

**THE ANDHRA PRADESH ECONOMICALLY WEAKER SECTIONS OF
CITIZENS (RESERVATION OF SEATS IN EDUCATIONAL INSTITUTIONS
AND OF APPOINTMENTS OR POSTS IN THE PUBLIC SERVICES
UNDER THE STATE FOR KAPUS) ACT,2019**

ARRANGEMENT OF SECTIONS

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**THE ANDHRA PRADESH ECONOMICALLY WEAKER SECTIONS OF
CITIZENS (RESERVATION OF SEATS IN EDUCATIONAL INSTITUTIONS
AND OF APPOINTMENTS OR POSTS IN THE PUBLIC SERVICES
UNDER THE STATE FOR KAPUS) ACT,2019**

(ACT No.14 of 2019)

(20th February, 2019)

AN ACT TO PROVIDE FOR THE RESERVATION OF SEATS IN EDUCATIONAL INSTITUTIONS IN THE STATE OF ANDHRA PRADESH AND OF APPOINTMENTS OR POSTS IN THE PUBLIC SERVICES UNDER THE STATE FOR THE ECONOMICALLY WEAKER SECTIONS OF KAPUS AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS, the policy of reservation for the social, economic and educational upliftment of citizens for admissions into educational institutions and for appointments in the services under the State is being implemented in the State of Andhra Pradesh since a long time and the same is under implementation for the Backward Classes, Schedule Castes and Schedule Tribes;

AND WHEREAS, a large percentage of the population of Andhra Pradesh suffering from social and educational backwardness for many years have started enjoying the fruits of the reservation policy and have been able to improve their lot and attain a higher standard of living;

And WHEREAS, there was a longstanding demand from the poorest classes of the unreserved categories that due to their economic weakness are unable to compete with the other affluent classes, as a result of which they are gradually becoming socially and educationally backward;

And WHEREAS, due to the persistent demands from the Economically Weaker Sections of the people an amendment to the Constitution was made under the Constitution (One Hundred and Third Amendment) Act, 2019 by inserting clauses 15(6) and 16(6) in the constitution in order to enable the economically weaker sections (EWSs) who are not covered under the existing scheme of reservations for the scheduled castes, the scheduled tribes and the socially and educationally backward classes to receive the benefits on a preferential basis in civil posts and services in the government and admission in educational institutions;

And WHEREAS, due to the insertion of Articles 15(6) and 16(6) in the Constitution of India, the State of Andhra Pradesh is empowered to make provision for 10% reservation to Economically Weaker Sections of Citizens in Civil posts and services in the Government of Andhra Pradesh and admission in Educational Institutions;

And WHEREAS, there was a long standing demand from the Kapu sub castes i.e., Telaga, Kapu, Ontari, Balija to provide benefits on a preferential basis in civil posts and services in the government and admission in educational institutions on the ground that due to their economic weakness they are unable to compete with the other unreserved classes, as a result of which they are gradually becoming socially and educationally backward;

And WHEREAS, the relative economic backwardness of the Kapu Sub castes i.e., Telaga, Kapu, Ontari, Balija is established by various reports before the Legislature, and because it is necessary to enable the Kapu sub castes to overcome their economic weakness and the resulting barriers of a social and institutional nature, because of which they are becoming economically backward relative to other unreserved classes;

And WHEREAS, the State of Andhra Pradesh came to a conclusion that there is every need to provide 5% reservation to Economically Weaker Section (EWS) of Citizens belonging to Kapu, Telaga, Balija and Ontari Castes who are not covered under the existing Constitutional scheme of reservation and another 5% reservation to other Economically Weaker Sections (EWSs) of citizens who are not covered under the existing Constitutional scheme of reservation for Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Class Citizens in the admission to the Educational Institutions, whether aided or unaided, other than Minority Educational Institutions, and in the appointments in the Civil Posts and Services under the State Government;

And WHEREAS, the State of Andhra Pradesh seeks to achieve the object and conception of equality as outlined by the Constitution (One hundred and Third Amendment) Act, 2019 by seeking to implement reservation of 5% reservation for Kapus as their identified and established relative economic

weakness needs to be overcome through this Bill so that they are on par with unreserved classes.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth year of the Republic of India as follows :-

1. Short Title, Extent and Commencement - (1) This Act may be called the Andhra Pradesh Economically Weaker Sections of citizens (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Public Services under the State for Kapus) Act, 2019.

(2) It extends to the entire State of Andhra Pradesh.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

2. Definitions - In this Act, unless the context otherwise requires:-

(a) "Economically Weaker Sections" means the classes consisting of persons not included in any other category of reservation, declared as such by the State Government, by notification in the Official Gazette, for the purposes of this Act;

(b) "Educational Institutions" means

(i) any college or other educational institution maintained by the State or receiving aid out of the State funds or affiliated to any university established by law including an university college and a constituent college, other than Minority Educational Institutions; or

(ii) any institute or training centre recognized or approved by the Government with the object of preparing, training or guiding its students for any certificate, degree or diploma or other academic distinctions granted or conferred by any university or authority established or approved in this behalf by the Government other than Minority Educational Institutions;

(c) "Government" means the State Government of Andhra Pradesh;

(d) "Kapu" means the people belonging to the Telaga, Kapu, Ontari, Balija communities of the State of Andhra Pradesh;

(e) "Notification" means a notification published in the Andhra Pradesh Gazette and the word 'Notified' shall be construed accordingly.

(f) "prescribed" means prescribed by rules made under this Act;

(g) "Public Service" means public service as defined in Andhra Pradesh(Regulation of Appointments to Public Services and Rationalization of Staff Pattern and Pay Structure) Act, 1994.

3. Reservation of Seats in Educational Institutions for Kapus-

(1) The reservation in respect of the annual permitted strength for admission into such educational institutions and courses in the State, as may be prescribed, for Economically Weaker Sections of Kapus shall be five(5) percent.

