



BHASKAR PHARMACY COLLEGE

Approved by AICTE, PCI New Delhi & Affiliated to JNTU, Hyderabad.

(Sponsored by J.B. Educational Society)

Bhaskar Nagar, Yenkapally(V), Moinabad (M), Himayathnagar (P.O.), R.R. Dist., Hyderabad -500 075, Telangana.

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2.1.2: Copy of communication issued by state govt. or Central Government indicating the reserved categories (SC,ST,OBC,Divyangjan,etc.) to be considered as per the state rule

**GOVERNMENT OF TELANGANA
ABSTRACT**

Scheduled Tribes - Reservation in Admissions to Educational Institutions and in the matter of appointments to the services under the State for the persons belonging to Scheduled Tribes – Orders - Issued.

TRIBAL WELFARE DEPARTMENT

G.O.Ms.No.33

Dated: 30.09.2022

Read:

G.O.Ms.No.167, SW(P) Dept., dated 15.07.1986.

ORDER:-

1. The State of Telangana was formed on 2nd June, 2014 after a long and dedicated struggle to fulfil the aspirations of the people of Telangana. The very formation of the new State of Telangana in 2014 brought about certain special circumstances, inasmuch as the share of Scheduled Tribes population in the Telangana State significantly increased, as compared to their share in the undivided State of Andhra Pradesh.
2. After formation of the new State of Telangana, in furtherance of the commitment to protect the interest of Scheduled Tribes, the Scheduled Castes and Scheduled Tribes Special Development Fund Act, 2017 was enacted by the State Legislature, to ensure fund allocation on par with the Scheduled Tribe population. According to the Act, the unspent funds in a financial year will not lapse, and will be carried forward to the next financial year. This special provision has been made for the socio-economic upliftment of the Scheduled Tribes. This measure clearly establishes the imperative need for socio-economic development, and for enhancing the reservations for Scheduled Tribes in the State and also for providing them adequate opportunities in education and employment.
3. Keeping the above in view, the State Government constituted a Commission of Inquiry to study and prepare a comprehensive report on the relative increase of Scheduled Tribes population in the State and their social and economic backwardness.
4.
 - i. The Commission of Inquiry for Scheduled Tribes constituted under the Chairmanship of Sri S.Chellappa, I.A.S. (Retd.) issued public notifications for hearings in all Districts of Telangana, conducted many public hearings, received several representations from the public and interacted with all stakeholders, including elected representatives, academicians, journalists and Civil Society Organizations.
 - ii. The Commission extensively toured all the Districts and Tribal habitations, apart from studying the 2011 general census. The Commission gathered information from 30 Line Departments in State Government and the Samagra Kutumba Survey data to study the development of Tribal communities, their economic and social backwardness, and their representation in posts in Services. Thereafter, the Commission has submitted its detailed report together with its recommendations to the Government.
 - iii. The Commission, after elaborate study, observed that the population of Scheduled Tribes has significantly increased since 1986 when 6% reservation was implemented for the community, as subsequent to formation of Telangana State encompassing areas with higher Tribal population, the Scheduled Tribe population comprises 9.08% of the total population of Telangana State according to the 2011 census.



(P.T.O...)
[Signature]
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- iv. The Commission also observed that the disproportionately low reservation benefits for Scheduled Tribes in fields of employment in Government services and admission into educational institutions has been a major factor contributing to lack of access to various rights guaranteed under the Constitution of India.
- v. The Commission reported that the social and economic backwardness of the Scheduled Tribe community continues on several fronts. The social and economic backwardness vis-a-vis high proportion of Tribal marginal farmers and agricultural workers quantifies the economic backwardness of Scheduled Tribes. The isolation of Tribes apart from linguistic and cultural barriers is found contributory to a literacy gap of 17% and higher dropout rates among Tribals, and a resultant social backwardness, which may lead to disintegration from main society.
- vi. The inadequate representation of Scheduled Tribes in employment has also been studied by the Commission, with a nominal presence of Tribes in Government services, owing to several disadvantageous factors.
- vii. The Commission, in conclusion, inter-alia, categorically recommended to consider enhancement of the percentage of reservations for Scheduled Tribes.

