

The Seniority of the person shall however be regulated in terms of rule 33 of these rules.

Explanation:

(1) For the purpose of the rule “appointed initially” means appointment of a person for the first time to any post in the civil service in the State or Civil post in the service of the State of Andhra Pradesh.

(2) A member of a service or a class of a service shall be confirmed in such service or class of a service irrespective of whether there is a permanent or substantive post or vacancy available in that service.

(3) A person appointed to a Government service shall be confirmed in any service, only once during his service in Government at the entry grade, irrespective of whether subsequently he is promoted within the same service or appointment by transfer to some other service or class of service, from time to time.

(b) A person confirmed in a particular category, Class or Service shall not be confirmed in any other category, class or service.

**20. SPECIAL REPRESENTATION (RESERVATION):** Reservations may be made for appointments to a service, class or category in favour of Scheduled Castes, Scheduled Tribes, Backward Classes, 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 in the special rules.

(a) (1) The Principle of reservation as hereinafter provided shall apply in 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 where the special rules lay down specifically that the principle of reservation in so far as it relates to Scheduled Castes, and Scheduled Tribes only shall apply to such service, class or category to the extent specified therein.

(2) The unit of appointments for the purposes of this rule shall be one hundred, of which 15 shall be reserved for Scheduled Castes, six shall be reserved for Scheduled Tribes, Twenty five shall be reserved for the Backward Classes and the remaining fifty four appointments shall be made on the basis of open competition.

(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 and 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 Senior Assistants, Junior Assistants, Junior Stenographers, typists and Record Assistants in the offices of Heads of Departments, Assistant Section Officers, Typist-cum-Assistants, Junior Stenographers and Record Assistants in the Secretariat to which the principle of reservation of appointments 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.

Provided that the claims of members of the SCs and STs and BCs, 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
2. Scheduled Castes
3. Open competition
4. Backward Classes
5. Open competition
6. Open competition
7. Scheduled Castes
8. Scheduled Tribes
9. Open competition
10. Backward Classes
11. Open competition
12. Open competition
13. Open competition
14. Backward Classes
15. Open competition
16. Scheduled Castes
17. Open competition
18. Backward Classes

|                      |           |
|----------------------|-----------|
| 19. Open Competition |           |
| 20. Backward Classes |           |
| 21. Open competition |           |
| 22. Scheduled Castes |           |
| 23. Open competition |           |
| 24. Backward Classes |           |
| 25. Scheduled Tribes |           |
| 26. Open competition |           |
| 27. Scheduled Castes |           |
| 28. Open competition |           |
| 29. Backward Classes |           |
| 30. Open competition |           |
| 31. Open competition |           |
| 32. Open competition |           |
| 33. Scheduled Tribes |           |
| 34. Open competition |           |
| 35. Backward Classes | (Group-B) |
| 36. Open competition |           |
| 37. Open competition |           |
| 38. Open competition |           |
| 39. Backward Classes | (Group-D) |
| 40. Open competition |           |
| 41. Scheduled Castes |           |
| 42. Open competition |           |
| 43. Backward Classes | (Group-D) |
| 44. Open competition |           |
| 45. Backward Classes | (Group-A) |
| 46. Open competition |           |
| 47. Scheduled Castes |           |
| 48. Open competition |           |
| 49. Backward Classes | (Group-B) |
| 50. Open competition |           |
| 51. Open competition |           |
| 52. Scheduled Castes |           |
| 53. Open competition |           |
| 54. Backward Classes | (Group-A) |
| 55. Open competition |           |
| 56. Open competition |           |
| 57. Open competition |           |
| 58. Scheduled Tribes |           |
| 59. Open competition |           |
| 60. Backward Classes | (Group-B) |
| 61. Open competition |           |
| 62. Scheduled Castes |           |
| 63. Open competition |           |

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|-----------------------|-----------|
| 64. Backward Classes  | (Group-D) |
| 65. Open competition  |           |
| 66. Scheduled Castes  |           |
| 67. Open competition  |           |
| 68. Backward Classes  | (Group-D) |
| 69. Open competition  |           |
| 70. Backward Classes  | (Group-A) |
| 71. Open competition  |           |
| 72. Scheduled Castes  |           |
| 73. Open competition  |           |
| 74. Backward Classes  | (Group-B) |
| 75. Scheduled Tribes  |           |
| 76. Scheduled Tribes  |           |
| 77. Scheduled Castes  |           |
| 78. Open competition  |           |
| 79. Backward Classes  | (Group-B) |
| 80. Open competition  |           |
| 81. Backward Classes  | (Group-B) |
| 82. Open competition  |           |
| 83. Scheduled Tribes  |           |
| 84. Open competition  |           |
| 85. Backward Classes  | (Group-B) |
| 86. Scheduled Castes  |           |
| 87. Scheduled Castes  |           |
| 88. Scheduled Castes  |           |
| 89. Backward Classes  | (Group-B) |
| 90. Open competition  |           |
| 91. Scheduled Castes  |           |
| 92. Open competition  |           |
| 93. Backward Classes  | (Group-B) |
| 94. Open competition  |           |
| 95. Backward Classes  | (Group-B) |
| 96. Open competition  |           |
| 97. Scheduled Castes  |           |
| 98. Open competition  |           |
| 99. Backward Classes  | (Group-B) |
| 100. Open competition |           |

Provided that:

(i) In the case of appointments to a post referred to in sub-rule (c), the 12<sup>th</sup> and 37<sup>th</sup> turns in each unit of hundred vacancies shall be reserved for ex-servicemen. 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 the open competition.