(2)There shall be one-third reservation for women from the Economically Weaker Sections of Kapus within the five percent of reservation accorded to Economically Weaker Sections of Kapus in respect of the annual permitted strength for admission into such educational institutions and courses in the State, as may be prescribed. The one-third reservation for women shall be Horizontal.

4. Reservations in appointments or posts in the public services under the State for Kapus -

(1) The reservation of appointments and posts in the public services under the State for the Economically weaker sections of Kapus shall be five (5) percent.

(2) There shall be one-third reservation for women from the Economically Weaker Sections of Kapus within the five percent of reservation accorded to Economically Weaker Sections of Kapus for appointments and posts in the public services under the State. The one-third reservation for women shall be horizontal.

5. Power to make Rules - (1) The Government may by notification published in the Andhra Pradesh Gazette make rules for carrying out all or any of the purposes of this Act.

(2)(a) All rules made under this Act shall be published in the Andhra Pradesh Gazette and shall come into force on the day on which they are so published unless it is expressly mentioned to come into force on a particular day.

(b) All notifications issued under this Act shall come into force on the day on which they are published, unless it is expressly mentioned to come into force on a particular day.

(3) Every rule made under this Act shall be laid before each House of the State Legislature immediately if it is in session and if it is not in session, in the next session which follows immediately 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, both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall be with effect from the date of notification of such modification or annulment in

the Andhra Pradesh Gazette is notified and 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.

6. Power to remove difficulties - If there is any difficulty/hindrance arises in giving effect to the provisions of this Act, the Government may make such order not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for the purpose of removing such difficulty/hindrance:

Provided that no such orders shall be made after the expiry of two years from the date of the commencement of this Act.

7. Protection of action taken in good faith - No suit, prosecution or other legal proceedings shall lie against any authority or person for anything done or purported to have been done in good faith in pursuance of the provisions of this Act or the rules made thereunder.

8. Savings - (1) All rules, orders, circulars etc. made or, as the case may be, issued before the commencement of this Act by the State Government in relation to reservation of seats in educational institutions and of appointments and posts in the public services under the State for the Economically Weaker Sections of Kapus shall, in so far they relate to matters for which provision is made in this Act and are not inconsistent therewith, be deemed to have been made or, as the case may be, issued under this Act as if this Act had been in force on the date on which such rules, orders, circulars etc. were made or, as the case may be, issued and shall continue in force unless and until they are superseded by any rule made under this Act.

(2) Nothing in this Act shall be deemed to have affected any orders made by the Governor in exercise of his powers under the Fifth Schedule of the Constitution of India in respect of the Scheduled Areas.

DUPPALA VENKATARAMANA,
Secretary to Government,
Legal and Legislative Affairs and Justice,
Law Department.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Backward Classes Welfare Department - The Andhra Pradesh Economically Weaker Sections of citizens (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Public services under the State for Kapus) Act, 2019 (ACT 14 OF 2019) - Date of Commencement of the Act - Notification - Orders - Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.Ms.No.45

Dated.08.03.2019
Read:-

The Andhra Pradesh Economically Weaker Sections of citizens (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Public services under the State for Kapus) Act, 2019 (ACT 14 OF 2019) published in the Extraordinary issue of the Andhra Pradesh Gazette No.14 Part IV -B, dated: 20.2.2019.

ORDER:

The following Notification will be published in the Andhra Pradesh Gazette: -

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section (1) of the Andhra Pradesh Economically Weaker Sections of citizens (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Public services under the State for Kapus) Act, 2019 (ACT 14 OF 2019), the Government of Andhra Pradesh hereby appoints the 08/03/2019 (Friday), as the date on which the provisions of the said Act shall come into force.

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

B.UDAYA LAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery & Stores Purchase (Publication wing),
Andhra Pradesh, Muthyalampadu, Vijayawada.

(With a request to send 100 copies to Government and 100 copies to the
Director, Backward Classes Welfare, Tadigadapa, Vijayawada)

Copy to:

The Director, Backward Classes Welfare, Tadigadapa, Vijayawada

The Law Department, A.P. Secretariat, Velagapudi,

The P.S to Principal Secretary to Governor, Raj Bhavan, Hyderabad.

The P.S to Secretary to State Legislature, Velagapudi.

The P.S. to Special Chief Secretary to Hon'ble Chief Minister.

The O.S.D to Hon'ble Deputy C.M.

The P.S. to Chief Secretary to Government.

The P.S to Principal Secretary to Government, B.C.W.Dept.

The P.S to Hon'ble Minister for Transport B.C. Welfare and Handlooms and Textiles,
Government of Andhra Pradesh.

SC&SF

// FORWARDED: BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Backward Classes Welfare Department - The Andhra Pradesh Economically Weaker Sections other than Kapus (Reservation of Seats in the Educational Institutions and of appointments or Posts in the Public services under the State) Act, 2019 (ACT 15 OF 2019) - Date of Commencement of the Act – Notification – Orders – Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.Ms.No.46

Dated.08.03.2019
Read:-

The Andhra Pradesh Economically Weaker Sections other than Kapus (Reservation of Seats in the Educational Institutions and of appointments or Posts in the Public services under the State) Act, 2019 (ACT 15 OF 2019) published in the Extraordinary issue of the Andhra Pradesh Gazette No.15 Part IV –B, dated: 20.2.2019.

O R D E R:

The following Notification will be published in the Andhra Pradesh Gazette: -

NOTIFICATION

The Andhra Pradesh Economically Weaker Sections other than Kapus (Reservation of Seats in the Educational Institutions and of appointments or Posts in the Public services under the State) Act, 2019 (ACT 15 OF 2019) the Government of Andhra Pradesh hereby appoints the 08/03/2019(Friday), as the date on which the provisions of the said Act shall come into force.

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

B.UDAYA LAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery & Stores Purchase (Publication wing),
Andhra Pradesh, Muthyalampadu, Vijayawada.

(With a request to send 100 copies to Government and 100 copies to the
Director, Backward Classes Welfare, Tadigadapa, Vijayawada)

Copy to:

The Director, Backward Classes Welfare, Tadigadapa, Vijayawada

The Law Department, A.P. Secretariat, Velagapudi,

The P.S to Principal Secretary to Governor, Raj Bhavan, Hyderabad.