5. The Hon'ble Supreme Court of India in their judgment in Indra Sawhney Vs. Union of India reported in AIR 1993 SC 477 inter-alia observed that relaxation in the strict rule of 50% ceiling is permissible under certain special circumstances. The findings of the Commission mentioned above, based on sound and relevant reasoning, clearly establish such special circumstances and emphasize the need for enhancement of reservations for Scheduled Tribes.

6. It is pertinent to mention that a legislation was made by the State of Tamil Nadu, namely The Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of Appointments or Posts in the Services under the State) Act, 1993 which provides reservations to the extent of 69%, thereby doing justice to the poor people of Tamil Nadu. The Government of India has included it in the IX Schedule of the Constitution of India, and allowed the Tamil Nadu Government to implement 69% reservations for the past twenty eight years.

7. On the lines of legislation enacted by Tamil Nadu, a Bill was passed by the Telangana State Legislature on 16-04-2017 unanimously to enhance the reservation for Scheduled Tribes up to 10% in educational institutions and in State Government services. The Bill has been sent to the Government of India for obtaining the assent of the President in 2017. During these close to six years, the State Government sent several representations in this regard, but the same is still pending. Therefore, in these circumstances, it is expedient to enhance the percentage of Scheduled Tribe reservations, without any further loss of time.

8. The Government of Telangana, after careful consideration of the above special circumstances, hereby orders enhancement of the reservations for Scheduled Tribes from 6% to 10% in educational institutions and in State Government services.


9. These orders shall come into force with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z. CHONGTHU,
SECRETARY TO GOVERNMENT.**

To
All the Departments of the Secretariat.
All the Head of Departments.



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The Commissioner of Printing, Stationary and Stores Purchase Dept., Hyderabad
(with a request to publish in Telangana Gazette).

The General Administration (Services), Health, Medical and Family Welfare,
Labour and Employment, Higher Education and School Education
Departments, for making necessary amendments to the rules and regulations
in this regard.

Copy to:-

All the District Collectors.

PS to Chief Secretary.

PS to Secretary to CM.

PS to M(TW).

PS to Secretary(TW).


The Law Department.

Sc/Sf.

//FORWARDED::BY ORDER//


SECTION OFFICER.




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**GOVERNMENT OF TELANGANA
ABSTRACT**

GAD - Implementation of 10% Reservation to the Economically Weaker Sections (EWS) in respect of initial appointments to the posts in services under the State and for admissions into Educational Institutions - Consolidated guidelines - Orders - Issued.

GENERAL ADMINISTRATION (SER.D) DEPARTMENT

G.O.Ms.No. 244

Dated: 24-08-2021
Read the following:-

1. The Constitution (One Hundred and Third) Amendment Act, 2019.
2. Office Memorandum No. 12-4/2019-U1, dated: 17.01.2019, Ministry of Human Resource Development and Department of Higher Education, Government of India.
3. Office Memorandum No.20013/01/2018-BC-II, dated: 17.01.2019, Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Government of India.
4. Office Memorandum F.No.36039/1/2019-Estt (Res.), dated: 19.01.2019, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), Government of India.
5. G.O.Ms.No.33, G.A (Ser.A) Department, dated: 08.02.2021.
6. G.O.Ms.No.65, G.A (Ser.D) Department, dated: 19.03.2021.
7. G.O.Ms.No.242, G.A (Ser.D) Department, dated: 24.08.2021.
8. G.O.Ms.No.243, G.A (Ser.D) Department, dated: 24.08.2021.

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ORDER:

The Constitution (One Hundred and Third Amendment) Act, 2019 provides for reservations for the economically weaker sections of society in higher educational institutions, including private institutions whether aided or un-aided by the state, other than the Minority Educational Institutions referred to in Article 30 of the Constitution of India and also provides for reservations for them in posts in initial appointments in services under the state.

2. In pursuance of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of India have in the references 2nd to 4th 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 (EWS) citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes.

