1, Genl.Admn.Dept., dt:12-3-1969.
 4. G.O.Ms.No.1269, Genl. Admn.(Ser.C) Dept., dt:27-12-1971.
 5. Memo.No.1647/Ser.C/72-1, Genl.Admn.Dept., dt:29-9-1972.
 6. Memo.No.2662/Ser.C/76-1, Genl.Admn.Dept.,dt:28-12-1976
 7. Memo.No.2509/Ser.C/77-1,Genl.Admn.Dept., dt:24-12-1977
 8. Memo.No.2049/Ser.C/77-1,Genl.Admn.Dept., dt:29-12-1977

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Detailed instructions have been issued in the G.O. 1st cited regarding preparation of Annual Confidential Reports and maintenance of Personal Files. Instruction 7 thereof (Extract in Annexure-A) prescribes a definite time schedule for preparation of the Annual Confidential Reports. While instruction 8 (ii) read with the Memo 7th cited envisages furnishing/obtaining annual certificates, instruction 9 requires that a register be maintained to watch the timely receipt of Confidential Reports and their final disposal (Instruction extracted in Annexure-5). Instruction 4 (Extracted in Annexure- C) lays down, the procedure to be followed in respect of unfavorable/ adverse remarks in the Annual Confidential Report. That apart, it has been made clear in the memoranda 2nd, 3rd, 5th, 6th and 8th cited that adverse remarks not communicated to the affected employee within the prescribed time limit cannot be taken into account while considering him for promotion etc.,

2. It has come to notice that in spite of availability of clear cut instructions on the subject, as stated above, neither the time schedule prescribed for the preparation of Annual Confidential Reports is strictly adhered to nor are adverse remarks communicated to the concerned within the prescribed time limit in many cases. This results in upsetting the programme of selections by the D.P.Cs. Further, as the adverse remarks, not communicated cannot be taken into consideration, the employees with adverse remarks are not only escaping the consequence thereof but at times have to be considered for promotions for promotions etc., depriving those with clean record of their legitimate chances.

3. The matter has since been reviewed by the Chief Secretary and it is decided that adherence to the instructions on preparation of Annual Confidential Reports and communication of adverse remarks should be ensured. It is also decided that any lapse either in the matter of adherence to the time schedule for preparation of Annual Confidential Reports or communication of adverse remarks should be viewed seriously and that while the officers responsible may let off with a warning for the first default of the kind, suitable disciplinary action should promptly be taken against them for recurrence of such lapses on their part. All inspecting officers should review

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this item of work thoroughly in the course of their inspection and record their specific remarks.

4. All the Departments of Secretariat and Heads of Departments are requested to keep in view the above instructions and bring them to the notice of all the concerned officers for strict compliance.

5. The receipt of this Memo. may be acknowledged.

**SATHINAIR,
SECRETARY TO GOVERNMENT.**

**GOVERNMENT OF ANDRHA PRADESH
ABSTRACT**

PUBLIC SERVICES – Departmental Promotion Committees – Consideration of
Proposals – Amendments to Guidelines – Issued.

GENERAL ADMINISTRATION (DPC-I) DEPARTMENT

G.O.Ms.No.550

**Dated: 19-11-1987.
Read the following:-**

1. G.O.Ms.No.187, Genl. Admn.(Ser-B)Department,
dated:25.4.1985.
2. G.O.Ms.No.456, Genl. Admn.(DPC-I)Department,
dated:15.9.1987.

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O R D E R:

In the context of preparation of panels for promotion by the Departmental Promotion Committees, the following decision have since been taken:-

1. the Zone of Consideration be liberalized to six times the number of vacancies instead of the present criteria laid down in the G.O. first read above; and
2. to increase the scrutiny of Confidential Reports for promotion from 5 years as laid down in the G.O. first read above, to 10 years provided they relate to the feeder category. Where, however, an officer has not rendered 10 years of service in the feeder category, evaluation of the Confidential Reports of the last 5 years would be adequate to assess the suitability of such officer for promotion.

Accordingly, the following amendments are issued to paras 5 and 8 of the G.O. first read above.

1. For the existing para 5, the following paragraph shall be substituted:-

"in accordance with the recommendations of the Committee and subsequent decision taken in the matter, the zone of consideration for selection of Officers by the Committees shall be 6(six) times the number of vacancies'.

