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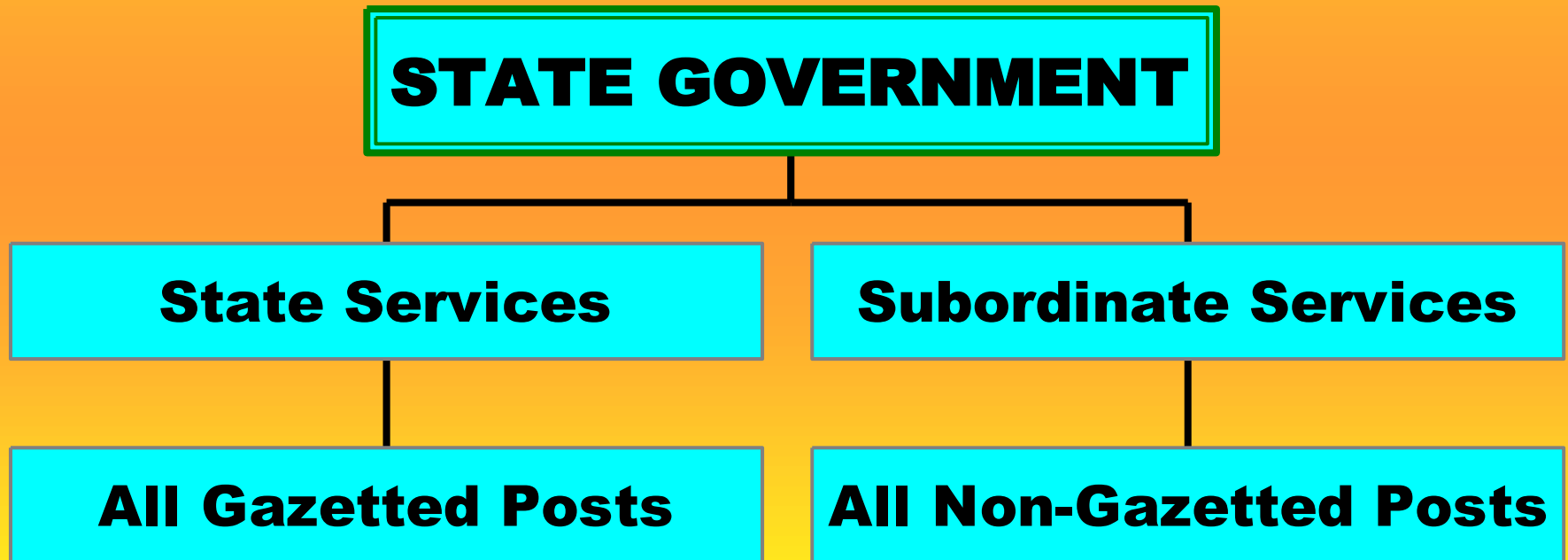
DR.MCR HRD

INSTITUTE OF AP

**A.P. STATE AND
SUBORDINATE
SERVICE RULES, 1996**

These rules are issued in
G.O.Ms.NO.436, G.A.D (Ser-D) Dept.
dt.15.10.1996

Rule 1:



- Apply to holders of posts under State and Subordinate Service whether temporary or permanent
- Do not apply to the holders of the posts appointed by contract or on agreement
- **Rule 2** : Certain Important Definitions:
- **Rule 3**: These rules prevail over the other rules

Rule 4: Method of Appointment:

- **Direct recruitment**
- **Recruitment/Appointment by transfer**
- **Promotion, or**
- **Contract/Agreement/Re-employment**

Rule 5:

- a) Selection Posts : All Gazetted posts.**
- b) Non-selection posts : All non-gazetted posts.**

Rule 6: Method of Preparation of Panels in respect of selection posts

- **The appointing authority prepares in consultation with DPC/SC.**
- **Panel year : 1st September to 31st August of succeeding year.**
- **Currency of panel : 1st September to 31st December of succeeding year or date of approval of panel for next year.**
- **Vacancies arising from 1st September to 31st August**
- **The zone of consideration : 1:3.**
- **The Panel can be reviewed after a period of 6 months after its approval to consider unqualified candidates who become qualified subsequently.**

Estimate of vacancies :

- Existing vacancies
- Vacancies to arise owing to retirement.
- Consequential Vacancies due to promotion or appointment by transfer
- 10% of the total estimate of vacancies towards reserve for
 - (i) Deputation
 - (ii) Training
 - (iii) long Leave or

Rule of Reservation for Scheduled Castes and Scheduled Tribes when the cadre strength is more than five.

Sanctioned strength is 6,7 or 8, one vacancy has to be filled by ST.

Rule 6 (i): Non-Selection Posts:

Basis: Record Sheet and the qualifications prescribed in the special rules.

Rule 7: Appointing authority:

State Services	:	Regional officers where
1st Gazetted		Regional officers exist
		otherwise H.O.D.
2nd Gazetted	:	H.O.D
3rd Gazetted &	:	Government
above		

Rule–8: An approved probationer *Eligible for promotion or Appointment by transfer*

Rule 10 (a):

Temporary appointment by direct recruitment/
appointment by transfer or by promotion
in public interest

Ad hoc promotions in exigencies of
administration

Rule 11:

The time limit for joining

- a) Direct Recruitment – 30 days
- b) Otherwise than by Direct Recruitment – 15 days.