3. In the reference 5th read above, orders have been issued on implementing 10% reservation to the Economically Weaker Sections for admissions into all educational institutions in the State and also in respect of initial appointments to the posts in the services under the State, following the criteria and guidelines prescribed by the Government of India and also instructing that necessary amendments to rules and guidelines in this regard, shall be issued by the General Administration Department and Education Department separately.

4. In the reference 6th read above, guidelines and roster points to be earmarked for implementation of 10% reservation to Economically Weaker Sections in respect of initial appointments to the posts in services under the State have been issued.

5. In the reference 7th read above, an errata has been issued to the G.O.Ms.No. 65, GA (Ser.A) Dept., Dt. 19.3.2021 in regard to the roster points earmarked for EWSs.



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6. Further, in the reference 8th read above, the necessary amendments have been issued to the Telangana State and Subordinate Service Rules, 1996.

7. The Government, after careful examination of the issue, have decided to issue consolidated operational guidelines in regard to implementation of 10% reservation to the EWS for initial appointments in the posts and services under the State and for admissions into Educational Institutions in the State and accordingly, the same are as follows:

(i) The persons belonging to EWS who are not covered under the scheme of reservation for SCs, STs and BCs shall get 10% reservation in initial appointments to the posts in services under the State of Telangana.

(ii) Persons who are not covered under the scheme of reservation for SCs, STs and BCs and whose family has gross annual income below Rs. 8.00 lakh (Rupees Eight Lakh only) are to be identified as EWS for 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.

(iii) 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.

(iv) The benefit of reservation under EWS can be availed upon production of an Income Certificate issued by a Tahsildar. The Officer who issues the certificate would do the same after carefully verifying all relevant documents following due process.

(v) The appointing authorities should, in the offer of appointment to the candidates claiming to be belonging to EWSs, include the following clause:-

"The appointment is provisional and is subject to the Income certificate being verified through the proper channels and if the verification reveals that the claim to belong to EWS is fake/false the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of fake/false certificate".


(vi) The appointing authority should verify the veracity of the Income certificate submitted by the candidate through the certificate issuing authority.

(vii) Where in any recruitment year any vacancy earmarked for EWS cannot be filled up due to non availability of a suitable candidate belonging to EWS, such vacancies for that particular recruitment year shall not be carried forward to the next recruitment year as backlog.

(viii) Persons belonging to EWS selected against the quota for persons with benchmark disabilities/ex-servicemen shall be placed against the roster points earmarked for EWS.

(ix) A Person belonging to EWS cannot be denied the right to compete for appointment against an unreserved vacancy. Persons belonging to EWS who are selected on the basis of merit and not on account of reservation are not to be counted towards the quota meant for reservation.




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(x) 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.

(xi) The maximum age limit prescribed for direct recruitment to a post shall be raised by (5) years in case of candidates belonging to EWS on par with SC/ST/BC candidates.

(xii) Fee exemption from exam fees shall be given for EWS candidates on par with SC/ST/BC candidates in respect of direct recruitments.

(xiii) Instructions referred to above should be strictly followed so that it may not be possible for an unscrupulous person to secure employment on the basis of a false claim and if any person gets an appointment on the basis of such false claim, her/his services shall be terminated invoking the conditions contained in the offer of appointment.

(xiv) Every higher educational institution in the State shall increase the number of seats in each branch of study or faculty to admit EWS candidates for all admissions notification issued hereafter.

(xv) Necessary amendments to Rules shall be issued based on these orders.

8. All the Departments of Secretariat / Heads of the Departments / District Collectors in the state shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**SOMESH KUMAR
CHIEF SECRETARY TO GOVERNMENT**

To
All the Departments of Secretariat.
All the Heads of Departments / District Collectors in the State.
The Registrar, Hon'ble High Court of Telangana.
The Principal Secretary, TSPSC, Hyderabad.
The Advocate General for state of Telangana, High Court, Hyderabad.
The Law Department, T.S, Secretariat.


Copy to:

The P.S. to Principal Secretary to Chief Minister.
The PS to Chief Secretary.
The PS to Principal Secretary to Govt., (GAD)
All Service Sections in GAD
Sc/Sf

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SECTION OFFICER




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