The P.S to Secretary to State Legislature, Velagapudi.

The P.S. to Special Chief Secretary to Hon'ble Chief Minister.

The O.S.D to Hon'ble Deputy C.M.

The P.S. to Chief Secretary to Government.

The P.S to Principal Secretary to Government, B.C.W.Dept.

The P.S to Hon'ble Minister for Transport B.C. Welfare and Handlooms and Textiles,
Government of Andhra Pradesh.

SC&SF

// FORWARDED: BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

B.C.Welfare Department – Implementation of Reservation Policy for the Economically Weaker Sections of Kapus and other than Kapus – Formulation of draft guidelines – Constitution of Committee – Orders – Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.MS.No. 52

Dated: 06-05-2019

Read the following :

1. Act No.14 of 2019, dated.20.02.2019.
2. Act No.15 of 2019, dated.20.02.2019.
3. G.O.Ms.No.45, B.C.Welfare (F) Dept., Dated.08.03.2019.
4. G.O.Ms.No.46, B.C.Welfare (F) Dept., Dated.08.03.2019.
5. Note from OSD to CS, dated.29.04.2019.
6. U.O.Note No.876215/ Ser.A/2019,GAD, dated.29.04.2019.

--:O:--

ORDER :

In the reference 1st & 2nd read above, the State Legislature has enacted the Act for providing 5% reservations of seats in Educational Institutions and of appointments for posts in the Public Services under the State for the Economically Weaker Sections of Kapus and 5% reservations for Economically Weaker Sections, other than Kapus.

2. In the reference 3rd & 4th read above, orders were issued notifying that the provisions of the said two Acts shall come into force w.e.f.08.03.2019.

3. Government, after considering the matter hereby constitute a committee with the following members to finalise the roster points under 10% EWS reservation:

- | | |
|---|-------------------|
| 1. Spl.C.S to Government
HM & FW Department | - Member |
| 2. Prl.Secretary to Government
Tribal Welfare Department | - Member |
| 3. Prl.Secretary to Government
Social Welfare Department | - Member |
| 4. Prl.Secretary to Government
B.C.Welfare Department | - Member Convenor |
| 5. Prl.Secretary to Government
Higher Education Department | - Member |
| 6. Secretary to Government
Minorities Welfare Department | - Member |
| 7. Secretary to Government
GA (Services) Department | - Member |
| 8. Secretary to Government
Law Department | - Member |
| 9. Secretary, APPSC | - Member |
| 10.Secretary, APSCH | - Member |
| 11.Director, B.C.Welfare, A.P., Vijayawada. | - Member |

4. The above committee shall suggest and evolve the draft guidelines, roster points for admissions in Educational Institutions, appointments for posts in the Public Services and submit the report on or before 10.05.2019 for implementation of reservations to the EWS of Kapus and other than Kapus.

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

L.V.SUBRAHMANYAM
CHIEF SECRETARY TO GOVERNMENT

To
All the Members concerned.
Copy to
The Member Secretary, APCBCs, Vijayawada.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

BACKWARD CLASSES WELFARE DEPARTMENT - Guidelines for implementation of 10% Reservation to the Economically Weaker Sections for admissions into Educational Institutions for the academic year 2019-20 – Orders – Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.Ms.No. 60,

Dated: 27.07.2019
Read the following: -

1. From the Ministry of Law and Justice (Legislative Department), the Constitution (One Hundred and Third Amendment) Act, 2019, Dt:12.01.2019.
2. From the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), Government of India, Office Memorandum F.No.36039/1/2019-Estt (Res.) Dt: 19.01.2019.
3. Act No.14 of 2019, Dated.20.02.2019 and Act No.15 of 2019, Dated.20.02.2019, published in PART IV-B EXTRAODINARY, Dated: 20th February 2010.
4. G.O.Ms.No.45, and G.O.Ms.No.46, BCW(F) Dept., Dated: 08.03.2019.
5. G.O.Ms.No.52, BC Welfare (F) Dept., Dated: 06.05.2019.
6. W.P. (CIVIL) No. 343 of 2019 with I.A.No. 45038/2019 filed by Sri P.V. Ramakrishna and others before the Hon'ble Supreme Court of India.
7. W.P. No. 4568 of 2019 filed by Dr. Gajula Madhusudana and others before the Hon'ble High Court of Andhra Pradesh.
8. W.P. No. 5206 of 2019 filed by Dr. Gajula Madhusudana and others before the Hon'ble High Court of Andhra Pradesh.
9. W.P. No. 8556 of 2019 filed by Sri Kalle Chandra Sekhar Sharma and Smt. Kalle Mitravinda before the Hon'ble High Court of Andhra Pradesh.

ORDER:

The Government of India, in the reference 1st read above, has brought out the Constitution (One Hundred and Third Amendment) Act, 2019 inserting Clauses 15 (6) and 16 (6) in the Constitution providing for 10% reservation in admissions into Educational Institutions and appointments to posts in favour of Economically Weaker Sections of citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes.

2. In pursuance of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of India have, in the reference 2nd read above, prescribed the eligibility criteria to get the benefit of 10% reservation in admissions into Educational Institutions and appointments to posts provided in favour of Economically Weaker Sections of citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes among others which are as follows:

- 1) 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 lakh are to be identified as EWS for the benefit of reservation.
- 2) The persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS for the benefit of reservation, irrespective of the family income.

- i. Five (5) Acres of agricultural land and above.
- ii. Residential flat of 1000 Sq. Ft. and above.
- iii. Residential plot of 100 Sq. Yards and above in notified Municipalities / Corporations.
- iv. Residential plot of 200 Sq. Yards and above in areas other than notified Municipalities / Corporations.

The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land or property holding test to determine EWS status.