Rule 12: **Qualifications for Direct Recruitment:**

- **Sound Health, Good habits etc.,**
- **Good character and antecedents**
- **Academic qualifications**
- **Citizen of India**
- **Training**

Age limit: Min. 18 years
Max. 34 years as on 1st July for
General candidates.

Relaxation: 5 years for S.C's, S.T's and
B.C's. For B.C's age should
not exceed 40 years

Rule 13: Pass in Language Test in Telugu within the period of probation.

Rule 14 Exemption from Passing of Language Test in Telugu

(i) in case of pass in X class in Telugu medium or Telugu as one of the subject

(ii) on attaining the age of 45 years.

➤ **Rule 15 (a): Newly prescribed tests should be passed within the period of probation, one year or two examinations, whichever is later.**

Rule 16: PROBATION

Commences: from date of appointment .

Minimum Service : 60 days in case of promotion.

Period of Probation (i) for direct recruits 2 years
duty within 3 years of service

(ii) for promotees/appointment by transfer one year
duty within 2 years of service

Tests to be passed during probation.

If does not pass tests. probation has to be extended for one year by the appointing authority and subsequently by Government till passing the tests.

If does not pass within the period of extended period, the date of commencement of probation be changed to a date two years anterior to the date of passing the tests and the seniority be reckoned from such date.

Failure to pass the tests the appointing authority discharges

Under Rule 17:

Probation can be suspended for want of a vacancy.

Probation can be terminated for unsatisfactory work or for failure to pass the prescribed tests.

Probation can be extended in case of failure of passing tests.

- **Rule 18: A decision as to extend/suspend or discharge from service should be taken within 8 week on expiry of probation period.**
- **If no such order is passed with in one year of expiry of probation period, such employee be deemed to have satisfactorily completed the period of probation and a formal order should be issued.**
- **In case of charges pending, the above position does not apply**

Rule 19: Rights of a probationer and approved probationer for re-appointment:

- a) First preference in filling up of a vacancy to approved probationer or probationer .

- a) **i) Discharge of a Probationer or Approved Probationer:**

A probationer or an approved probationer shall be discharged for want of vacancy in the order of juniority.

Rule 21: Confirmation:

Employee declared to have satisfactorily completed his probation, shall be confirmed as a number of that service.

Rule 22 Special Representation (Reservation):

- Out of 100 vacancies
- 15 for S.C's,
- 6 for S.T's
- 29 for B.C's (A-7%; B-10; C-1%;D-7% and E: 4%)
- 3 for P.H (6 VH, 31 HH 56 OH) .
- 2 (12 and 37) for Ex-Serviceman.
- In respect of S.A's, J.A's, Junior Steno's, Typists etc., in H.O.D's and A.S.O's etc., in Secretariat, 2 points at 48 and 98 for meritorious sports men.

Rule 22-A: Women reservation:

33 1/3 % w.e.f. 28-5-1996 in respect of
all categories

For solitary post the rule of special representation shall not apply.(j)

Provided that the rule of special representation shall be applicable for appointment if the number of posts is more than one even though selection is to be made against only one vacancy at any recruitment other than limited recruitment.

- **In respect of appointments by promotion or recruitment by transfer from subordinate service to state service, the claims of S.C's & S.T's shall be considered on the basis of seniority subject to fitness.**

Provided that a member of the S.C or the S.T possessing superior merit & ability shall be allowed to supersede not only others but also the members of S.C's or S.T's as the case may be.

- **The vacancies in respect of SC, ST, B.C's (Group-A to Group-D) Women . Handicapped shall be carried forward**

SALIENT POINTS TO BE BORNE IN MIND

SC and sT Vacancies are not inter-transferable.

The vacancies for backward classes are inter-transferable only among the different groups.

The members belonging to SC, ST, and BC can also be considered against OC vacancies

Rule 23: Appeal, Revision and Review of orders of appointment to Higher Posts:

Order can be revised within six months by the appellate authority on its own motion or on appeal filed by the aggrieved employee. Revision can be made within three months on the appellate authority order.

Rule 24: Revision of lists of approved candidates (panels) or list of eligible candidates for appointment by promotion or by transfer by placing before the DPC/SC within six months from the date of original order

Rule 25: Review:

The State Government may review its order or any order of revision passed by them under Rule 24 if it was passed under any mistake, whether of fact or of law or in ignorance of any material fact or for any other sufficient reason.

Rule 26: Appeal against seniority or other conditions of service:

Appeal against seniority or assignment of notional seniority on par with junior be entertained by the appellate authority within a period of 90 days from the date on which junior was promoted.

Rule-28: Relinquishment of rights by members:

Relinquishment of any privilege by the employee may be accepted if it is in public interest.

