



Government of India  
National Commission for Scheduled Tribes  
(A Constitutional Commission set up under Art. 338A  
of the Constitution of India)

File No. GRB/4/2015/STGAP/SEPROM/RU-IV

21.10.2016

To,


1. The Special Chief Secretary to Government,  
Agriculture and Cooperation,  
Government of Andhra Pradesh,  
Interim Secretarial Complex,  
Velagapudi,  
Amaravathi Mandal,  
Guntur District (Andhra Pradesh).
2. The Director of Agriculture,  
Government of Andhra Pradesh,  
Chuttugunta Centre  
Guntur - 4 (Andhra Pradesh).

**Sub: Representation of Shri G. Laxshmana Kumar and Shri G. Ravindra Babu, Assistant Directors, Agriculture Department, Guntur, AP regarding promotion.**

Sir,

I am directed to enclose a copy of the Proceeding of the Sitting held in the NCST on 21.10.2016 on the above mentioned subject and to send the action taken report to the Commission at an early date.

Yours faithfully,

  
(V.P. Shahi)  
Assistant Director

Copy to:-

Shri G. Ravindra babu,  
F. No. 401, Teja Grand,  
Vijayapuri,  
4<sup>th</sup> Lane, J.K.C. College Road,  
Guntur - 6,  
Andhra Pradesh.

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**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

File No. GRB/4/2015/STGAP/SEPROM/RU-IV

**Proceedings of the sitting taken by the Vice-Chairperson, NCST on 21-10-2016 in the matter of S/Sri G. Lakshamana Kumar and G.Ravindra Babu, Assistant Directors of Agriculture, Zone-III, Department of Agriculture, Andhra Pradesh regarding violations in the implementation of Rule of Reservation in promotions.**

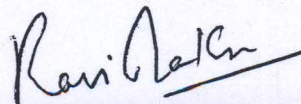
**List of participants are as at Annexure – 1**

1. A couple of representations Dated 02.10.2015 and 03.01.2016 received from S/Shri G. Lakshmana Kumar and G. Ravindra Babu, Assistant Directors of Agriculture, Zone-III, Department of Agriculture, Andhra Pradesh regarding injustice to them by not implementing various instructions issued by the Andhra Pradesh Government on implementation of Rule of Reservation in promotions. While narrating their grievances, they have represented that, the Authorities of Andhra Pradesh Agriculture Department have violated various provisions of the A. P. State & Subordinate Service Rules,1996 (here after referred as APSSR,1996), G.O.Ms.No.187 General Administration (Ser-B) Department, dated 25-04-1985 G.O. Ms. No. 257 General Administration (Ser-C) Department dated 10-06-1999. And G.O. M.S. No. 424 General Administration (Ser-C) Department dated 25-5-1976.

2. Vide their representations they have stated that, they were appointed as Agricultural Officers in the Department during 1996 and later promoted as Assistant Directors of Agriculture in 2009.They further represented that, even though they are eligible to get further promotions by 2003-04 panel year, the authorities denied their promotions by submitting a false report to the Screening Committees conducted during 2003-04 and 2004-05 panel years.

3. The petitioners further brought out the facts that, the A.P. Government through G.O.Ms.No.187 General Administration (Ser-B) Department dated:25-04-1985 instructed all its departments to consider the updated and communicated seniority lists only for preparation of panels and affecting promotions. Further, vide the G.O.Ms.No.123 General Administration(Ser-D) Department ,Dated:19-04-2003, it has also directed

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रवि ठाकुर/RAVI THAKUR  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

to consider the names of eligible candidates only to get promotions under Rule of Reservation.

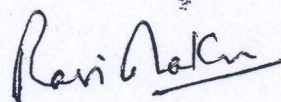
4. Perusal of their petitions and reports furnished by the Director of Agriculture, Government of Andhra Pradesh revealed that, there were only four(4)eligible S.T Agricultural Officers available in Zone-III by 2003-04 and 2004-05 panel years. Viz; S/Shri V.Narasimhulu, B.Prasad, G.Laksamana Kumar and G. Ravindra Babu.