The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

3. After passing of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of Andhra Pradesh have bifurcated the 10% reservation and brought out two Acts, namely, Act No.14 of 2019, Dated.20.02.2019 and Act No.15 of 2019, Dated.20.02.2019, providing for 5% reservation to Economically Weaker Sections among Kapus and 5% reservation to Economically Weaker Sections among other than Kapus respectively, towards admissions into Educational Institutions and appointments to posts in the Public Services under the State. There shall be 1/3rd horizontal reservation for women within in the reservation provided both to Kapus and other than Kapus.

4. In the reference 4th read above, the Government have issued orders bringing the provisions of the Act 14 of 2019 and Act 15 of 2019 into force with effect from 08.03.2019.

5. In the reference 5th read above, Government have constituted a Committee for formulation of draft guidelines for implementation of 5% reservation provided to Economically Weaker Sections among Kapus and 5% reservation provided to Economically Weaker Sections other than Kapus.

6. Meanwhile, a Writ Petition bearing No. WP (CIVIL) No. 343 OF 2019 with I.A.NO. 45038/2019 has been filed before the Hon'ble Supreme Court of India praying for quashing the Constitution (One Hundred and Third Amendment) Act, 2019 as violative of basic structure of the Constitution and also quashing Act 14 & Act 15 of 2019 enacted by Government of Andhra Pradesh as being violative of Articles 15 (1) & 16 (2) of the Constitution.

7. In the reference 7th & 8th read above, two Writ Petitions have been filed before the Hon'ble High Court of Andhra Pradesh praying for issuing an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus to the respondents to notify the Rules for implementing the 10% reservation provided to Economically Weaker Sections among Kapus and other than Kapus in Act No.14 of 2019 and Act No.15 of 2019 enacted by the State of Andhra Pradesh.

8. In the reference 9th read above, one more Writ Petition has been filed before the Hon'ble High Court of Andhra Pradesh praying for issuing an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring Act No.14 of 2019 and Act No.15 of 2019 as ultra vires and un-constitutional, violative of the purport of the 103rd Constitutional Amendment Act, 2019 and violative of Article 15 of the Constitution of India and consequently, Act No.14 of 2019 and Act No.15 of 2019, have to be struck down. The Hon'ble High Court of Andhra Pradesh passed the following interim orders in this case;

"Notice before admission.

Petitioners filed the Writ Petition seeking Mandamus declaring Act 14 and Act 15 of 2019, as ultra vires, unconstitutional, violative of the purport of the 103rd Constitutional Amendment, violative of

Article 15 of the Constitution of India and consequently to strike down Act 14 and Act 15 of 2019.

Petitioners also sought interim relief, to direct the Respondents 6 and 7 to follow 103rd Constitutional Amendment Act during admissions into Medical and Engineering Courses and allot seats in the supernumerary seats created by the 4th Respondent, only in accordance with the policy of the 4th Respondent, with regard to Economically Weaker Sections, pending disposal of the writ petition.

It is the case of the petitioners that Act 14 and Act 15 of 2019, creating reservation in Educational Institutions to Kapu community based on their economic backwardness, is contrary to the 103rd Amendment.

In fact, it is brought to the notice of the Court that a petition challenging 103rd Constitutional Amendment is pending before the Honourable Supreme Court, but the main contention is that Act 14 and Act 15 are inconsistent with the purport of 103rd Constitutional Amendment. At this stage, it is not possible to decide the core issue i.e. the vires of Act 14 and 15 of 2019, making another class within the original class, without inviting counter-affidavit from the respondents.

Therefore, there shall be a direction to the respondents to complete the admission process, pending further orders, subject to the result of the Writ Petition, by obtaining an undertaking from the petitioners to the effect that in case the petitioners do not succeed in the writ petition, they shall not claim any equities in future based on the admissions.

Post after three weeks, by which time respondents shall file their counter-affidavits”.

9. In view of the above Government hereby decided to fill up the EWS quota of supernumerary seats in Higher Educational Institutions in accordance with 103rd Constitutional Amendment Act, 2019 and the guidelines issued by Govt., of India vide Office Memorandum F.No.36039/1/2019-Estt(Res.) Dated: 19.01.2019. The guidelines relevant for current academic year 2019-2020, in regard to the subject matter consistent with 103rd Constitutional Amendment, would read as under:

- i. All Castes which are not covered under any reservation category (SC / ST / BC) are entitled to avail of the reservation facility under EWS Category.
- ii. The students admitted under EWS Category will be adjusted against the 10 percent of the sanctioned seats granted additionally, as is followed by the Government of India. However, 1/3rd (33 1/3) of the seats enhanced for the purpose of accommodating the EWS Category students shall be earmarked to women among them.
- iii. The model format of the EWS Certificate prescribed by Government of India in Annexure-I vide their O.M.No.36039/1/2019-Estt. (Res), Dated: 31-1-2019 shall be followed along with the conditions referred in para 2 above.
- iv. The persons seeking the benefit of reservation under EWS category shall obtain the necessary EWS Certificate issued by the Tahsildar concerned.
- v. The eligibility conditions for a person to avail of the facility of EWS reservation are the same as fixed by the Government of India as referred in Para 2 above:

10. Further, in regard to implementation of reservations to EWS Category in appointments to the posts or services under State, necessary orders will be issued separately.

11. All the Administrative Departments concerned / Districts Collectors are therefore requested to take necessary action accordingly.

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

**R. KARIKAL VALAVEN
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

All the Departments in Secretariat.

All the Heads of Departments in the State.

All the District Collectors in the State.

The Secretary, APPSC, Vijayawada.

The Advocate General, A.P.

The Law Department, A.P. Secretariat.

The Registrar (Admn.), Hon'ble High Court of A.P.

The Hon'ble High Court of A.P., Amaravathi.

Copy to :-

The P.S. to Secretary to the Hon'ble C.M.,

The P.S. to the Hon'ble Minister for B.C. Welfare.

The OSD to Chief Secretary to Government.

The P.S. to Spl. C.S, B.C. Welfare Dept.

Sc/Sf.

//FORWARDED :: BY ORDER//

SECTION OFFICER

www.gsrmaths.in

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

GAD – Implementation of 10% Reservation to the Economically Weaker Sections for admissions into Educational Institutions- Orders – Issued.