2. For the existing para 6, the following paragraph shall be substituted:-

Number of years for which confidential Reports should be considered

"It has been decided that evaluation of the Confidential Reports of the last 10 years be made to assess the suitability of the person for promotion, provided they relates to the feeder category, where, however, an Officer has not rendered 10 years of service in the feeder category, evaluation of

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Confidential Reports of the last 5 years would be adequate to assess the suitability of such officer for promotion”.

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

SHRAVAN KUMAR
CHIEF SECRETARY TO GOVERNMENT

GOVERNMENT OF ANDRHA PRADESH
ABSTRACT

PUBLIC SERVICES - Criteria for promotion in Services - Revised orders - issued.

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

G.O.Ms.No.4

Dated: 3rd January, 1990.
Read the following:-

1. G.O.Ms.No.187, General Administration (Services-B) Department, Dated 24-4-1985.
2. G.O.Ms.No.530, General Administration (Services-D) Department, Dated 2-11-1987.
3. G.O.Ms.No.686, General Administration (DPC-I) Department, Dated 17-12-1988.
4. G.O.Ms.No.144, General Administration (Services-C) Department, Dated 13-3-1989.

O R D E R:

In pursuance of the orders issued in the G.O. first read above an amendment to General Rule 4(a)(1)(i) has been issued in the G.O. second read above, according to which all first appointments to a State Service and all Promotions/appointment by transfer in that service shall be made on the grounds of merit and ability, seniority being considered only where merit and ability are approximately equal by the appointing authority from the list of approved candidates. Such list shall be prepared in the order of preference by the appointing authority or any other authority empowered in this behalf in the following gradation:

- 1) outstanding;
- 2) very good
- 3) good; and
- 4) satisfactory

Various service Associations have represented against the produce of gradation and alleged that it brings in an element of discrimination and encourages favoritism and nepotism. The matter was discussed at the meeting of Secretaries to Government held on 8-12-1989 where in it was recommended to revert to the position obtaining prior to issue of the G.O. first read above.

2. The Government after consideration of all the aspects have decided to accept the above recommendation and hereby order that:

- 1) All promotions/appointment by transfer to the non-gazetted posts shall be on the basis of seniority-cum-fitness;
- 2) All first appointments to a State service and all promotions/appointment by transfer in that service shall be on the basis of the principle and procedure followed prior to the issue of the G.O. first read above;

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- 3) The zone of consideration, the principle of grading and preparation of half yearly panels shall be dispensed with. However, the Centralized Departmental Promotion Committees at the two highest level constituted in the G.O. first read above shall continue.

3. The orders issued earlier in the references first to fifth read above which are not consistent with these orders should be deemed to have been modified to the extent necessary.

4. Necessary amendments to the Andhra Pradesh State and Subordinate Services Rules and orders for inclusion of the column for fitness in the Record sheet for non-gazetted officers will be issued separately. The Departments of Secretariat are requested to issue amendments, wherever necessary, to the special/Adhoc Rules with which they are concerned.

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

G.R.NAIR
CHIEF SECRETARY TO GOVERNMENT

GOVERNMENT OF ANDRHA PRADESH
ABSTRACT

PUBLIC SERVICES – Departmental Promotion Committees – Amendment to Guidelines – issued.

GENERAL ADMINISTRATION (DPC-DESK-I) DEPARTMENT

G.O.Ms.No.291

Dated: 3-4-1990.
Read the following:-

1. G.O.Ms.No.187, General Administration (Services-B) Department, Dated 25-4-1985.
2. G.O.Ms.No.550, General Administration (DPC-I) Department, Dated 19-11-1987.
3. G.O.Ms.No.4, General Administration (Services-D) Department, Dated 3-1-1990.

O R D E R:

Orders were issued in the G.Os. first and second read above for evaluation of the confidential reports of the last 10 years to assess the suitability of a person for promotion, provided they relate to the feeder category. When, however, an officer has not rendered 10 years of service in the feeder category, evaluation of confidential reports of the last 5 years would be adequate to assess the suitability of such officer for promotion.

In the G.O.3rd read above, orders have been issued dispensing with the Zone of consideration, the principle of grading and preparation of half yearly panels.