Rule-30: Resignation:

Resignation forfeits past service. It takes effect from the date of relief. If on leave it takes effect from the date of expiry of leave. The employee may withdraw his resignation before it takes effect. Government sanction is required if the withdrawal is made after the resignation takes effect.

**The Resignation of a Government Servant against whom departmental proceedings are pending shall not be accepted .
(Amended in G.O.Ms.No.250, GA (Services - D) Department dated 14-07-2000)**

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If the resignation is accepted, but has not taken effect and he withdraws his resignation before it has taken effect, he should be deemed to be continuing in service. If the person is permitted to withdraw his resignation after it has taken effect and is reappointed to the post from which he resigned, such reappointment shall be subject to the conditions specified in sub-rules (c) and (d).

A member of service, shall, if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation but all his previous service under the Government.

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The reappointment of a person, who has resigned from Government service and who is re-appointed to any service, shall be treated as a first appointment to such service by direct recruitment and all rules governing such appointment shall apply; and on such re-appointment, he shall not be entitled to count any portion of his previous service for any benefit or concession admissible under any rule or order:

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Where a member of a service is selected for appointment by direct recruitment to another post and is appointed to it, his lien on the service or his probationary right, if any, in the former post shall be retained for a period of three years or until he becomes an approved probationer in the latter post, whichever is earlier; and if before the expiry of three years he is not an approved probationer in the latter post, unless he reverts to the parent department, he shall be deemed to have resigned to the former post with effect from the date on which the three years period expires:

Cont..

provided that nothing in this sub-rule shall affect the benefits accrued to such member of a service in the previous post or posts, except the lien or probationary right on such post or posts;

Rule 31: The Governor has the power to relax rules in public interest or where the application of such rule or rules is likely to cause undue hardship to the person or class of persons concerned.

- **Rule 32 : The Head of the Department is competent to relax rules relating to transfer promotion or other service conditions governed by these rules or special rules in respect of posts carrying a scale of pay less than that of Junior Assistant in his Department.**

Rule 33: Seniority:

- a) Seniority is to be determined with reference to the date of first appointment to a service, class or category or grade.**
- b) Regarding fixation of seniority among two persons who join service simultaneously, the order of preference fixed by the competent authority is the criterion.**

Regarding candidates allotted by the A.P.P.S.C, Seniority shall be determined with reference to the order of merit or order of preference assigned to them in the said list.

- **Whenever a notional date for promotion is assigned such date shall be taken into consideration for computing the qualifying length of service in the feeder category for promotion to next higher category. Such notional date should be counted for the purpose of declaration of probation also in the feeder category (Rule 33 c).**

- **The seniority of retrenched employee on reappointment shall be determined in accordance with the date of reappointment (Rule 33 – f)**
- **Rule 34: Preparation of integrated or common seniority list of persons belonging to different units of appointment:**
- **The list should be prepared with reference to the provisions of sub rule (a) of Rule 33, provided that the seniority list of the persons inter-se belonging to the same units shall not be disturbed.**

Rule 35: Fixation of Seniority in the cases of transfers on request or on administrative grounds:

- **Administrative Grounds:** Date of Seniority in the former unit of appointment.
- **Request:** Date of his joining in the letter unit of appointment.

Rule 36: Inter-se Seniority where the dates of commencement of probation are same:

- In respect of candidates selected by A.P.P.S.C the ranking assigned irrespective of the date of commencement of probation.
- In respect of persons promoted or appointed by transfer, the dates from which they were placed on their probation.
- In respect of the above if the date of commencement of probation is same, whoever is aged shall be the Senior.
- In respect of persons appointed on transfer on administrative grounds, the seniority shall be from the date on which the individual was placed on probation in the original dept.

Rule 37: Seniority of directly recruited candidates, re-allotted in consultation with A.P.P.S.C

Seniority shall be assigned below the last regular candidate in the concerned class or category in the unit to which such candidate is re-allotted.

Clarificatory orders issued in Cir.Memo.No.16/Ser-A/98-99 Dt.21.04.99 of G.A (Ser-A) dept.

- **For Determining the seniority of the employee the provisions contained in Gen.R.33 shall be followed.**
- **The Seniority of a Direct Recruit is to be determined only from the date of his/her joining duty but not from the date on which the vacancy earmarked for direct recruitment arose.**
- **If an employee is promoted to a post earmarked for Direct Recruit, his probation shall be reckoned from the date on which he would have occupied the vacancy meant for promotee.**
- **The inter-se Seniority of Direct Recruits shall be as per the ranking assigned to them by the recruiting agency irrespective of their dates of joining provided they all joined within the time allowed for them to join as per Rule. 11**
- **The Seniority lists already finalized as per court orders need not be disturbed, if they are finalized. If not yet done, they should be finalized as per these instruction.**

- **38. Postings and transfers**

Transfer to a post within the unit of appointment or within in the jurisdiction of local cadres

Appointing authority or any authority superior to appointing authority or any subordinate authority delegated such power.

HoD from one unit to another unit where the Presidential Order does not apply including on tenure basis.

All inter local cadres transfers in public interest and on reciprocal basis be made by Government only .



***THANK
YOU***