

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Andhra Pradesh State and Subordinate Service Rules, 1996 - Implementation of Horizontal Reservation to Women, Persons with Benchmark Disabilities, Ex-Servicemen and Meritorious Sportspersons in the matter of direct recruitment and promotions and Amendments to Rule- 22 - Orders/Notification - Issued.

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

G.O.Ms.No.77

Dated The 2nd August, 2023
Read the following:-

1. Judgment, dated 28 July, 1995 of the Hon'ble Supreme Court of India, New Delhi in the Anil Kumar Gupta, Etc vs State Of Uttar Pradesh And Ors on Equivalent citations: 1995 SCC (5) 173, JT 1995 (5) 505 .
2. Judgment, dated 18.7.2007 of the Hon'ble Supreme Court of India, New Delhi, in Rajesh Kumar Daria Vs. Rajasthan Public Service Commission (2007(8)(SCC 785).
3. Judgment, dated 03.06.2010 of the Hon'ble Supreme Court in Public Service Commission, Uttaranchal vs. Mamta Bisht (2010(12) SCC 204).
4. Order, dated 07-11-2022 of the Hon'ble Supreme Court of India, New Delhi, in Writ Petition (Civil) No. 55 of 2019, Janhit Abhiyan Versus Union of India.
5. G.O.Ms.No.436, G.A. (Ser.D) Deptt., dated 15-10-1996.
6. G.O.Ms.No.175, Home (Genl.C) Deptt., dated 10-02-2005.
7. G.O.Ms.No.310, G.A. (Ser.D) Deptt., dated 19.7.2005.
8. G.O.Ms.No.23, Dept. for WCDA&SC (DW), dated 26.05.2011.
9. G.O.Ms.No.42, Dept. for WCDA&SC (DW), dated 19.10.2011.
10. G.O.Ms.No.74, Youth, Advancement, Tourism and Culture (Sports) Department, dated 9.8.2012.
11. G.O.Ms.No.99, G.A. (Ser.D) Deptt., dated 04.03.2013.
12. G.O.Ms.No.40, Dept. for WCDA&SC (Prog.II), dated 25.07.2016.
13. G.O.Ms.No.17, Youth, Advancement, Tourism and Culture (Sports&YS) Department, dated 9.8.2017.
14. G.O.Ms.No.188, G.A. (Ser.D) Deptt. dated 18.12.2017.
15. G.O.Ms.No.13, G.A. (Ser.D) Deptt., dated 23.01.2018.
16. G.O.Ms.No.63, G.A. (Ser.D) Deptt., dated 17.04.2018.
17. G.O.Ms.No.60, B.C. Welfare (F) Deptt, dated 27.7.2019.
18. G.O.Ms.No.2, Dept. for WCDA&SC, dated 19.02.2020.
19. Judgement dated 05.03.2021 of the Hon'ble Court of Andhra Pradesh in W.P. 23770 of 2017 and batch cases.
20. G.O.Ms.No.65, G.A.(Ser.D) Deptt., dated 14.7.2021.
21. G.O.Ms.No.66, G.A.(Ser.D) Deptt., dated 14.7.2021.
22. G.O.Ms.No.73, G.A.(Ser.D) Deptt., dated 4.8.2021.

23. G.O.Ms.No.121, G.A.(Ser.D) Dept. dated 12.10.2022.
24. G.O.Ms.No.140, G.A.(Ser.D) Dept., dated 16.11.2022.
25. G.O.Ms.No.36, G.A.(Ser.D) Dept., Dated 29.03.2023.
26. From the Prl. Secretary to Govt., Social Welfare Department and Chairperson of the Committee to study Horizontal Reservations Lr.No.1841934/PESHI/2023, dated 10.04.2023.

ORDER:

(I) Background

In the judgment first read above, the Hon'ble Supreme Court of India, New Delhi, in Anil Kumar Gupta, Etc vs State Of Uttar Pradesh And Ors on Equivalent citations: 1995 SCC (5) 173, JT 1995 (5) 505 has disposed of the case with the following directions:-

"..... Now, coming to the correctness of the procedure prescribed by the revised notification for filling up the seats, it was wrong to direct the fifteen percent special reservation seats to be filled up first and then take up the O.C. (merit) quota (followed by filling of O.B.C., S.C. and S.T. quotas). The proper and correct course is to first fill up the O.C. quota (50%) on the basis of merit: then fill up each of the social reservation quotas, i.e., S.C., S.T. and B.C; the third step would be to find out how many candidates belonging to special reservations have been selected on the above basis. If the quota fixed for horizontal reservations is already satisfied - in case it is an over-all horizontal reservation - no further question arises. But if it is not so satisfied, the requisite number of special reservation candidates shall have to be taken and adjusted/accommodated against their respective social reservation categories by deleting the corresponding number of candidates there from. (If, however, it is a case of compartmentalised horizontal reservation, then the process of verification and adjustment/accommodation as stated above should be applied separately to each of the vertical reservations. In such a case, the reservation of fifteen percent in favour of special categories, overall, may be satisfied or may not be satisfied.) Because the revised notification provided for a different method of filling the seats, it has contributed partly to the unfortunate situation where the entire special reservation quota has been allocated and adjusted almost exclusively against the O.C. quota.

"In this connection, we must reiterate what this Court has said in Indra Sawhney. While holding that what may be called "horizontal reservation" can be provided under clause (1) of Article 16, the majority judgment administered the following caution in para 744: "(B)ut at the same time, one thing is clear. It is in very exceptional situation - and not for all and sundry reasons - that any further reservations of whatever kind, should be provided under clause (1). In such cases, the State has to satisfy, if called upon, that making such a provision was necessary (in public interest) to redress the specific situation. The very presence of clause (4) should act as a damper upon the propensity to create further classes deserving special treatment. The reason for saying so is very simply. If reservations are made both under clause (4) as well as under (1), the vacancies available for free competition as

well as reserved categories would be correspondingly whittled down and that is not a reasonable thing to do". Though the said observations were made with reference to clauses (1) and (4) of Article 16, the same apply with equal force to clauses (1) and (4) of Article 15 as well. In this case, the reservation of fifteen percent of seats for special categories was on very high side. As pointed out above, two categories out of them representing six percent out of fifteen percent are really reservations under Article 15(4), wrongly treated as reservations under Article 15(1). Even otherwise, the special reservation would be nine percent. The respondents would be well advised to keep in mind the admonition administered by this Court and ensure that the special reservations (horizontal reservations) are kept at the minimum.