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GENERAL ADMINISTRATION (SERVICES.D) DEPARTMENT

G.O.MS.No. 65

Dated: 14-07-2021.
Read the following :-

1. From the Ministry of Law and Justice (Legislative Department), the Constitution (One Hundred and Third Amendment) Act, 2019.
2. G.O.Ms.No.60, Backward Classes Welfare (F) Department, dt:27.07.2019.

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ORDER:

The Government of India, in the reference first read above, has brought out the Constitution (One Hundred and Third Amendment) Act, 2019 inserting Clause (6) in Article 15 and Clause (6) in Article 16 in the Constitution providing for 10% reservation in admissions into Educational Institutions and appointments or posts in favour of Economically Weaker Sections of citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes.

2. In pursuance of the above and as per the interim orders passed by the Honourable High Court in WP No.8556 of 2019 filed by Sri Kalle Chandra Sekhar Sharma and Smt. Kalle Mitravinda, Government have issued G.O.Ms.No.60, Backward Classes Welfare(F)Department, dt:27.07.2019 for implementation of 10% reservation to the Economically Weaker Sections for admission into Educational Institutions for the academic year 2019-20.

3. Government, after careful examination, extend the operation of G.O.Ms.No.60, Backward Classes Welfare(F)Department, dt:27.07.2019 for the current and subsequent academic years with the following revised /reiterated operational guidelines with respect to the eligibility :-

- i. 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 lakh 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.
- ii. The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

- iii. 1/3rd (33 1/3 %) of the seats enhanced for the purpose of accommodating the EWS Category students shall be earmarked to women among them. The one-third reservation earmarked for women is horizontal.
 - iv. The persons seeking the benefit of reservation under EWS category shall obtain the necessary EWS Certificate issued by the Tahsildar concerned.
4. This Order is issued subject to the outcome of Writ Petitions and Public Interest Litigations (PILs) filed in this regard before the Hon'ble Courts.
 5. All the Administrative Departments concerned / Districts Collectors are therefore requested to take necessary action accordingly.

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

ADITYA NATH DAS
CHIEF SECRETARY TO GOVERNMENT

To
All the Departments in Secretariat.
All the Heads of Departments in the State.
All the District Collectors in the State.
The Secretary, APPSC, Vijayawada.
The Advocate General, A.P.
The Law Department, A.P. Secretariat.
The Registrar (Admn.), Hon'ble High Court of A.P.
The Hon'ble High Court of A.P., Amaravathi.

Copy to :-

The P.S. to Secretary to the Hon'ble C.M.,
The P.S. to the Hon'ble Minister for B.C. Welfare.
The OSD to Chief Secretary to Government.
The P.S. to Spl. C.S, B.C. Welfare Dept.
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

General Administration Department - Implementation of 10% Reservation to the Economically Weaker Sections (EWS) for initial appointments in the Posts and Services under the State Government - Orders – Issued.

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

G.O.MS.No. 66

Dated: 14-07-2021.
Read the following:-

1. The Constitution (One Hundred and Third Amendment) Act, 2019, Dt:12.01.2019 communicated from the Ministry of Law and Justice (Legislative Department), Government of India.
2. Office Memorandum F.No.36039/1/2019-Estt (Res.) Dt:19.01.2019 and Dt.31.01.2019 of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), Government of India.
3. Office Memorandum F.No.20013/01/2018-BC-II, Dt:17.01.2019 of the Ministry of Social Justice and Empowerment, Department Social Justice and Empowerment, Government of India read with Office Memorandum F.No.12-4/2019-U1, Dt: 17.01.2019 of the Ministry of Human Resource Development, Department of Higher Education, Government of India.
4. L.A. Bill No.33 of 2017, Published in Part IV-A Extraordinary, dated 02.12.2017.
5. Lr.No.173/Legn./2017-6, dated:08.01.2018 of Secretary to Legislature (I/C), A.P. addressed to the Secretary to Govt. of India, Ministry of Home Affairs, New Delhi.
6. Act No.14 of 2019, Dated.20.02.2019 and Act No.15 of 2019, Dated.20.02.2019, published in PART IV-B EXTRAORDINARY, Dated: 20.02.2019.
7. G.O.Ms.No.45 and G.O.Ms.No.46, BCW(F) Dept., Dated: 08.03.2019.
8. W.P.(CIVIL)No. 343 of 2019 with I.A.No.45038/2019 filed by Sri P.V. Ramakrishna and others before the Hon'ble Supreme Court of India.
9. W.P. No.4568 of 2019 filed by Dr. GajulaMadhusudana and others before the Hon'ble High Court of Andhra Pradesh.
- 10.W.P. No.5206 of 2019 filed by Dr. GajulaMadhusudana and others before the Hon'ble High Court of Andhra Pradesh.
- 11.W.P. No.8556 of 2019 filed by Sri Kalle Chandra Sekhar Sharma and Smt. KalleMitravinda before the Hon'ble High Court of Andhra Pradesh.
- 12.G.O.Ms.No.60, BC Welfare (F) Department, Dt.27.07.2019.

ORDER:

The Government of India, in the reference first read above, have brought out the Constitution (One Hundred and Third Amendment) Act, 2019 inserting Clause (6) in Article 15 and Clause (6) in Article 16 in the Constitution providing for 10% reservation in admissions into Educational Institutions and appointments in the posts and services under the State in favour of Economically Weaker Sections (EWS) of citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes.

2. In pursuance of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of India, in the references 2nd and 3rd read above, issued certain guidelines for implementation of the same in Government of India.

- a) 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 lakh are to be identified as Economically Weaker Sections (EWS) for the benefit of reservation. 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.
- b) The persons whose family owns or possesses any of the following assets shall be excluded from being identified as Economically Weaker Sections (EWS) for the benefit of reservation, irrespective of the family income.
- i. *Five (5) Acres of agricultural land and above.*
 - ii. *Residential flat of 1000 Sq. Ft. and above.*
 - iii. *Residential plot of 100 Sq. Yards and above in notified Municipalities / Corporations.*
 - iv. *Residential plot of 200 Sq. Yards and above in areas other than notified Municipalities / Corporations.*

The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land or property holding test to determine EWS status.