In view of the orders issue in the G.O. 3rd read above dispensing with the principle of grading the matter for evaluation of C.Rs. for equal number of years in respect of the officers who are under consideration for promotion was under active consideration Government have decided to adopt the guidelines on Confidential Reports issued by the Government of India in the Ministry of Public Grievances and Pension in Memo.No.22011/5/86-Esst. (D) dated 10-6-1989 with suitable modifications.

Accordingly, the following amendment is issued to para 8 of the G.O. first read above, as amended in G.O. second read above.

AMENDMENT

For the existing para 8, the following paragraph shall be substituted:-

Number of years for which confidential Reports should be considered:-

(a) The Departmental Promotion Committee should consider Confidential Reports for equal number of years in respect of all Officers considered for promotion;

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(b) The Departmental Promotion Committee should assess the suitability of the Officers for promotion on the basis of their service record and with particular reference to the Confidential Reports for five preceding years. However, in cases where the required qualifying service is more than 5 years, the Departmental Promotion Committee should see the record with particular reference to the Confidential Reports for the years equal to the required qualifying service. (If more than one Confidential Report has been written for a particular year, all the Confidential Reports for the relevant year shall be considered together as the Confidential Report for one year.)

(c) Where one or more Confidential Reports have not been written for any reason during the relevant period, the Departmental Promotion Committee should consider the Confidential Reports of the years preceding the period in question and if in any case even these are not available, the Departmental Promotion Committee should take the confidential Reports of the Lower grade into account to complete the number of Confidential Reports required to be considered as per (b) above. If this is also not possible, all the available Confidential Reports should be taken into account. In the case of an Officer who is a direct recruit to a post in the feeder category and who is having less than 5 years service, Confidential Reports of not less than three years should be taken into account.

(d) Where an officer is officiating in the next higher grade and has earned Confidential Reports in that grade, his Confidential Reports in that grade may be considered by the Departmental Promotion Committee in order to assess his work, conduct and performance, but no extra weight age may be given merely on ground that he has been officiating in the higher grade.

(e) The Departmental Promotion Committee should not be guided merely by the overall grading, if any, that may be recorded in the Confidential Reports but should make its own assess on the basis of the entries in the Confidential Reports.

(f) If the Reviewing authority or the Accepting authority as the case may be has ever-ruled the Reporting Officer or the Reviewing authority as the case may be, the remarks of the latter authority should be taken as the final remarks for the purpose of assessment provided it is apparent from the relevant entries that the higher authority has come to a different assessment consciously after due application of mind. If the remarks of the Reporting Officer, Reviewing authority and Accepting authority are complementary to each other and one does not have the effect of over ruling the other, then the remarks should be read together and the final assessment made by the Departmental Promotion Committee.

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

G.R.NAIR
CHIEF SECRETARY TO GOVERNMENT

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER-C) DEPARTMENT

U.O.Note No.91290/Ser-C/2006

Dated 7-12-2006

Sub: Public Services - Personal Files - Writing and submission of
Personal Files in time - Further Instructions - Issued.

- Ref: 1. G.O.Ms.No.1385, G.A. (Ser.C) Dept., dt.31.10.1961.
2. U.O.Note No.583/AR&T.III/89-34, GAD dt:30.1.1990.
3. Memo No.156/Ser.C/90-1, G.A. (Ser.C) Dept., dt:
21.2.1990.
4. G.O.Ms.No.144, G.A. (Ser.C) Dept., dt: 25.4.1998.
5. G.O.Ms.No.145, G.A. (Ser.C) Dept., dt: 25.4.1998.

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In the G.O. first cited, certain consolidated instructions were issued for maintenance and scrutiny of confidential reports. Subsequently, these instructions were amended from time to time in the reference 2nd to 5th cited among others.

2. Over the period, it has been noticed that the Departments of Secretariat are not following the instructions on maintenance of Confidential Reports strictly. The confidential reports of the Section Officers, Private Secretaries, Asst. Section Officers etc., are not being received by the General Administration (Single Unit) Department in specified time inspite of repeated reminders and personal persuasion and this delay is causing delay in preparation of panels for promotion to the next higher post. In some cases the individuals are bringing their Confidential Reports personally at 11th Hour before finalization of panels for promotion. Non Implementation of specific instructions of the General Administration (Services) Department in the matter by the OP Sections in the Department is not only an unhealthy and undesirable practice but it also hampers the administrative work. This unhealthy practice defeats the very purpose of the maintenance of Confidential Reports.