"Having pointed out the errors in the rule of reservation and its implementation, the question arises what should be done now? Should we interfere with the admissions already finalised? We think it inadvisable to do so. It may be remembered that the admissions now finalised (in June- July, 1995) are really the admissions which ought to have been finalised one year back. The delay has occurred on account of the first faulty notification (issued on May 17, 1994). When a writ petition was filed in this court - probably some writ petitions in the High Court also - the Government realised its mistake and issued the revised notification on December 17, 1994. It dropped the reservation in favour of women in stages. The University had then to issue a corrigendum asking the special category candidates to indicate their social status. This was a delayed exercise which ought to have been undertaken at the beginning itself. Even the manner in which the seats have been filled up, as indicated above, is faulty. What we have laid down herein is more for the purpose of future guidance for the respondents. At the same time, we have to rectify the injustice done to the open competition candidates in the admissions in question, to the extent feasible. Accordingly, we direct that in the matter of admissions made pursuant to C.P.M.T.1994, while the admissions already finalised shall not be disturbed, the Uttar Pradesh Government shall create thirty four additional seats in the M.B.B.S. course and admit thirty four students from the O.C. category against those seats. If any seats are vacant as on today, they shall also be filled from the O.C. category alone. (It is made clear that O.C. category means the merit list and no distinction shall be made among the candidates in the O.C. list on the basis of their social status because it is well settled that even a S.T./S.C./O.B.C. candidate is entitled to obtain a seat in the O.C. category on the basis of his merit.) The counsel for the petitioners complain that fifty four students belonging to O.C. category have been deprived on account of respondents' faulty actions and that it should be directed to be made up. We cannot agree. The factual basis of this submission is debatable in view of the ambiguity mentioned hereinbefore. We have directed creation of thirty four seats (making a total of 780 seats this year) having regard to all the facts and circumstances of the case. This creation of additional seats is restricted to current admissions only and shall not be a permanent feature. The Uttar Pradesh Government/concerned authorities shall allocate the said thirty four additional seats appropriately among the government medical colleges and make admissions thereto as early as possible.

"We hope and trust that the respondents will ensure that a similar situation does not arise for the ensuing admissions.

"The writ petitions are disposed of with the above terms. No costs".

2. In the judgment second read above, the Hon'ble Supreme Court in *Rajesh Kumar Daria Vs. Rajasthan Public Service Commission and others* has disposed of the case as follows:-

".....In the Judgement read above, the Supreme Court, in Rajesh Kumar Daria Vs. Rajasthan Public Service Commission [2007(8) SCC 785] held that, 'Social reservations in favour of SC, ST and OBC under Article 16(4) are 'vertical reservations'. Special reservations in favour of physically handicapped, women, etc. under Articles 16(1) or 15(3) are 'horizontal reservations''. Where a vertical reservation is made in favour of a Backward Class under Article 16(4), the candidates belonging to such Backward Class, may compete for non-reserved posts and if they are appointed to the non-reserved posts on their own merit, their number will not be counted against the quota reserved for the respective Backward Class. Therefore, if the number of SC candidates, who by their own merit, get selected to open competition vacancies, equals or even exceeds the percentage of posts reserved for SC candidates, it cannot be said that the reservation quota for SCs stood filled. The entire reservation quota will be intact and available in addition to those selected under open competition category.

" But the said principle applicable to vertical (social) reservations, will not apply to horizontal (special) reservations. Where a special reservation for women is provided within the social reservation for SCs, the proper procedure is first to fill up the quota for SCs in order of merit and then find out the number of candidates among them who belong to the special reservation group of 'Scheduled Caste Women'. If the number of women in such list is equal to or more than number of special reservation quota, then there is no need for further selection towards the special reservation quota. Only if there is any shortfall, the requisite number of Scheduled Caste Women shall have to be taken by deleting the corresponding number of candidates from the bottom of the list relating to Scheduled Castes".

3. In the judgment third read above, the Hon'ble Supreme Court in *Public Service Commission, Uttaranchal vs. Mamta Bisht (2010(12) SCC 204)* has disposed of the case with the following directions:-

" But the aforesaid principle applicable to vertical (social) reservations will not apply to horizontal (special) reservations. Where a special reservation for women is provided within the social reservation for Scheduled Castes, the proper procedure is first to fill up the quota for Scheduled Castes in order of merit and then find out the number of candidates among them who belong to the special reservation group of "Scheduled Caste women". If the number of women in such list is equal to or more than the number of special reservation quota, then there is no need for further selection towards the special reservation quota. Only if there is any shortfall, the requisite number of Scheduled Caste women shall have to be taken by deleting the corresponding number of candidates from the bottom of the list relating to Scheduled Castes. To this extent, horizontal (special) reservation differs from vertical (social)

reservation. Thus women selected on merit within the vertical reservation quota will be counted against the horizontal reservation for women." (Emphasis added)

14. In view of the above, it is evident that the judgment and order of the High Court is not in consonance with law laid down by this Court in *Rajesh Kumar Daria* (supra). The judgment and order impugned herein is liable to be set aside and all consequential orders become unenforceable and inconsequential.

"Thus, appeals succeed and are allowed. Judgment and order of the High Court dated 26.10.2005 passed in Writ Petition no.780/2003 (M/B) is hereby set aside. No costs"

4. In the light of the above judgements given by Hon'ble Supreme Court of India, it became necessary for the Government to examine the existing policies of Horizontal reservations, an amendment to the Rule 22 of AP State and Subordinate Rules, 1996 and thereby issue detailed operational guide lines.

5. In the judgment fourth read above, the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 55 of 2019, *Janhit Abhiyan Versus Union of India* vide its order dated 07.11.2022 has disposed of the case with following directions:-

"In view of the decision rendered by the majority consisting of Hon'ble Mr. Justice Dinesh Maheshwari, Hon'ble Ms. Justice Bela M. Trivedi and Hon'ble Mr. Justice J.B. Pardiwala, the challenge raised to 103rd Amendment to the Constitution fails and the decision rendered by Hon'ble Mr. Justice S. Ravindra Bhat remains in minority.

"Consequently, the Writ Petitions and other proceedings stand disposed of".

(II) Extracts of Existing Policies of Horizontal Reservations.

i) In the G.O. fifth read above, Andhra Pradesh State and Subordinate Service Rules, 1996 have been issued.

ii) In the G.O. sixth read above, orders have been issued allotting the following Roster points to Ex-Servicemen for the direct recruitment:

"RP No.13 & RP No.37

Out of 13 and 37 roster points for ex-servicemen, whether proviso can be made for giving preference to one of the two points for women and if not available, both the points with men may also be looked into."

iii) In the G.O. seventh read above; orders have been issued amending Rule-22 of A.P.State and Subordinate Service rules, 1996 as follows:

"In the case of appointments to a post referred to in sub-rule © 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".