The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

3. Government of Andhra Pradesh vide reference 4th cited had enacted a bill to provide for reservation of seats in educational institutions in the State of Andhra Pradesh and of appointments or posts in the services under the State for the Telaga, Ontari and Balija communities including Kapus in BC-F as detailed below:

(i)	Backward Classes	-	Percent	(%)
	Group-A	-	Seven Percent	(7%)
	Group-B	-	Ten Percent	(10%)
	Group-C	-	One Percent	(1%)
	Group-D	-	Seven Percent	(7%)
	Group-E	-	Four Percent	(4%)
	Group-F (Kapus)	-	Five Percent	(5%)
(ii)	Schedule Castes	-	Fifteen Percent	(15%)
(iii)	Schedule Tribes	-	Six Percent	(6%)
			Total	55 %

4. Further vide reference 5th cited, the Secretary to Legislature (I/C), A.P. has sent the bill to the Secretary to Govt. of India, Ministry of Home Affairs, New Delhi for Assent of the Hon'ble President of India and the same is still pending.

5. After enactment of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of Andhra Pradesh have enacted two Acts viz., Act No.14 of 2019 and Act No.15 of 2019 bifurcating the 10% EWS reservation providing 5% reservation to Economically Weaker Sections among Kapus and 5% reservation to Economically Weaker Sections among other than Kapus respectively, for admissions into Educational Institutions and initial appointments in the posts and services under the State Government. These acts also provided for 1/3rd horizontal reservation for women within the reservation provided to both Kapus and other than Kapus.

6. In the reference 7th read above, the Government issued orders bringing the provisions of the Act 14 of 2019 and Act 15 of 2019 into force with effect from 08.03.2019.

7. Meanwhile, a Writ Petition bearing No. WP (CIVIL) No. 343 of 2019 with I.A.No.45038/2019 has been filed before the Hon'ble Supreme Court of India praying for quashing the Constitution (One Hundred and Third Amendment) Act, 2019 as violative of basic structure of the Constitution and also quashing Act 14 & Act 15 of 2019 enacted by Government of Andhra Pradesh as being violative of Articles 15 (1) & 16 (2) of the Constitution.

8. And, two Writ Petitions have been filed before the Hon'ble High Court of Andhra Pradesh praying for issuing an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus to the respondents to notify the Rules for implementing the 10% reservation provided to Economically Weaker Sections among Kapus and other than Kapus in Act No.14 of 2019 and Act No.15 of 2019 enacted by the State of Andhra Pradesh.

9. Further, one more Writ Petition has been filed before the Hon'ble High Court of Andhra Pradesh praying for issuing an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring Act No.14 of 2019 and Act No.15 of 2019 as ultra vires and un-constitutional, violative of the purport of the Constitution (One Hundred and Third Amendment) Act, 2019 and violative of Article 15 of the Constitution of India and consequently, Act No.14 of 2019 and Act No.15 of 2019, have to be struck down. The Hon'ble High Court of Andhra Pradesh passed interim orders in this case.

10. Besides the above Writ Petitions, certain Public Interest Litigations (PILs) bearing W.P. (PIL) No. 122 of 2019 and W.P. (PIL) No. 130 of 2019 have also been filed in this regard, challenging the sub-categorization of EWS reservation into 5% for EWS among Kapus and 5% for EWS among other than Kapus.

11. As mentioned above, several Writ Petitions and Public Interest Litigations (PILs) have been filed before the Hon'ble Supreme Court of India as well as Hon'ble High Court of Andhra Pradesh challenging the validity of the enactment by the Government of India of the Constitution (One Hundred and Third Amendment) Act, 2019 it self providing for 10% reservation to EWS Category on economic basis and also enactment by the Government of Andhra Pradesh of Act No.14 of 2019 and Act No.15 of 2019 providing for sub-categorization of EWS reservation into 5% for EWS among Kapus and 5% for EWS among other than Kapus.

12. All the Writ Petitions and Public Interest Litigations (PILs) filed in this regard are still pending before the Hon'ble Courts and they are yet to be disposed of. But, only in one of the Writ Petitions bearing No. 8556 of 2019 filed by Sri Kalle Chandra Sekhar Sharma and Smt. Kalle Mitravinda, the Hon'ble High Court of Andhra Pradesh have issued interim orders in public interest and to ensure that the academic session and admission of students is not put to jeopardy in the context of the litigation concerning the same.

13. In due obedience to the interim orders of the Hon'ble High Court of Andhra Pradesh passed in the W.P. No. 8556 of 2019 and in consideration of the academic session and interest of the EWS students, Government have issued orders in the reference 12th cited 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.

14. In this context, it is to be noted that the State of Telangana and several other States like Kerala, Madhya Pradesh, Bihar, Uttar Pradesh, Rajasthan, Gujarat etc., have already implemented 10% Reservation in favour of Economically Weaker Sections (EWS) both in Education and Employment in consonance with the Constitution (One Hundred and Third Amendment) Act, 2019. Some of the states have also formulated their own eligibility criteria as far as admissions in educational institutions and appointment in employment of their state government concerned.

15. It is pertinent to note that government of Andhra Pradesh have received several representations from public regarding the implementation of 10% EWS reservation in employment and admission in educational institutions wherein the request for modification of certain eligibility conditions considering the differences in cultural aspects, economic status and geographical diversity among various EWS Communities of the state.

16. Government have implemented EWS reservation for admission in educational institutions as per G.O.Ms.No.60, BC Welfare (F) Department, Dt. 27.07.2019 following the eligibility criteria of both income and assets status of the family. However, the representations received from public were carefully examined and it is felt that certain modifications are necessary due to varied cultural, economic and geographical diversities that make a one size fits all approach rendering the accomplishment of objectives of benefit of reservation to EWS as contemplated under Constitution (One Hundred and Third Amendment) Act, 2019, difficult. Therefore, Government have decided to adopt only the family income criteria of annual income of Rs.8 lakhs.

