

# Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Act, 2000

ANDHRA PRADESH

India

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### Act 20 of 2000

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Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Act, 2000(Act No. 20 of 2000)Last Updated 27th August, 2019Statement of Objects and Reasons. - The fifty nine Scheduled Castes specified in the list of Scheduled Castes with respect to the State of Andhra Pradesh are provided with reservation of 15% of posts in public service and seats in educational institutions. The State shall protect the interests of the Scheduled Castes particularly from social injustice and all forms of exploitation as enjoined under article 46 of Part IV Directive Principles of State Policy of the Constitution of India and the State shall endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst the individuals but also amongst groups of people residing in different areas or engaged in different vocations as enjoined under article 38(2) of Part IV Directive Principle of State Policy of the Constitution of India. The Constitutional mandate guarantees social justice and equality of opportunity in the Preamble and Fundamental Rights, more particularly the Right to Equality under articles 14 to 16 read with articles 38, 39, 41 and 46 with protective discrimination to minimise inequalities in favour of socially and educationally backward classes of citizens including the Scheduled Castes, To achieve unified and uniform progress collectively and combinedly and to transform the said constitutional goal into a reality, the State should strive to make available, the benefits of reservation for an equal and equitable enjoyment by all the scheduled castes. It has been decided to give effect to the constitutional mandate by rationalising the reservations to Scheduled Castes, without in any way touching upon or interfering with the Constitution (Scheduled Castes) Order, 1950 as amended by the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976; As the Legislative Assembly of the State was not then in session having been prorogued and it has been decided to give effect to the above decision immediately, the Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Ordinance, 1999 (A.P. Ordinance 6 of 1999) has been promulgated by the Governor on the 9th December, 1999. This Bill seeks to replace the said Ordinance. Appended to L.A. Bill No. 16 of 2000. [Dated 02.05.2000] An Act to Provide for Rationalisation of Reservations to Scheduled Castes in the State

of Andhra Pradesh to Ensure Their Unified and Uniform Progress in the Society and for Matters Connected Therewith and Incidental thereto. Whereas, the fifty nine Scheduled Castes specified in the list of Scheduled Castes with the respect to the State of Andhra Pradesh are provided with reservation of 15% of posts in public service and seats in educational institutions. And whereas, the State shall promote with special care the educational and economic interests, in particular, of the Scheduled castes and shall protect them from nodal injustice and all forms of exploitation as enjoined under article 46 of Part IV Directive Principles of State Policy of the Constitution of India; And whereas, the State shall endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst the individuals but also amongst groups of people residing in different areas or engaged in different vocations as enjoined under article 38(2) of Part IV Directive Principle of State Policy of the Constitution of India; And whereas, the Constitutional mandate guarantees social justice and equality of opportunity in the Preamble and Fundamental Rights, more particularly the Right to Equality under articles 14 to 16 read with articles 38, 39, 41 and 46 with protective discrimination to minimise inequalities in favour of socially and educationally backward classes of citizens including the Scheduled Castes; And whereas, the State shall ensure that the Scheduled Castes which form the most backward classes in the society achieve unified and uniform progress collectively and combindly; And whereas, to transform the said constitutional goal into a reality, the State should strive to make available, the benefits of reservation for an equal and equitable enjoyment by all the scheduled castes; And whereas, it has been decided to give effect to the constitutional mandate by rationalising the reservations to Scheduled Castes, without in any way touching upon or interfering with the Constitution (Scheduled Castes) Order, 1950 as amended by the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976. Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-first Year of the Republic of India as follows:-

## **1. Short title and commencement.**

(1) This Act may be called the Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Act, 2000. (2) It shall be deemed to have come into force on the 9th December, 1999.

## **2. Definition.**

- In this Act, unless the context otherwise requires:- (a) "educational institution" shall have the meaning assigned to it in clause (c) of section 2 of the Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) Act, 1983 (A.P. Act No. 5 of 1983); (b) "Government" means the State Government of Andhra Pradesh. (c) "Prescribed" means prescribed by the rules made under this Act. (d) "Public Service" means, services in any office or establishment of, - (i) the Government; (ii) a local authority, i.e. (a) A Gram Panchayat or a Mandal Parishad or a Zilla Parishad established under the Andhra Pradesh Panchayat Raj Act, 1994 (A.P. Act No. 13 of 1994); (b) a Municipality constituted under the Andhra Pradesh Municipalities Act, 1965 (A.P. Act No. 6 of 1965); and (c) a Municipal Corporation established under the relevant law, for the time being in force, relating to Municipal Corporations; (iii) a Corporation or undertaking wholly owned or controlled by the Government; (iv) a body established under any law made by the Legislature of the State whether incorporated or not including a University, and (v) any other body

established by the State Government or by a Society registered under any law relating to the registration of Societies for the time being in force and receiving funds from the Government either fully or partly for its maintenance or any educational institution, whether registered or not, but receiving aid from the Government;(e)"Rule of Reservation" means any rule or provision, for reservation of appointments or posts in public service in the special rules applicable to any particular service or the General Rules of the Andhra Pradesh State and Subordinate Service Rules, as the case may be or any rule or provision for reservation of seats in the rules or instruction for admission into educational institutions, as the case may be, in favour of Scheduled Castes or Scheduled Tribes or Backward Classes or Women;(f)"Scheduled Castes" shall have the meaning assigned to it in clause (24) of article 366 of the Constitution of India.

