

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Employees of local bodies who were appointed through A.P.P.S.C./D.S.C., in Govt. Service – Pay Protection – Orders – Issued.

FINANCE (FR.II) DEPARTMENT

G.O. Ms. No. 105

Dt.02-06-2011

Read the following:

1. Representation of A.P. Secretariat Association, Hyderabad
Dt. 8-10-2010 and 15-4-2011.
2. G.O.Ms.No.472, G.A. Dept. dated 23-7-1968
3. G.O.Ms.No.653, G.A. dept. dt. 29-10-1968
4. G.O.Ms.No.168, Panchayat Raj (Estt.III) Dept., dt. 20-3-1981.
5. G.O. Ms. No. 213, Finance (FR.II) dept., dt. 13-7-1983
6. G.O. Ms.No.297, Finance Dept. dt. 14-10-1996

ORDER:

In the reference 1st read above, the A.P. Secretariat Association, Hyderabad has stated that certain employees have appeared for competitive examinations conducted by APPSC and got selection for different posts i.e., ASOs. in Secretariat, as Senior Accountants or equal cadres in the Directorates etc., in the Government service. Before entering into Government Service they had rendered long service in post falling under jurisdiction of local bodies. It has been represented that they were drawing much higher pay than the minimum of the time Scale of Pay in the present posts for which they are freshly recruited under Government service. After joining in the present Government posts they have not been allowed service benefits like pay protection, carry forward of leave and counting of past service for pension for the reason that they are not covered under FR 22(a)(iv). It has been represented that this refusal is causing much heart burning and hardship to employees who had worked earlier under local bodies and been recruited to the posts in the Government. It was further stated that all service conditions of the employees of local bodies and employees in Government are similar in nature and the services of the local bodies were provincialised in G.O.Ms.No. 168, P.R. (Estt.III) Dept., dt. 20-3-1981. As the salaries of the employees of local bodies are being drawn under the Head "010. Salaries" from out of the consolidated fund of the State, the Association requested to allow pay protection for all the employees recruited through APPSC irrespective of the post from which they came.

2. According to the orders issued in G.O. 2nd read above Govt. employees have been declared ineligible for direct recruitment. The said rule has been amended in G.O.3rd read above and Government permitted govt. employees to apply for direct recruitment and further Govt. employees have been permitted to retain all other benefits accrued to them in the previous posts except the lien. In G.O. 5th read above, orders have been issued for protection of pay stipulating that the pay in the new post should not be less than the pay drawn by the Government servant in their earlier post. In Memo. No. 24555/788/FR.II/84-1, dt. 5-10-1984 a clarification was issued to this G.O. stating that the pay may be fixed at the minimum of the scale of the new post, and if this pay happens to be less than the pay drawn from the previous post, then the shortfall in pay should be protected as personal pay to be absorbed in future increases. The sole ground on which these instructions were issued was that junior shall not draw higher pay than his seniors by virtue of his holding a post before selection by APPSC.

3. Consequently and in view of the judgement of Supreme Court orders were issued in G.O.6th read above providing for pay protection, which was confined to the government servants only. According to the said orders, "this benefit shall be confined to the Govt. employees only. The employees working in central Govt. Universities, aided Institutions etc., who are appointed to the Govt. service on selection by the A.P.P.S.C.. or Dist. Selection committee are not eligible for the benefit provided under sub-clause (iv).

4. According to Rule 39 © of A.P. State and Subordinate service rules, a person in the service of the government, who applies for direct recruitment and accepts the new post will retain all benefits accrued to him in the previous post except the lien which he has held over will come to an end.

5. In the wake of orders mentioned above, the request of the A.P. Secretariat Association has been examined and the Government is of the view that as the word “provincialisation of services” is nowhere defined in the Acts or the Rules and as at present the salaries are being paid through Treasuries from 10-12-2004 under the Head of Account “010. Salaries” the benefit of this protection can be agreed to the employees who are appointed after . 10-12-2004.

6. In the circumstances stated above, Government hereby order that the former employees of local bodies who are appointed later through A.P.P.S.C. and D.S.C., in Govt. Service on or after 10-12-2004, and who are continuing in government service as on today be given pay protection under F.R 22(a) (iv) with monetary benefit from the date of issue of these orders.

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

L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

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The Pay and Accounts Officer, Hyderabad
The Secretary to Governor, A.P., Hyderabad.
All Secretaries to Government.
The Private secretary to the chief Minister and Private Secretaries to all Ministers.
A.P. Secretariat Service Association, A.P. Secretariat, Hyderabad.
All the Heads of Departments (including Collectors and District Judges)
The Registrar, High Court of Andhra Pradesh, Hyderabad (with covering letters)
All the District Treasury officers.
The Secretary, A.P. GENCO/TRANSCO.
The General Manager, A.P. State Road Transport Corporation, Hyderabad
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