

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P.No. 33595 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1	03.12.2025	<u>VN, J</u> The Writ Petition is filed questioning the Article of Charge dated 13.08.2025 issued by the Respondent No.3 alleging that the Petitioner had produced fake Caste Certificate and false Local Residence Certificate to acquire the job in TTD as Sanitary Inspector under BC-D (Yadava) category though he belongs to OC (Balija) Community. Learned counsel for the Petitioner submits that the Petitioner was appointed in the year 1994 as Sanitary Inspector, and subsequently, he was promoted to Senior Sanitary Inspector. Learned counsel further submits that the issue regarding the Community Certificate has to be determined only by the Statutory Authority under the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short, 'Act 16 of 1993') and not in the Departmental Enquiry, as the Act is exclusively for the determination of these aspects and there cannot be any enquiry on that aspect.	

		Sri S. Srinivasa Baba, learned Standing Counsel, submits that a preliminary inquiry was conducted by the Chief Vigilance and Security Officer, and it came to the notice of the Respondent Authorities that the parents of the Petitioner do not belong to the BC Community, and on that basis, a Departmental Enquiry was initiated against the Petitioner. Heard the respective counsel. The issue of determination of Caste Certificates is an exclusive domain of the statutory authorities prescribed under the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, and prima facie there cannot be a Departmental Enquiry on that aspect. Therefore, there shall be an interim stay of all further proceedings pursuant to the impugned Charge Memorandum dated 13.08.2025 issued by the Respondent No. 2. The Respondents are at liberty to take steps for expeditious determination of Caste Certificate of the Petitioner under Act 16 of 1993. Post on 31.12.2025 for filing Counter Affidavit by the Respondents. _____ VN, J eha	
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