3. To overcome these above problems, it is decided to issue the following instructions while reiterating the earlier instructions and making some modifications to enable the General Administration Department to keep the record of Confidential Reports updated from time to time:-

- i) the Section Officer/Asst. Section Officer of the OP Section in the Department shall send the Blank Confidential Reports in duplicate duly filling the name and designation of the officer specifying the year of C.R. to the first reporting officer under confidential/sealed cover by 15th April of the year. In case of non-submission by the concerned staff member within the above specified time, the first reporting officer shall record his observations and initiate the submission of CR suo-moto.
- ii) the first reporting officer will forward the report with his/her remarks by the 30th April to the next higher authority. The next higher authority shall counter sign the C.Rs received by

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him/her and return to the OP Section of the concerned Department within a week's time of its receipt.

- iii) a copy of such C.Rs counter signed by the Officers should reach the concerned Deputy Secretary of General Administration (Single Unit-IV) Department under Confidential/Sealed covers by 31st May of every year. Another duplicate copy of the C.R. shall be kept in the records of the OP Section of the concerned Department.
- iv) it is the responsibility of the S.Os/ASOs of the OP Section in the Department to furnish the C.Rs to General Administration (SU) Department within the prescribed time i.e., by 31st May of every year.
- v) the Asst. Secretary to Government of concerned OP Section shall ensure that all the C.Rs of the Department are furnished to the General Administration (SU) Department within the prescribed date.

4. All Departments of Secretariat under the control of Single Unit are requested to follow the above instructions scrupulously.

J. HARINARAYAN,
CHIEF SECRETARY TO GOVERNMENT

To
All Departments in Secretariat (Except Finance and Law Department)
Copy to: The P.S. to Chief Secretary,
All the PS to Spl. C.S./Prl.Secys./Secretaries to Govt. of all
Departments of Secretariat.
The G.A. (SU.I, II, III, IV, V) Department.
SF/SC.

//Forwarded::By Order//

SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (DPC.I) DEPARTMENT**

U.O.Note No.17290/DPC.I/2011-1,

Dated: 9-6-2011

Sub: G.A. (DPC) Deptt., - Departmental Promotion Committee / Screening Committee for preparation of panels for promotion to the third, fourth, fifth level and above gazetted posts - Annual Confidential Reports - Certain instructions - Regarding.

Ref: G.O.Ms.No.187, G.A. (Ser.B) Department, Dt.25-4-1985.

The attention of all the Departments of Secretariat is invited to the subject cited and it is to inform that while furnishing proposals to the G.A. (DPC) Department for preparation of panels for promotion to the 3rd, 4th and 5th level and above gazetted posts in the State, most of the Departments are not furnishing the ACRs in the prescribed proforma alongwith original ACRs. Hence, it is necessitated to issue following instructions regarding the ACRs:-

1. ACRs in original for 5 years prior to the panel year should be furnished to the G.A. (DPC) Department alongwith proposals.
2. The Department shall furnish the grading of the individuals in prescribed proforma as illustrated in the annexure. The proforma should be attested by the officer not below the rank of Deputy Secretary to Govt.
3. The Department shall furnish ACRs of previous years prior to 5 years in case of non availability of ACRs in any year within the 5 years spell prior to the panel year and that should be taken into consideration where the ACRs are not available. The Administrative Department have to indicate the reasons with regard to non availability of ACRs and also to furnish a Special Assessment Report duly specifying the performance of the officer concerned for the particular period.
4. The Department shall invariably indicate whether any adverse remarks are recorded against any officer, if adverse remarks are recorded, they should indicate whether the same were communicated to officer concerned and whether such adverse remarks are expunged or not, if expunged furnish a copy of orders.

2. All the Departments of Secretariat are requested to adhere to the instructions issued in the matter, wherever necessary, and furnish the information in the prescribed proforma as shown in the annexure to DPC/Screening Committee along with proposals for preparation of panels.

**S.V. PRASAD,
CHIEF SECRETARY TO GOVERNMENT**

To

All Special Chief Secretaries / Principal Secretaries / Secretaries to Govt., Departments of Secretariat.