### **3. Rationalisation of Reservations.**

- In order to secure social justice and equality of opportunity and to ensure fair just, reasonable, rational and equitable enjoyment of the benefits of the rule of reservation by all the Scheduled Castes with respect to the State of Andhra Pradesh, subject to availability of eligible candidates,-(a)one percent of appointments or posts or seats so reserved under the rule of reservation for the Scheduled Castes shall be reserved to the persons belonging to the following Scheduled Castes, which shall be referred to as Scheduled Castes-A, namely-BavuriChachatiChandalaDandasiDome, Dombara, Paidi, PanoGhasi, Haddi, Relli, ChachandiGodsgalliMehtarPaky, Moti, ThotiPamidiRelliSapru(b)Seven percent of appointments or posts or seats so reserved under the rule or reservation for the Scheduled Castes shall be reserved to the persons belonging to the following Scheduled Castes, which shall be referred to as Scheduled Castes-B, namely:-ArundhatiyaBeda Jangam, Budaga Jangam BindlaChamar, Mochi, MuchiChambharDakkal, DokkalwarDhorGodariJaggaliJambuvuluKolupulvandluMadigaMadiga Dasu MashteenMangMang GarodiMatangiSamagaraSindhollu, chindollu(c)six percent of appointments or posts or seats so reserved under the rule of reservation for the Scheduled Castes shall be reserved to the persons belonging to the following Scheduled Castes, which shall be referred to as Scheduled Castes-C namely:-Adi DravidaAnamukAray MalaArwa MalaBarikiByagaraChaiavadiEllamalawar, Yellammala WandluGosangiHoleyaHoleya DasariMadasi Kuruva, Madari KuruvaMaharMalaMala DasariMala DasuMala HannaiMalajangamMala MastiMala Sale, NetkaniMala SanyasiManneMundalaPambada, PambandaSamban(d)One percent of appointments or posts or seats so reserved under the rule of reservation for the Scheduled Castes shall be reserved to the persons belonging to the following Scheduled Castes, which shall be referred to as Scheduled Castes-D, namely:-Adi AndhraMashtiMitha AyyalvarPanchama, Pariah

### **4. Applicability of the Act to Pending matter.**

- Notwithstanding anything contained in any notification or advertisement or any other proceeding for making selection for any appointment in public service or for making admission to any seat in any education institution which are subject to the rule of reservation, the provisions of this Act shall apply for such appointment or admission as the case may be, if such appointment or admission has not been completed as on the date of commencement of this Act;Provided that without prejudice to the appointments or admissions made prior to the commencement of this Act, where such

appointments or admissions have not been completed in respect of all the appointments or admissions under a notification or advertisement or proceeding, the provisions of section 3 of this Act shall be given effect to in respect of the remaining available number of posts or seats reserved for Scheduled Castes under such notification or advertisement or proceeding, as the case may be.

## **5. Act not to apply to Central Government services or educational Institutions.**

- Nothing contained in this Act shall apply to any appointment or post or service of any department of the Central Government or of any Corporation or undertaking owned or controlled by the Central Government or to any Educational Institution belonging to or under the control of the Central Government.

## **6. Power to remove doubts and difficulties.**

- If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.

## **7. Power to make rules.**

(1)The Government may, by notification in the Andhra Pradesh Gazette, make rules to carryout the purposes of this Act.(2)In particular and without prejudice to the generality, of the foregoing powers, such rules may provide for all or any of the following matters, namely: -(a)fixation or adjustment of roster points in respect of Scheduled Castes including for women among them for the purposes of public service;(b)procedure to be followed in case of non-availability of eligible persons for compliance with clauses (a) to (d) of section 3; and(c)any other matter which has to be or may be prescribed.(3)Every rule made under this Act shall immediately after it is made, be laid before the Legislative Assembly of the State, if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modifications in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## **8. Removal of doubts.**

- For the removal of doubts, it is hereby declared that nothing contained in this Act shall be construed as inclusion in or exclusion from or further classification of the list of Scheduled Castes with respect to the State of Andhra Pradesh.

## **9. Repeal of Ordinance 6 of 1999.**

- The Andhra Pradesh Scheduled Castes (Rationalisation of Reservations) Ordinance, 1999 is hereby repealed.