- iv) In the G.O. eighth read above, orders have been issued providing 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. It was also ordered 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, duly placing the proposal before the Inter Departmental Committee headed by the Secretary, Department for Women, Children, Differently Abled and Senior Citizens.
- v) In the G.O. eleventh read above, orders have been issued amending Rule 22 of the A.P. State and Subordinate Service Rules, 1996 as follows:-

"In rule-22 of the said rules, in sub-rule (2) in clause (e),--

- (1) for the existing order of rotation points 6th, 31st and 56th, the following shall be substituted, namely,-

"6. Blindness or Low Vision (women)
31. Hearing Impaired (Open)
56. Locomotor Disability or Cerebral Palsy (Open)"

- (2) in the proviso, for item (ii), the following shall be substituted namely,

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

"106. Blindness or Low Vision (Open)
131. Hearing Impaired (Women)
156. Locomotor Disability or Cerebral Palsy (Open)"

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

"206. Blindness or Low Vision (Open)

231. Hearing Impaired (Open)

256. Locomotor Disability or Cerebral Palsy (Women)"

The 6th, 31st and 56th turns in each cycle of hundred(100) vacancies shall be allotted to the Blindness or Low Vision (Visually Handicapped), Hearing Impaired (Hearing Handicapped) and Locomotor Disability or Cerebral Palsy (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 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 vacancy shall be filled up by the employer 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 men candidates of the same category of disabled may be appointed."

- vi) In the G.O. ninth read above, orders have been issued providing 3% reservations in promotions for each of the categories of disabled, i.e. 6th, 31st and 56th Roster Points prescribed under Rule 22 of the Andhra Pradesh State and Subordinate Service Rules.
- vii) In the G.O. fourteenth read above, orders have been issued amending Rule 22 of the A.P. State and Subordinate Service rules, 1996 as follows:-

"In rule 22, of the said rules;

- (1) *In sub-rule (1) in clause (ii): for the words, "Scheduled Castes and Scheduled Tribes" the words "Scheduled Castes, Scheduled Tribes and Physically Handicapped Persons" shall be substituted.*
- (2) *In sub-rule 2(a)(i) for the words "and six for Scheduled Tribe employees", the words "six for Scheduled Tribe and three for Physically handicapped employees" shall be substituted.*

(ii) in Clauses A,B,C,D & E,-

For the words "Scheduled Castes and Scheduled Tribes" the words "Scheduled Castes, Scheduled Tribes and Physically Handicapped Persons" shall be substituted.

(iii) in Clause C,-

The word "both" shall be omitted"

(iv) After Clause (E), the following shall be inserted, namely:-

"F -If any department considers that it is not possible to provide reservation in promotions for any category of Persons 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 by the G.O.Ms.No.23, dated:26.5.2011, Dept. for Women, Child, Disabled & Senior Citizen.

The 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".

- viii) In the G.O. eighteenth read above, orders have been issued stating that as per Section-34 of the Rights of Persons with Disabilities Act, 2016, four percent (4%) reservation has been provided in appointment and in promotions in every Government establishment in favour of persons with Benchmark Disabilities.

The following Roster Points are fixed:

6 Blindness and Low Vision (Women)

31 Deaf and Hard of Hearing (Open)

56 Locomotor Disability (Open)

86 Autism, Intellectual Disability, Specific Learning Disability, Mental Illness and Multiple Disabilities (Open)

- ix) In the said G.O., a provision was also made therein to give exemption to Government establishments from this reservation by placing the matter before the Inter Departmental Committee.
- x) Based on the said orders, in the G.O. twenty third read above, orders have been issued providing four percent (4%) reservation to the persons with Benchmark disabilities in appointments and promotions. It has also been directed therein that if any Department consider that exemption is necessary in Government establishments from this reservation, they shall place the matter before the Inter Departmental Committee along with due justification.
- xi) In the G.O. twelfth read above, orders have been issued providing 33 1/3% reservation to Women horizontally, in each category i.e.,

OC, BC-A, BC-B, BC-C, BC-D, BC-E, SC, ST, Persons with Bench Mark Disabilities, Ex-serviceman and Meritorious Sportspersons in the matter of direct recruitment to the posts, for which men and women are equally suited, by superseding the earlier orders issued in the matter.

- xii) In the G.O. sixteenth read above, accordingly orders have been issued amending Rule-22 of A.P. State and Subordinate Service rules, 1996 substituting sub-rule (2) of Rule-22-A of A.P. State and Subordinate Service Rules, 1996, providing reservation to women Horizontally 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), Backward Classes (Group-E), Scheduled Castes, Scheduled Tribes and Physically Handicapped and Ex-servicemen and Meritorious Sportsperson quota.
- xiii) In the G.O. tenth read above, orders have been issued providing a sports quota reservation of two percent (2%) for meritorious sports persons in all posts of State Government Departments, Educational Institutions, Local Bodies, Corporations, Boards, Authorities, Grandhalaya Samsthas, Market Committees and other establishments which are funded or aided by the State Government where direct recruitment is one of the methods of appointment, hereinafter, as per the sports policy.
- xiv) Further, in the G.O. thirteenth read above, orders have been issued providing two percent (2%) reservation to Meritorious Sports persons horizontally in Direct recruitment in the existing 100 roster points as per Rule-22(2)(e) of the A.P.State and Subordinate Service Rules, 1996. Roster Points 48 and 98 meant for Open Competition have been earmarked to reservation under Sports quota in Direct recruitment. Further, in the event of non availability of eligible sports persons, the points reserved for them should be deemed to be allotted to open competition in the same recruitment.
- xv) In the G.O. fifteenth read above, orders have been issued amending Rule-22 of A.P.State and Subordinate Service rules, 1996, providing two percent (2%) reservation to meritorious Sports persons horizontally in all categories of posts. Roster Points i.e., 48 (meritorious sportsperson) (open) and 98 (meritorious sportsperson) (open) have been fixed. It has also been ordered that in the event of non availability of eligible sports persons, the points reserved for them should be deemed to be allotted to open competition in the same recruitment.

xvi) In the G.O. seventeenth read above, orders have been issued for implementation of 10% reservation to the Economically Weaker Sections (EWS) for admissions into Educational Institutions in accordance with the purport of the Constitution (One Hundred and Third Amendment) Act, 2019 and as per the guidelines issued by Government of India in this regard.

xvii) Based on the policy decision taken by Backward Classes Welfare (F) Department, in the reference twentieth read above, orders have been issued extending revised/ reiterated operational guidelines for admission to Educational Institutions. Further, in the G.O. twenty first read above, operational guidelines have been issued for implementation of 10% reservation to the Economically Weaker Sections (EWS) for initial appointments in the Posts and Services under the State Government. It has been specified therein that the persons who are not covered under existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes and whose gross annual family income is below Rs.8.00 lakhs are to be identified as Economically Weaker Sections (EWS) for the benefit of reservation. The Income shall also include income from all sources i.e. salary, agriculture, business, profession, etc. for the financial year prior to the year of application.

xviii) Further in the G.O. twenty second read above, orders have been issued amending Rule-22 of A.P. State and Subordinate Service rules, 1996, fixing Roster Point Nos.12,21,32,42,50,61,73,82, 88 & 96, out of 100 Roster Points to Economically Weaker Sections(EWS) category.