17. It is pertinent to note that bill No.33/2017 and Act No.14 of 2019 and 15 of 2019 are contradictory to each other. The bill No.33 of 2017 seeks to include Kapus into the list of BCs through creation of a separate category called BC – F and as per the reservations provided in that bill for various categories like BC, SC, ST, the overall reservation is at 55%. Whereas, the Acts 14 and 15 of 2019 seek to provide 5% reservation to Kapus under EWS Category treating them as OCs by creating a sub category within the overall 10% reservation provided by the Constitution (One Hundred and Third Amendment) Act, 2019 of GoI. Bill No.33/2017 is still pending at the level of Government of India. However, in the meantime the Hon'ble Supreme Court vide judgment in Civil Appeal No.3123 of 2020 against the reservation of Maratha Community has clearly reiterated that the overall cap in reservation shall not exceed 50% as originally ordered in Indra Sawhney judgment.

18. Act No.14 of 2019 and 15 of 2019 are challenged before the Hon'ble High Court as the state government is not competent to bifurcate the 10% reservation by creating sub category within a category of reservation and the litigations are still pending. Because of contradiction between bill No.33 of 2017 which is still pending with GoI and Act 14 of 2019 & 15 of 2019 which are under litigation under various Hon'ble courts, Kapus are neither categorized as BCs nor able to avail the reservations under EWS category. Similarly, because of litigations, members from other EWS communities are also not able to avail the reservations as contemplated under the Constitution (One Hundred and Third Amendment) Act, 2019. This issue has been further compounded by recent Supreme Court Judgement restricting the overall reservations to 50%.In view of all the issues as discussed above, any decision taken by the Government of Andhra Pradesh should be in compliance with the Constitution (One Hundred and Third Amendment) Act, 2019. Anything contrary to that leading to litigation denies the benefits of reservation to the members of EWS community as mandated in the Constitution (One Hundred and Third Amendment) Act, 2019.

19. The Government, therefore, after careful examination of the issue and as per the interim orders of the Hon'ble High Court as referred to above, have decided that the principles / guidelines issued in G.O.Ms.No.60, BC Welfare(F)Department, Dt. 27.07.2019 for the purpose of Education, be replicated in the sphere of Employment also for implementation of 10% reservation to the Economically Weaker Sections (EWS) of the citizens, for appointments in initial Posts and Services under the State Government in accordance with the purport of the Constitution (One Hundred and Third Amendment) Act, 2019 in order to benefit Kapus who are neither benefited under BC quota nor under EWS quota and other OC sections who have been deprived of the benefits of reservations thus far due to non-implementation of EWS quota subject to the outcome of several Writ Petitions and Public Interest Litigations (PILs) filed in this regard before the Hon'ble Courts.

20. The operational guidelines in regard to implementation of 10% reservation to the Economically Weaker Sections (EWS) for initial appointments in the Posts and Services under the State Government are as follows.

- i. 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 lakh 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.
- ii. The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.
- iii. Regarding initial appointments in the posts and services, the persons recruited under EWS category will be adjusted against the roster points earmarked for them. The orders on the roster points earmarked for 10% reservation to EWS category will be issued separately, along with other rules to be framed/amended and guidelines to be formulated, if any.
- iv. 1/3rd (33 1/3) of the initial appointments in posts and services under the State Government earmarked for EWS category shall be allocated to women among them. The one-third reservation earmarked for women is horizontal.
- v. The persons seeking the benefit of reservation under EWS category shall obtain the necessary EWS Certificate issued by the Tahsildar concerned.

21. As far as the posts notified for appointment by Government of India the guidelines issued by the Government of India, vide in the reference 2nd and 3rd read above are applicable.

22. All the Administrative Departments concerned / District Collectors / Appointing authorities in the State shall take necessary action in the matter accordingly.

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

ADITYA NATH DAS
CHIEF SECRETARY TO GOVERNMENT

To
All the Departments in A.P. Secretariat.
All the Heads of Departments in the State.
All the District Collectors in the State.
The Secretary, APPSC, Vijayawada.
The Advocate General, A.P.
The Law Department, A.P. Secretariat.
The Registrar (Admn.), Hon'ble High Court of A.P.

Copy to:

The P.S. to Secretary to the Hon'ble C.M.
The P.S. to the Hon'ble Minister for B.C. Welfare.
The OSD to Chief Secretary to Government.
The P.S. to Spl. C.S., B.C. Welfare Dept.
The Stock File.

// FORWARDED :: BY ORDER //

SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

The Andhra Pradesh State & Subordinate Service Rules, 1996 – Amendment to Rule-22– Notification - Orders – Issued.

GENERAL ADMINISTRATION (SERVICES- D)DEPARTMENT

G.O.MS.No. 73

Dated: 04-08-2021.
Read the following:-

1. G.O.Ms.No.436, General Administration(Services-D) Department, Dated:15.10.1996.
2. G.O.Ms.No.674, General Administration(Services-D) Department, Dated:30.10.2008.
3. G.O.Ms.No.60, Backward Classes Welfare(F)Department, Dated:27.7.2019.
4. G.O.Ms.No.65, General Administration(Services-D)Department, Dated.14.7.2021.
5. G.O.Ms.No.66, General Administration(Services-D) Department, Dated.14.7.2021.
6. From Secretary, Andhra Pradesh Public Service Commission, Lr.No.394/RR/2021, dt:28.07.2021.

ORDER:-

In the G.O third read above, orders were 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. Subsequently, Government have extended the operation of G.O.Ms.No.60, Backward Classes Welfare (F) Department, dt:27.07.2019 for the current and subsequent academic years with certain revised /reiterated operational guidelines with respect to the eligibility vide G.O.Ms.No.65, G.A.(Ser.D)Dept., Dt.14.7.2021.