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Copy to:

All Heads of Departments.
The PS to Chief Secretary to Government.
The PS to Secretary to Government (Ser), GAD.
The GA (SC.F) Department.
The GA (Ser.D) Department.
SF/SCs

// FORWARDED :: BY ORDER //

SECTION OFFICER

(P.T.O. FOR ANNEXURE)

ANNEXURE TO THE U.O.NOTE NO.17290/DPC.I/2011-1,DATED: 9-6-2011

ILLUSTRATION

Brief extracts of ACRs of _____ in _____ Department for promotion in the
category of _____, for the panel year **2010-11**

Sl. No.	Name of Officer S/Sri/Smt.	2005-06	2006-07	2007-08	2008-09	2009-10
1	X	GOOD	SAT	OS	VG	SAT
2	Y	ADVERSE REMARKS RECORDED (communicated)	ADVERSE REMARKS RECORDED (EXPUNGED VIDE G.O....)	OS (PARTLY FOR 3 MONTHS) VG (PARTLY FOR 3 MONTHS) Furnish S.A.R	VG (PARTLY FOR 6 MONTHS) Furnish S.A.R	Not available Furnish S.A.R
3	Z	SAT (PARTLY FOR 3 MONTHS) GOOD (2002-03)	NOT AVAILABLE VG (2004-05)	VG (PARTLY FOR 5 MONTHS) GOOD (PARTLY FOR 7 MONTHS)	OS	OS

OS = Outstanding; VG = Very Good; SAT = Satisfactory;

S.A.R= Special Assessment Report

Attested by officer not below the rank of Deputy Secretary to Govt.,

**S.V. PRASAD,
CHIEF SECRETARY TO GOVERNMENT**

// ATTESTED //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.C) DEPARTMENT

Circular Memo.No.10789/Ser.C/A2/2012-1

Dated 9-4-2012.

Sub: Public Services – Personal Files – Annual Confidential Report of
Gazetted Officers/Non-Gazetted Officers – Modified format –
Orders – Issued –Instructions reiterated – Regarding.

- Ref: 1. G.O.Ms.No.144, General Administration (Ser.C) Dept.,
dated 25-4-1998.
2. G.O.Ms.No.145, General Administration (Ser.C) Dept.,
dated 25-4-1998.
3. G.O.Ms.No.87, General Administration (Ser.C) Dept.,
dated 24-3-2003.
4. G.O.Ms.No.580, General Administration (Ser.C) Dept.,
dt.12-10-2011.
5. Memo.No.428/Ser.C/A2/2011-2, General Administration
(Ser.C) Dept., Dated 12-10-2011.

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In the G.Os 1st and 2nd read above, orders were issued modifying the format of Annual Confidential Reports of Gazetted Officers/Non Gazetted Officers. In the G.O. 3rd cited, orders were issued duly adding a column to the existing modified Annual Confidential Reports to intimate "Date of submission of Annual Property Returns Statement pertaining to the year ____" in Part-II of Form-A as Item-10(a) in Gazetted Officers format and as Item-15(a) in Non-Gazetted Officers format; and in the Govt.Memo.5th cited, all the Departments of Secretariat, Heads of Departments and District Collectors were requested to follow the format of Annual Confidential Reports as modified in G.O. 3rd cited and bring it to the notice of all the concerned for strict implementation.

2. In the G.O. 4th cited, orders were issued adding the words "Date of submission of Annual Property Returns and Signature of the individual" in Part-I of Form-A as Sl.No.4 to the existing modified Annual Confidential Reports for both Gazetted and Non-Gazetted Officers; and directed all the Departments of Secretariat, Heads of Departments and District Collectors to bring this format to the notice of all concerned to follow scrupulously.

3. In spite of the above specific instructions, it has come to the notice of the Government that some of the Departments are still using old formats of Annual Confidential Reports for both the Gazetted and Non-Gazetted Officers.

4. Therefore, all the Departments of Secretariat, Heads of Departments and District Collectors are once again requested to strictly follow the format of Annual Confidential Reports modified in G.Os 1st to 4th cited and bring it to the notice of all the concerned for strict implementation of the above instructions. (Format of Part-I of Form-A and Part-II of Form-A in respect of Gazetted and Non-Gazetted Officers are enclosed for ready reference).

B. VENKATESWARA RAO,
SECRETARY TO GOVERNMENT. (SERVICES & HRM)

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