5. Further, as per the information furnished by the authorities of A.P. Agriculture Department, they have duly obeyed the court orders and have updated and communicated a common and inter-se seniority list on 15-03-2004. As per the seniority list Shri V. Narasimhulu (S.T) was at serial number six(6). However, he was promoted at 8<sup>th</sup> roster point during 2003-04 panel year and thereby downgraded as alleged by the applicants. To facilitate him downgrade, the authorities have erroneously included three persons in the panel despite the fact that their names were not there in the seniority list communicated before the Screening Committee meeting as per the court orders. This is a clear violation of G.O.Ms.No.187 General Administration (Ser-B) Department, Dated:25-04-1985 issued by the Government to conduct Department Promotion Committees.

6. The downgrade of Shri V. Narasimhulu from 6<sup>th</sup> seniority to 8<sup>th</sup> point, has negatively impacted the promotional prospects of the applicants who are meritorious and eligible even by 2003-04 and 2004-05 panel years.

7. In addition to the above, it is further found that, the Department while preparing the panels for 2004-05 panel year, in- spite of the availability of eligible S.T candidates (applicants) promotion was given to an ineligible S.T candidate but not at the specified S.T roster slot viz. Shri S. Srinivasa Rao. The same was also acknowledged by the Commissioner and Director of Agriculture, Government of Andhra Pradesh as received as reply to R.T.I reply. This is also a clear violation of G.O .Ms. No. 2 of Social welfare(SW.ROR1) Department,Dated:09-01-2004.

8. Director, Agriculture Department, Government of Andhra Pradesh who attended the hearing on 21-10-2016 in the National Commission for Scheduled Tribes, Government of India, New Delhi has admitted that mistakes were committed in the preparation of seniority list and preparation of panels for the years 2003-04 and upwards. Director has stated he is in the process of correcting the mistakes which have already been committed specifically to the following points and correct the seniority list and panel where ever required:



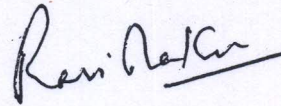
रवि ठाकुर/RAVI THAKUR  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
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- (i) Deletion of name of Shri T. Venkateswarlu from the panel as his name was not there in the inter-se seniority list and there were cases against him and the charges were later proved against him; and
- (ii) Since Shri V. Narasimhalu, though he is a ST candidate came in the seniority list at general seniority and hence he will not occupy a slot reserved for Scheduled Tribes in the panel for the year 2003-04.
- (iii) Names of those candidates who are not eligible for promotion on account of various reasons may be deleted from the panels.

9. After deliberations at great length Director (Agriculture) Government of Andhra Pradesh has submitted that necessary action will be taken in this regard within 15 days and Shri G. Lakshmana Kumar, and Shri G. Ravindra Babu will be promoted to next higher grade as per their position in the seniority list and panel against roster point at 25 and 33 respectively in the panel year 2004-05. He has also agreed to forward all the relevant documents like copies of Recruitment Rules, Roster Register, Seniority list, Minutes of DPCs alongwith revised panels of 2003-04 and 2004-05 at the earliest.

10. The Commission further advised that the applicants may be awarded all the consequential service benefits with effect from the said panel without any hurdles and report back to the commission within 15 days from the date of receipt of this proceedings.

The sitting ended with a vote of thanks to the Chair.



रवि ठाकुर/RAVI THAKUR  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
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**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**Annexure-1**

**File No. GRB/4/2015/STGAP/SEPROM/RU-IV**

**List of participants**

**NCST**

1. Shri Ravi Thakur, Hon'ble Vice Chairperson (In chair)
2. Mrs. K.D. Bhansor, Director
3. Shri V.P. Shahi, Assistant Director
4. Shri P. V. Mohandas, PS to VC
5. Shri R.S. Misra, Sr. Investigator

**Officers of Govt. of Andhra Pradesh**

1. Shri K. Dhananjaya Reddy, Director, Agriculture.

**Petitioner**

1. Shri G. Ravindra Babu