(III) Need to study the existing policies of Horizontal Reservations:

i) In the G.O. twenty fourth read above, orders have been issued constituting a Committee of officials under the Chairpersonship of Principal Secretary to Government, Social Welfare Department to study the Horizontal Reservation in respect of Women, Persons with Benchmark Disabilities, Ex-servicemen, Meritorious Sports persons, in the light of the Hon'ble Supreme Court orders and directed to furnish appropriate proposals and guidelines for implementation of Horizontal Reservation, and on how to operate 100 Roster Points horizontally in appointments by Direct recruitment and by promotions for various categories of posts. The Committee consists of:-

- | | |
|--|---------------|
| 1. Principal Secretary to Government
Social Welfare Department. | : Chairperson |
| 2. Principal Secretary to Government
B.C. Welfare Department. | : Member |
| 3. Principal Secretary to Government, | : Member |

Department for WCDA &SC.

4. Principal Secretary to Government, : Member
Home Department.
5. Principal Secretary to Government, : Member
YAT & C(Sports & YS) Department.
6. Principal Secretary to Government, : Member
Tribal Welfare Department.
7. Principal Secretary to Government, : Member
Higher Education Department.
8. Secretary to Government (Services & HRM) : Member/
General Administration Department. Convenor

ii) In the G.O. twenty fifth read above, Government have extended time of the committee to submit the report up to 15.04.2023.

iii) In the reference twenty sixth read above, the Principal Secretary to Government, Social Welfare Department and the Chairperson of the Committee submitted report of the Committee. The Committee has recommended among others, that-

- 1) No roster point shall be earmarked to women, Persons with Benchmark Disabilities, Ex-serviceman and Meritorious sports persons for implementation of horizontal reservation.
- 2) Roster points earmarked in the existing Roster to the categories of Women, Persons with Benchmark Disabilities, Ex-serviceman and Meritorious Sports persons shall be deleted.
- 3) New 100 point cycles for Direct Recruitment and promotion have been suggested
- 4) Implementation of four percent reservation to Persons with Benchmark Disabilities and given detailed guidelines on Persons with Benchmark Disabilities, exemption for government departments and establishments from reservation to Persons with Benchmark Disabilities, maintaining of register rosters.
- 5) The sequence to be followed while filling-up of the posts to women, Persons with Benchmark Disabilities, Ex-serviceman and Meritorious sports persons has been recommended, while implementation of horizontal reservation.

iv) The Committee has also recommended to the Government to revise the policies of the Department for Women Children Differently Abled and Senior Citizens, Home Department, Youth Advancement, Tourism and Culture (Sports) Department, Department of Economically Weaker Sections Welfare

and further the General Administration Department shall take necessary action to make amendments to the Andhra Pradesh State and Subordinate Service Rules, 1996 based on the recommendations of the Committee for implementations of Horizontal Reservations to the categories of Women, Persons with Benchmark Disabilities, Ex-servicemen, Meritorious Sports persons and also reservations to Economically Weaker Sections duly following the Andhra Pradesh Government Business Rules.

(IV) Amendment to the AP State and Subordinate Service Rules, 1996

Government after careful examination of the matter, keeping in view of the above Judgements of the Hon'ble Supreme Court, guidelines of Government of India and the existing orders of the State Government, have accepted the report of the Committee of Officials for implementations of Horizontal reservations to the categories of Women, Persons with Benchmark Disabilities, Ex-servicemen, Meritorious sportspersons and also reservations to Economically Weaker Sections and decided to issue necessary amendments to Andhra Pradesh State and Subordinate Service Rules, 1996. All departments, State Owned Corporations, Societies and also the Universities shall follow and also conduct their recruitments strictly in accordance with the Rules being amended below and also amend their rules in conformity with the general rules being amended. 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 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.

AMENDMENTS

In the said rules,

- (1) In Rule-2, for clause (22), the following shall be substituted, namely;-

“(22) Persons with Benchmark Disabilities: Persons with Benchmark Disabilities means a person is said to be,

- (a) Blindness and Low vision.
- (b) Deaf and Hard of hearing.

- (c) Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy.
- (d) Autism, Intellectual disability, Specific learning disability, Mental illness.
- (e) Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities."

(2) For the words, "Physically handicapped person(s)", wherever it occur, the words, "Persons with Benchmark Disabilities", shall be substituted .

(3) In sub rule (2) of Rule 22 -

(i) After clause (E), the following shall be inserted, namely:-

"(E-1) (1) Horizontal reservation for persons with benchmark disabilities:-

Four percent (4%) reservation in appointment and promotions in every Government establishment in favour of persons with benchmark disabilities; of which one percent (1%) each shall be reserved for persons as detailed below from the panel year 2023-24:

- a. Blindness and low vision.
- b. Deaf and hard hearing.
- c. Loco motor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy.
- d. Autism, Intellectual disability, Mental illness.
- e. Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities."

(ii) The existing "Clauses (b) and (d)" shall be omitted.