(ii) The 6<sup>th</sup>, 31<sup>st</sup> and 56<sup>th</sup> turns in each unit of hundred vacancies shall be allotted to the physically handicapped persons and where qualified and suitable candidates are not available from among the physically handicapped persons, the turn allotted lot for them in the unit referred to above, shall be carried forward for three succeeding recruitment years and the reservation for these vacancies shall cease thereafter.

(f) (i) If a qualified and suitable candidate belonging to any particular group of the Backward Classes is not available, for appointment in the turn allotted for them in the cycle, the turn shall accrue to the next group of the B.Cs in the rotation and only if no suitable and qualified candidate available in any of the four groups, the turn shall stand allotted to open competition.

(ii) The reservation in the case of B.Cs and Physically handicapped persons shall be in force for the period commencing from the 23<sup>rd</sup> September, 1990 to 22<sup>nd</sup> September, 2000.

(g) If in any recruitment, qualified candidates belonging to the Scheduled Castes or as the case may be and S.Ts are not available for appointment to any or all the vacancies reserved for the S.Cs or as the case may be. S.Ts, a limited recruitment confined to candidates belonging to SCs or as the case may be S.Ts., 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 SCs or, as the case may be STs are not available for appointment to all or any of the vacancies reserved for SCs, or as the case may be STs ever 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 SCs or, as the case may be the S.Ts are so filled by candidates belonging to other communities, an equal number of vacancies shall be reserved in the succeeding recruitment for the SCs or, as the case may be STs, in addition to the vacancies that may be available for that recruitment for the S.Cs or, as the case may be, STs, and if in the said succeeding recruitment also, Qualified candidates belonging to the SCs, or as the case may be STs, are not available for appointment to all or any of the additional vacancies which are so reserved in that succeeding recruitment, an equal of vacancies shall again be reserved in the next succeeding recruitment for the SCs or, as the case may be STs, in addition to the number of vacancies that may be available for the next succeeding recruitment for the SCs or, as the case may be, the STs.

Provided that if in the said second succeeding recruitment also no qualified candidates belonging to the SCs, or, as the case may be, the STs are available for appointment to all or any of the additional vacancies which are so reserved in that

succeeding recruitment, an equal number of vacancies shall again be reserved in the next succeeding recruitment for the Scheduled Castes, or as the case may be, the STs, in addition to the number of vacancies, that may be available for the next succeeding recruitment for the SCs or, as the case may be, STs.

Provided further that in the third succeeding recruitment if qualified candidates belonging to STs, or as the case may be SCs, are not available, a vacancy reserved to be filled by a candidate belonging to STs may be filled by a candidate belonging to SCs and a vacancy reserved to be filled by a candidate belonging to SCs may be filled by a candidate belonging to STs.

Provided further that if after three successive recruitments, if no candidate belonging to SC or ST is available, such vacancy will be treated as dereserved.

(iii) In any additional vacancy or vacancies reserved in favour of candidates belonging to the SCs or, as the case may be STs, 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 recruitment 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 shall be available for utilization 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 SCs and STs in the total strength of the concerned grade or cadre, has not reached and prescribed percentage of reservation of 15% for the Scheduled Castes and 6% for the Scheduled Tribes respectively.

(i) Where there is only a single solitary post born 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 of the number of posts born on the cadre, category or grade is more than one, even through 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 Scheduled 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.

**22-A PREFERENCE IN APPOINTMENT:** Notwithstanding anything contained in these rules or special rules or Adhoc rules:

(1) In the matter of direct recruitment to posts for which 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 to 33 1/3% of the posts in each category of O.C., B.C-A, B.C-B, B.C.-C, B.C-D, S.C., S.T., and Physically Handicapped and Ex-Service men quota. Provided that if sufficient number of women candidates are not available the vacancies shall be filled by men”.

EXPLANATION: “It is hereby clarified that all selections made in accordance with sub-rule (2) prior to its amendment shall be, and shall be deemed always to have been made in accordance with this rule; and shall not entitle any person to enforce 33 1/3% reservation merely on the ground that this amendment is made with retrospective effect.”

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

**23. APPEAL, REVISION AND REVIEW OF ORDERS OF APPOINTMENT (INCLUDING PROMOTION) TO HIGHER POSTS:-**An order appointing a member of a service or class 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.