2 Further, Government have decided that the principles /guidelines issued in G.O.Ms.No.60, BC Welfare (F) Department, Dt. 27.07.2019 for the purpose of Education, be replicated in the sphere of Employment also for implementation of 10% reservation to the Economically Weaker Sections (EWS) of the citizens, for appointments in initial Posts and Services under the State Government. Accordingly, orders were issued in G.O.Ms.No.66, G.A. (Ser.D) Dept., Dt.14.7.2021, for implementation of 10% reservation to the Economically Weaker Sections (EWS) for initial appointments in the Posts and Services under the State Government with the following operational guidelines:

1. 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 lakh 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.
2. The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.
3. Regarding initial appointments in the posts and services, the persons recruited under EWS category will be adjusted against the roster points earmarked for them. The orders on the roster points earmarked for 10% reservation to EWS category will be issued separately, along with other rules to be framed / amended and guidelines to be formulated, if any.

4. 1/3rd (33 1/3) of the initial appointments in posts and services under the State Government earmarked for EWS category shall be allocated to women among them. The one-third reservation earmarked for women is horizontal.
 5. The persons seeking the benefit of reservation under EWS category shall obtain the necessary EWS Certificate issued by the Tahsildar concerned.
3. Accordingly, the following notification shall be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling, the Governor of Andhra Pradesh, hereby makes the following amendments 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 and as subsequently amended from time to time:

AMENDMENTS

1. In the said rules, after rule-2(31), the following shall be inserted;

“32. Economically Weaker Sections” means 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 lakh are to be identified as Economically Weaker Sections (EWS) for the benefit of reservation”

2. In the said rules in rule 22,-

1. in sub-rule (1), after the words 'Ex-Servicemen' the words 'Economically Weaker Sections' shall be inserted.

2. in sub-rule (2),-

- I. for clause (a), the following shall be substituted, namely,-

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

provided 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 lakh 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.”

- II. in clauses (b), and (c) for the words “fifty”, the words “forty” shall be substituted.

- III. in clause (c), for the words “as the case may be, forty seven”, the words “as the case may be, thirty seven” shall be substituted.

- IV. in clause(e) for the existing entries against Roster Points Nos.12,21, 32,42, 50,61,73,82,88 & 96 which were meant for OCs/ OC(Women), the following shall be substituted, namely:-

"12 Economically Weaker Sections(Women)
21 Economically Weaker Sections(Open)
32 Economically Weaker Sections(Open)
42 Economically Weaker Sections(Open)
50 Economically Weaker Sections(Women)
61 Economically Weaker Sections(Open)
73 Economically Weaker Sections(Open)
82 Economically Weaker Sections(Open)
88 Economically Weaker Sections(Open)
96 Economically Weaker Sections(Women)"

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

ADITYA NATH DAS
CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner, Printing Stationery & Stores Purchase, Vijayawada
for publication of the notification in the A.P. Extraordinary Gazette, with a request
to supply 50 copies.

All Departments of Secretariat.

All Heads of Departments.

The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.

All District Collectors.

All Service Sections in the General Administration Department.

Copy to:-

The Law Department, A.P. Secretariat, Velagapudi.

The B.C. Welfare Department.

The PS to Principal Secretary to Chief Minister, Government of A.P.

The PS to Chief Secretary

Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

General Administration Department - Age concession of 5 years for Economically Weaker Sections over and above the upper age limit prescribed - Orders - Issued.

GENERAL ADMINISTRATION (SERVICES-D) DEPARTMENT

G.O.Ms.No.104

Dated: 23-09-2021.
Read the following:-

1. G.O.Ms.No.436, G.A. (Ser.D) Dept., dt.15.10.1996.
2. G.O.Ms.No.674, G.A. (Ser.D) Dept., dt.30.10.2008.
3. G.O.Ms.No.60, BC Welfare (F) Dept., dt.27.07.2019.
4. G.O.Ms.No.65, G.A.(Ser.D) Dept., dt.14.7.2021
5. G.O.Ms.No.66, G.A.(Ser.D) Dept., dt.14.7.2021
6. From the Secretary, APPSC Lr.No.394/RR/2021, dt.28.7.2021
7. G.O.Ms.No.73, G.A. (Ser.D) Dept., dt.4.8.2021.

ORDER:

In the G.O third read above, orders were 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. Subsequently, Government have extended the operation of G.O.Ms.No.60, Backward Classes Welfare (F) Department, dt:27.07.2019 for the current and subsequent academic years with certain revised /reiterated operational guidelines with respect to the eligibility vide G.O.Ms.No.65, G.A. (Ser.D) Dept., Dt.14.7.2021.

2. Further, Government have decided that the principles /guidelines issued in G.O.Ms.No.60, BC Welfare (F) Department, Dt. 27.07.2019 for the purpose of Education be replicated in the sphere of Employment also for implementation of 10% reservation to the Economically Weaker Sections (EWS) of the citizens for appointments in initial Posts and Services under the State Government. Accordingly, orders were issued in G.O.Ms.No.66, G.A. (Ser.D) Dept., Dt.14.7.2021, for implementation of 10% reservation to the Economically Weaker Sections (EWS) for initial appointments in the Posts and Services under the State Government with certain operational guidelines.

3. Government after careful examination of the matter hereby allow the age concession of 5 years, over and above the upper age limit prescribed under Rule 12 of the Andhra Pradesh State and Subordinate Service Rules, 1996 for the purpose of recruitment etc. in favour of EWS on par with SC/ST/BC candidates.

4. Necessary amendments to the A.P.State and Subordinate Service Rules, 1996 will be issued separately.

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

ADITYA NATH DAS
CHIEF SECRETARY TO GOVERNMENT

To
All the Departments in A.P. Secretariat.
All the Heads of Departments in the State.
All the District Collectors in the State.
The Secretary, APPSC, Vijayawada.
The Law Department, A.P. Secretariat.
Copy to: The P.S. to Pri. Secretary to the C.M.
The OSD to Chief Secretary
The Stock File.

// FORWARDED :: BY ORDER //

V. Hari Prasad
SECTION OFFICER
B