(iii) For Clause (e), the following shall be substituted, namely;-

"(e) Appointments under this rule shall be made in the order of rotation specified below in a unit of hundred vacancies for vertical reservations in Direct Recruitment:

Roster	Point No.	Category for Reservation
	1.	Open Competition
	2.	SC

3.	Open Competition
4.	Backward Class(Group-A)
5.	Open Competition
6.	Open Competition
7.	SC
8.	ST
9.	Open Competition
10.	Backward Class(Group-B)
11.	Open Competition
12.	Economically Weaker Sections
13.	Open Competition
14.	Backward Class(Group-C)
15.	Open Competition
16.	SC
17.	Open Competition
18.	Backward Class(Group-D)
19.	Backward Class(Group-E)
20.	Backward Class(Group-A)
21.	Economically Weaker Sections
22.	SC
23.	Open Competition
24.	Backward Class(Group-B)
25.	ST
26.	Open Competition
27.	SC
28.	Open Competition
29.	Backward Class(Group-A)
30.	Open Competition
31.	Open Competition
32.	Economically Weaker Sections
33.	ST
34.	Open Competition
35.	Backward Class(Group-B)
36.	Open Competition
37.	Open Competition
38.	Open Competition
39.	Backward Class(Group-D)
40.	Open Competition
41.	SC
42.	Economically Weaker Sections
43.	Backward Class(Group-D)
44.	Backward Class(Group-E)
45.	Backward Class(Group-A)
46.	Open Competition

47.	SC
48.	Open Competition
49.	Backward Class(Group-B)
50.	Economically Weaker Sections
51.	Open Competition
52.	SC
53.	Open Competition
54.	Backward Class(Group-A)
55.	Open Competition
56.	Open Competition
57.	Open Competition
58.	ST
59.	Open Competition
60.	Backward Class(Group-B)
61.	Economically Weaker Sections
62.	SC
63.	Open Competition
64.	Backward Class(Group-D)
65.	Open Competition
66.	SC
67.	Open Competition
68.	Backward Class(Group-D)
69.	Backward Class(Group-E)
70.	Backward Class(Group-A)
71.	Open Competition
72.	SC
73.	Economically Weaker Sections
74.	Backward Class(Group-B)
75.	ST
76.	Open Competition
77.	SC
78.	Open Competition
79.	Backward Class(Group-A)
80.	Open Competition
81.	Backward Class(Group-B)
82.	Economically Weaker Sections
83.	ST
84.	Open Competition
85.	Backward Class(Group-B)
86.	Open Competition
87.	SC
88.	Economically Weaker Sections
89.	Backward Class(Group-D)
90.	Open Competition
91.	SC

92.	Open Competition
93.	Backward Class(Group-D)
94.	Backward Class(Group-E)
95.	Backward Class(Group-B)
96.	Economically Weaker Sections
97.	SC
98.	Open Competition
99.	Backward Class(Group-B)
100.	Open Competition

- (iv) For the proviso to Clause (e) under the table, the following shall be substituted, namely:-

"22-B SPECIAL RESERVATION (HORIZONTAL RESERVATION)

Operational Guidelines:

(1) Explanation of Horizontal Reservation: Not withstanding anything contained in these rules or special rules or adhoc Rules:-

- (i) The difference between the nature of vertical reservation and horizontal reservation is explained hereunder.
- (ii) Social reservations in favour of SC, ST and OBC under Article 16(4) of the Constitution of India are 'vertical reservations'. Special reservations in favour of physically handicapped, women etc., under Articles 16(1) or 15(3) are 'horizontal reservations'. Where a vertical reservation is made in favour of a backward class under Article 16(4), the candidates belonging to such backward class, may compete for non- reserved posts and if they are appointed to the non-reserved posts on their own merit, their numbers will not be counted against the quota reserved for the respective backward class.
- (iii) Therefore, if the number of SC candidates, who by their own merit, get selected to open competition vacancies, equals or even exceeds the percentage of posts reserved for SC candidates, it cannot be said the reservation quota for SCs has been filled. The entire reservation quota will be intact and available in addition to those selected under Open Competition category. But the aforesaid principle applicable to vertical (social) reservations, will not apply to horizontal (special) reservations.

- (iv) Where a special reservation for women is provided within the social reservation for Scheduled Castes, the proper procedure is first to fill up the quota for scheduled castes in order of merit and then find out the number of candidates among them who belong to the special reservation group of 'Scheduled Castes-Women'. If the number of women in such list is equal to or more than the number of special reservation quota, then there is no need for further selection towards the special reservation quota.
- (v) Only if there is any shortfall, the requisite number of scheduled caste women shall have to be taken by deleting the corresponding number of candidates from the bottom of the list relating to Scheduled Castes. To this extent, horizontal (special) reservation differs from vertical (social) reservation. Thus women selected on merit within the vertical reservation quota will be counted against the horizontal reservation for women.

Illustration:

- (vi) If 15 posts are reserved for SCs (of which the quota for women is five), 15 SC candidates shall have to be first listed in accordance with merit, from out of the successful eligible candidates. If such list of 15 candidates contains five SC women candidates, then there is no need to disturb the list by including any further SC women candidate. On the other hand, if the list of 15 SC candidates contains only three woman candidates, then the next two SC woman candidates in accordance with merit, will have to be included in the list and corresponding number of candidates from the bottom of such list shall have to be deleted, so as to ensure that the final 15 selected SC candidates contain five women SC candidates.

(But if the list of 15 SC candidates contains more than five women candidates, selected on own merit, all of them will continue in the list and there is no question of deleting the excess women candidate on the ground that 'SC-women' have been selected in excess of the prescribed internal quota of five.).

(2) Sequence to be followed while filling up of the posts:

First step : Open competition quota on merit basis.

Second Step : Vertical (Social) reservations quota which include SC, ST, BC and EWS.

Third Step : Find out Horizontal (Special) reservations quota position which includes Women, Persons with Benchmark Disabilities, Ex- service man and Meritorious Sports Persons out of the filled in quota as shown in the first and second step.

(3) Horizontal Reservations for Persons with Benchmark Disabilities

a) Exemption to Government Departments from reservation to Persons with Benchmark Disabilities:

(i) When any Department considers that it is not possible to provide reservation for any category of Persons with Benchmark Disabilities (PBDs) or that the extent of reservation needs to be reduced or that the extent of disability needs to be specified keeping in view.

(ii) 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 inter departmental committee as shown below:

1. Principal Secretary/Secretary to Government,
Department for Women, Children,
Differently Abled and Senior Citizens : Chairperson
2. The Director/Commissioner, Department for
the Welfare of Differently Abled Transgender and
Senior Citizens : Member- Convener
3. Principal Secretary/Secretary to Government,
General Administration(Services) Department : Member
4. The Director, Public & Family Welfare : Member
5. Principal Secretary/Secretary to Government
or his nominee of the department concerned
(who sought exemption) : Member
6. A Person with Benchmark Disability : Member
(to be nominated by the Chairperson)

(iii) All the Departments of Secretariat shall identify the posts for which the quota for Persons with Benchmark Disabilities shall be applied and the posts for which exemption is required and submit appropriate proposals to the Department for Women Children Differently Abled and Senior Citizens for placing the matter before the foresaid Inter Departmental Committee."

(b) Adjustment against Unreserved vacancies:

- (i) In the Category of Posts which are identified suitable for person with benchmark disabilities, a person with benchmark disability cannot be denied the right to compete for appointment by direct recruitment against an Unreserved vacancy. Thus a person with a benchmark disability can be appointed by direct recruitment vacancy not specifically reserved for the PBDs provided the post is identified suitable for PBDs of the relevant category.
- (ii) Person with benchmark disabilities selected without relaxed standards along with other candidates shall not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities which will thus comprise of candidates with benchmark disabilities who are lower in the merit than the last candidate in merit list but otherwise found suitable for appointment, if necessary by relaxed standards.

(c) Reservation register for Persons with Benchmark Disabilities:

- (i) Every Administrative Department shall maintain post-wise a separate 100 point vacancy based reservation register in the format given below for determining/effecting reservation for the Persons with Benchmark Disabilities to be filled by direct recruitment where cadre strength is more than five (5).

RESERVATION REGISTER FOR PERSONS WITH BENCHMARK DISABILITIES

Year of Recruitment	Cycle No	Point No	Name of Post	Identified suitable for persons with Benchmark Disabilities covered under the following respective categories	Unreserved Or Reserved	Name of the Person appointed and date of appointment	Whether the person appointed is in a,b,c and (d& e) or None	Remarks, if any
				a b c (d&e)				

Respective categories:

- a) Blindness and low vision
- b) Deaf and hard hearing
- c) Loco motor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy
- d) Autism, Intellectual disability, Mental illness.
- e) Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities.

In order to provide representation for each category of persons with Benchmark disabilities, each Register shall have cycles of 100 points and each cycle of 100 points shall be divided into four Blocks, comprising the following points:

1st Block - Point No. 01 to point No. 25

2nd Block - Point No. 26 to point No. 50

3rd Block - Point No. 51 to point No. 75

4th Block - Point No. 76 to point No. 100

- ii) As to ensure priority for the persons with benchmark disabilities, Points 1, 26, 51 and 76 of the cycle shall be earmarked i.e. one point each for four respective categories of disabilities. The Head of establishment shall ensure that vacancies identified at Sl. No. 1, 26, 51 and 76 are earmarked for the respective categories of the persons with benchmark disabilities. However, the Head of establishment shall decide the placement of the selected candidate in the roster register.
- iii) All the vacancies arising irrespective of vacancies reserved for Persons with Benchmark Disabilities shall be entered in the relevant roster. If the vacancy falling at point No. 1 is not identified for the Person with Benchmark Disability or the Head of the Department considers it desirable not to fill it up by Persons with Benchmark Disabilities or it is not possible to fill up that post by the Persons with Benchmark Disabilities for any other reason, one of the vacancies falling at any of the points from 2 to 25 shall be treated as reserved for the person with benchmark disability and filled as such.
- iv) Likewise, a vacancy falling at any of the points from 26 to 50 or from 51 to 75 or from 76 to 100 shall have to be filled by the

Persons with Benchmark Disabilities. The purpose of keeping points 1, 26, 51 and 76 as reserved is to fill up the first available suitable vacancy.

- v) There is a possibility that none of the vacancies from 1 to 25 is suitable for any category of the person with benchmark disability. In that case, two vacancies from 26 to 50 shall be filled as reserved for persons with benchmark disabilities. If the vacancies from 26 to 50 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 51 to 75. This means that if no vacancy can be reserved in a particular block, it shall be carried over into the next block.
- vi) After all the 100 points of the roster covered, a fresh cycle of 100 points shall start.

(d) Operation of cycles for Persons with Benchmark Disabilities:

- i) While filling up of the posts to extent of four percent (4%) reservation to the Persons with Benchmark Disabilities the procedure indicated hereunder shall be followed.
- ii) If first point is not filled up with Person with Benchmark Disability, further vacancy falling at any of the points from 2 to 25 shall have to be filled by the Person with Benchmark Disability. The purpose of keeping points 1, 26, 51 and 76 as reserved is to fill up the first available suitable vacancy for Persons with Benchmark Disabilities. Likewise, a vacancy falling at any of the points from 26 to 50 or from 51 to 75 or from 76 to 100 shall have to be filled by the Persons with Benchmark Disabilities.
- iii) In the second cycle and third cycle also, the procedure indicated in the paragraph above shall be followed for filling up of the five categories of disabilities reserved for Persons with Benchmark Disabilities. After completion of three cycles (300 points), the department/competent authority shall ensure that the Women are represented to the extent of 33 1/3% in the direct recruitments.
- iv) Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with

benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the Departments shall fill up the vacancy by appointment of a person, other than a person with disability.

- v) **Carry forward vacancies:** There is a possibility that none of the vacancies from 1 to 25 is suitable for any category of the person with benchmark disability. In that case, two vacancies from 26 to 50 shall be filled as reserved for persons with benchmark disabilities. If the vacancies from 26 to 50 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 51 to 75. This means that if no vacancy can be reserved in a particular block, it shall be carried over into the next block.

(e) Procedure to be followed while filling the vacancies:

- (i) Horizontal Reservation cuts across vertical reservation (in what is called inter-locking reservation) and Persons selected against the quota for persons with benchmark Disabilities have to be placed in the appropriate category viz. SC/ST/BC/EWS/Unreserved depending upon the category to which they belong in the roster meant for reservation of SCs/STs/BCs/EWSs.
- (ii) To illustrate, if in a given year there are two vacancies reserved for the persons with benchmark Disabilities and out of two persons with benchmark disabilities appointed, one belongs to a Scheduled caste and the other belongs to unreserved category, then the SC candidate with benchmark disability shall be adjusted against the SC point in the reservation roster and the unreserved candidate with benchmark disability against unreserved point in the relevant reservation roster.
- (iii) In case none of the vacancies falls on point reserved for the SCs, the candidate under the benchmark disability belonging to SC shall be adjusted in future against the next available vacancy reserved for SCs.
- (iv) Since the persons with benchmark disabilities have to be placed in the appropriate category viz. SC/ST/BC/EWS/ Unreserved in the roster meant for reservation of SCs/STs/BCs/EWS, the application form for the post should require the candidates applying under the quota reserved for persons with benchmark

disabilities to indicate whether they belong to SC/ST/BC/EWS or Unreserved. Thus, reservation for the PBDs is Horizontal.

(v) In terms of Section 20(3) of the Rights of Persons with Disabilities Act, 2016, no promotion shall be denied to a person merely on the ground of disability. Further, in terms of Section 20(4) of the Act, no Government establishment shall dispense with or reduce in rank an employee who acquires a disability during his/her service. As per the proviso to this sub-section, if an employee, after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits. This section further provides that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.

(vi) However, in case the PBDs for whom the supernumerary post was created is eligible for next promotion to higher pay level, and it is not possible to adjust the employee against any post, a fresh creation of supernumerary post in next higher level will be required by surrendering the previously created supernumerary post at the lower level, and the proposal for the same shall be submitted to the Finance Department. For creation of any supernumerary post in this regard, the administrative department in Andhra Pradesh Secretariat shall submit proposal to Finance Department.

(vii) An employee who acquires disability, after entering into service, will be entitled to get the benefit of reservation in promotion as a PBD. However, his seniority among PBDs will be counted from the date of certification of his/her disability, i.e., disability of 40% or more in the categories covered under Section 34(1) of the Rights of Persons with Disabilities Act, 2016. No benefit of reservation shall be given on the basis of temporary certificate of disability.

(f) Reservation in posts identified for one or two categories:

If in a Department/Organization, a post is identified suitable only for one category of disability, reservation in promotion in that post shall be given to persons with that category of benchmark disability only. However, reservation of 4% for PBDs shall not be reduced in such cases and total reservation in the cadre will be given to PBDs for which it has been identified.

(g) Adjustment of PBD candidates who are in the zone of consideration against general vacancy:

- (i) If a PBD is otherwise eligible and is in the list of candidates finally approved for promotion, he/she may be promoted against the vacancy not specifically reserved for PBD. In other words, a PBD cannot be denied promotion on the ground that the vacancy is not earmarked for his category.
- (ii) In the case of promotion by selection, PBDs selected without relaxed standards, along with other candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities who are lower in merit than the last candidate in merit list but, otherwise found suitable for appointment, if necessary, by relaxed standards.

(h) Relaxation of standard of suitability:

- (i) If sufficient number of PBD candidates with benchmark disabilities are not available on the basis of prescribed standard to fill all the vacancies (in case of promotion through Limited Departmental Competitive Examination/ Departmental Examination, etc.) reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies reserved for them, provided they are not found unfit for such post or posts. However, this provision shall not be used to allow any relaxation in the eligibility criteria laid down for the issuance of certificate of benchmark disability.
- (ii) The same relaxed standard should be applied for all the PBD candidates with benchmark disabilities, irrespective of whether they belong to the Unreserved/SC/ST/BC/EWS category. No further relaxation of standards will be considered or admissible in favour of any candidate from any category whatsoever.

(i) General guidelines for all administrative departments.

- i) The Administrative Departments and the Competent Authorities shall take up the exercise of adequacy of representation for Women, Persons with Benchmark Disabilities, Ex-Servicemen and Meritorious Sports Persons in every cycle of 100 points as per the respective percentage provided to the categories.

- ii) Then if the quota is already filled up in earlier recruitment, then the equal number of vacancies reserved for the above categories shall be deleted for filling up horizontal reservation.
- iii) After clearance from Government in Finance Department for filling up of vacancies in direct recruitment, the Administrative Departments /Competent Authorities while sending indents to Andhra Pradesh Public Service Commission (APPSC) or any other recruiting agency, should clearly mention quota wise, Roster points where the last recruitment was stopped and Roster Points for the new recruitment is to be commenced and the adequacy shall be clearly specified.
- iv) Reservation registers / Roster registers are only an aid to ensure that Scheduled Castes, Scheduled Tribes and Other Backward Classes get quota reserved for them in direct recruitment.
- v) Reservation registers / Roster registers are only an aid to ensure that Scheduled Castes, Scheduled Tribes, Persons with Benchmark Disabilities (PBD) and Women in SC, ST and PBD get quota in promotions.

(4) Horizontal reservation for Ex-servicemen:

- i) Two percent (2%) reservation shall be provided to Ex-servicemen in Direct recruitment. Out of two percent (2%), one percent of posts shall be given to women and if no women Ex-servicemen candidate is available, two percent (2%) of reservation shall be filled up with men.
- ii) However, wherever Special or Adhoc Rules provide no reservation for Ex-servicemen, or if a qualified and suitable candidate is not available from Ex-servicemen, two percent (2%) or shortage for two percent (2%) of the posts stand lapse.
- iii) Since the Ex-Servicemen have to be placed in the appropriate category viz., SC/ST/BC/General/EWS in the roster meant for reservation of SCs/STs/BCs/EWS, in the application form for the post, the candidates applying under the quota reserved for Ex-Servicemen shall indicate whether he/she belongs to SC/ST/BC/EWS/General category.
- iv) Roster Points shall not be assigned for the Horizontal reservations for Ex-Servicemen.

- v) If no eligible Ex-servicemen is available, then the 2% or any shortfall of 2% of posts stand lapse.
- vi) After completion of three cycles of hundred points each, the department shall ensure that the Women candidates are represented to the extent of 33 1/3% in the direct recruitments for the category of Ex-servicemen.

(5) Horizontal reservation for Meritorious Sports persons:

- i) Two percent (2%) reservation shall be provided to Meritorious Sportspersons horizontally in direct recruitment.
- ii) A Meritorious Sportsperson appointed under Sports- Quota should be adjusted in the recruitment/reservation Roster against the category viz. SC/ST/ BC/General/EWS to which he/she belongs

Example: A Sportsperson from SC category will be counted against the SC reservation point, if he belongs to ST/BC, he will be counted against ST/BC point, and if he belongs to General category/EWS, he will be shown against the General category/EWS vacancy point in the reservation roster.

- iii) In the event of non-availability of eligible meritorious sportspersons, two percent (2%) reservation of posts for them stand lapse.
- iv) Roster Points shall not be assigned for Horizontal reservations for Meritorious Sportspersons.
- v) After completion of three cycles of hundred points each, the department shall ensure that the Women are represented to the extent of 33 1/3% in the Direct recruitments for the category of Meritorious Sportspersons.

(6) Horizontal reservation in promotion for the categories of SC/ST and Persons with Benchmark with Disabilities:

- i) There is no reservation in promotion for the categories of Backward Classes, Ex-Servicemen, Meritorious Sportspersons and Economically Weaker Sections (EWS).

- ii) Reservation is provided in promotion for the categories of SC/ST and Persons with Benchmark Disabilities with compartmental reservation for women of these categories.
- iii) Horizontal Reservation shall be implemented for Women in the categories of SC/ST and Persons with Benchmark Disabilities in promotion. The Administrative Departments/Competent Authorities shall make an exercise and assess the adequacy for Women candidates in respect of SC, ST and Persons with Benchmark Disabilities before implementation of Horizontal reservations to the said categories as follows:-
 - a) The cycle of hundred roster points for promotions to the categories of SCs, STs and Persons with Benchmark Disabilities has already been prescribed. In the said Roster, Points for Women are mentioned in the respective category. Here the Roster points earmarked for women in respect of SCs, STs and Persons with Benchmark Disabilities shall be deleted therein. The Roster points earmarked for Persons with Benchmark Disabilities for promotions in existing Roaster shall also be deleted.
 - b) However, while giving promotions, in a 100 point cycle, quota for Women of 33 1/3% shall be ensured and filled in each category of SCs, STs and Persons with Benchmark Disabilities as in the case of direct recruitment.
 - c) However there shall not be Roster points earmarked for women as well as PBDs. Accordingly, the 100 points Roster fixed for effecting promotions shall be as follows:-

Roster Point No.	Category for Reservation in Promotions
1.	Open Competition
2.	SC
3.	Open Competition
4.	Open Competition
5.	Open Competition
6.	Open Competition
7.	SC
8.	ST
9.	Open Competition
10.	Open Competition
11.	Open Competition
12.	Open Competition
13.	Open Competition

14.	Open Competition
15.	Open Competition
16.	SC
17.	Open Competition
18.	Open Competition
19.	Open Competition
20.	Open Competition
21.	Open Competition
22.	SC
23.	Open Competition
24.	Open Competition
25.	ST
26.	Open Competition
27.	SC
28.	Open Competition
29.	Open Competition
30.	Open Competition
31.	Open Competition
32.	Open Competition
33.	ST
34.	Open Competition
35.	Open Competition
36.	Open Competition
37.	Open Competition
38.	Open Competition
39.	Open Competition
40.	Open Competition
41.	SC
42.	Open Competition
43.	Open Competition
44.	Open Competition
45.	Open Competition
46.	Open Competition
47.	SC
48.	Open Competition
49.	Open Competition
50.	Open Competition
51.	Open Competition
52.	SC
53.	Open Competition
54.	Open Competition
55.	Open Competition
56.	Open Competition
57.	Open Competition
58.	ST

59.	Open Competition
60.	Open Competition
61.	Open Competition
62.	SC
63.	Open Competition
64.	Open Competition
65.	Open Competition
66.	SC
67.	Open Competition
68.	Open Competition
69.	Open Competition
70.	Open Competition
71.	Open Competition
72.	SC
73.	Open Competition
74.	Open Competition
75.	ST
76.	Open Competition
77.	SC
78.	Open Competition
79.	Open Competition
80.	Open Competition
81.	Open Competition
82.	Open Competition
83.	ST
84.	Open Competition
85.	Open Competition
86.	Open Competition
87.	SC
88.	Open Competition
89.	Open Competition
90.	Open Competition
91.	SC
92.	Open Competition
93.	Open Competition
94.	Open Competition
95.	Open Competition
96.	Open Competition
97.	SC
98.	Open Competition
99.	Open Competition
100.	Open Competition

- d) If there is any short fall of the candidates of the above categories, the requisite number of eligible candidates shall be taken in the order of merit cum seniority irrespective of zone of consideration.
- e) The Departments /competent authorities should maintain a separate registrar for Women for each category of Scheduled Castes, Scheduled Tribes and Persons with Benchmark Disabilities and updated in the event of every promotion.

(4) In Rule 22-A, after sub rule (4), the following shall be added, namely;

(5) Horizontal reservation for women:

- i) Roster Points shall not be assigned for Horizontal reservations for Women.
- ii) Horizontal reservation for women is provided within Open competition and also within social reservations for Scheduled Castes, Scheduled Tribes, Backward classes in each group and Economically Weaker Sections (EWSs).
- iii) In respect of Persons with Benchmark Disabilities, Ex-servicemen and Meritorious Sportsperson quota, 33 1/3% of Women shall be ensured in the span of three cycles of 100 points each.
- iv) In the first step Open Competition quota should be filled up on the basis of merit and thereby in the second step the social reservation quota which include Scheduled Castes, Scheduled Tribes, Backward classes and Economically Weaker Sections (EWS) should be filled up.
- v) The third step should be to find out how many Women candidates are figured in the categories of OC,SC,ST,BC, EWS, Persons with Benchmark Disabilities, Ex-servicemen and Meritorious Sportsperson respectively on the merit basis as mentioned above.
- v) Thereafter in respect of women, find out the number of women candidates among them who belong to the Open Competition. If the number of women in such list of Open Competition, is equal to or more than the number of reservation quota i.e., 33 1/3%, then there is no need for further selection towards the Women reservation quota in Open Competition.

- vi) Only if there is any shortfall of Women candidates in Open Competition list to the requirement of 33 1/3%, then, the requisite number of women candidates shall have to be taken from the women candidates in the order of merit next below the last women candidate of Open Competition.
- vii) An equal number of men candidates shall be deleted from the bottom of the list relating to Open Competition.
- viii) Thus women selected on merit basis within the vertical reservation quota of SC, ST, BC and EWS shall be counted against the horizontal reservation for women and the short fall if found, the requisite no of women candidates shall have to be taken in the order of merit on similar exercise as done in respect of OC quota."

A copy of this order is available in online and can be accessed at <https://apegazette.cgg.gov.in>

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

Dr. K. S. JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT


To
The Commissioner, Printing, Stationery and Stores Purchase, A.P., Vijayawada
(for publication of the notification in the Andhra Pradesh Gazette and
supply 300 copies to Government)
The Department for Women, Children, Differently Abled and Senior Citizens
The Home Department
The Youth Advancement, Tourism and Culture (Sports) Department
The Department of Economically Weaker Sections Welfare
The Human Resources (Higher Education) Department
All Departments of Andhra Pradesh Secretariat
All Heads of Departments
The Registrars of all Universities in the State
All the Managing Directors of Public Sector undertakings/Corporations through the
Secretaries of the Administrative Departments in the Secretariat
The Special Government Pleader, Office of Learned Advocate General,
Andhra Pradesh High Court Buildings, Amaravati
The Registrar General, A.P.High Court, Amaravati (with a covering letter)
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada
All District Collectors

All District Judges
All Service Sections in the General Administration Department
The Law Department
The Finance Department
The General Administration (Cabinet) Department
The Administrative Officer, Government Pleaders Office,
A.P.High Court, Amaravati

Copy to:

The P.S. to Special Chief Secretary to Chief Minister
The P.S. to Chief Secretary to Government
The P.S. to Secretary to Government (Services & HRM)
Sf/Sc

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SECTION OFFICER

