

AP STATE & SUBORDINATE SERVICE RULES – 1996 SENIORITY

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SENIORITY – RULE 33

- 33 (A) – Unless reduced to a lower rank as a punishment, the Seniority of a person in a Service/Class/Category/Grade shall be determined by the date of his **first appointment** to such Service/Class/Category/Grade
- 33 (b) – At the timing of passing an order appointing two or more persons simultaneously to a Service, the Appointing Authority may fix the **order of preference** among them either for the purpose of satisfying the Rule of Reservation of Appointments or for any other reason and when order has been fixed, Seniority shall be determined in accordance with it

SENIORITY – RULE 33

- **Proviso to 33 (b)** – The Order of Merit or Order of Preference indicated in a List of Selected Candidates prepared by the PSC or other Selecting Authority shall not be disturbed inter-se with reference to the Candidates position in such List or panel while determining the Seniority in accordance with this Rule

SENIORITY – Notional Service

- **Proviso to 33 (b) – Notional Seniority** – Notional Dates of commencement of probation to the extent necessary, shall be assigned to the persons concerned with reference to the Order of Merit or Order of Preference assigned to them in the List
- **Rule 33 (c): Notional Service** shall be counted for the purposes of
 1. Declaration of Probation
 2. Computing the qualifying length of service in the feeder category for **Promotion** to the next Higher Category

INTER-SE SENIORITY - TRANSFERS

- Transfer of Employee from one unit of appointment to another unit of appointment on
 1. **Administrative Grounds** – Seniority shall be determined with reference to the date of Seniority in the former Unit of Appointment (Seniority shall be protected) – Rule 35 (a)
 2. **Request** – Seniority shall be fixed with reference to the date of his joining in the later Unit of Appointment – Rule 35 (b)

INTER-SE SENIORITY WHEN PROBATION DATES ARE SAME

- **Direct Recruits** – as per their ranking assigned by the APPSC or other Selecting Authority – Rule 36 (i)
- **Promotees** – the dates from which they were placed on probation – Rule 36 (ii)
- **Promotees** – when dates of commencement of probation are same, then whoever is aged shall be the senior – Rule 36 (iii)

SENIORITY OF RE-ALLOCATED DIRECT RECRUITS

- The re-allotment of the Direct Recruits selected by the APPSC shall be made with mutual consent of the Appointing Authorities concerned and with prior concurrence of the APPSC – **Rule 4 (c)**
- The candidates re-allotted under sub-rule (c) of Rule 4 of AP State and Subordinate Rules 1996 shall be assigned Seniority below the last regular candidate in the concerned Class/category in the Unit to which such Candidates is re-allotted – **Rule 37**

INTEGRATED SENIORITY – RULE 34

- Integrated Seniority List of any Service belonging to different Units of Appointment has to be prepared for the purpose of Promotion/Appointment by Transfer
- Integrated Seniority List shall be prepared with reference to the provision of Rule 33 (a) of AP State & Subordinate Service Rules 1996
- **Proviso:** The seniority list of the Persons inter-se belonging to the same units shall not be disturbed

SENIORITY – CLARIFICATIONS

- The Quota or Rota shall apply only for determining the number of vacancies earmarked for recruitment by promotion/appointment by transfer/direct recruitment but not for determining their inter-se seniority – **GO Ms No 607 GA (Ser.A) Department dated 06.11.1992**
- The inter-se seniority shall be determined in accordance with the Rule 33 (a) and 33 (b) of the State and Subordinate Service Rules 1962 – **GO Ms No 607 GA (Ser.A) Department dated 06.11.1992**

SENIORITY – CLARIFICATIONS

- **Circular Memo No 16/Ser.A/93-39 GA (Ser.A) Department dated 21.04.1999**
 - a. For determining the Seniority of the Employees, the Provisions contained in the General Rule 33 of the AP State and Subordinate Service Rules 1996 shall be followed
 - b. 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 a Direct Recruitment arose
 - c. If any employee is promoted to a post earmarked for Direct Recruit his probation shall not be commenced from the date of his appointment into the slot earmarked for Direct Recruitment but shall be reckoned from the date on which he would have occupied the vacancy meant for promotee

SENIORITY – CLARIFICATIONS

- **Circular Memo No 16/Ser.A/93-39 GA (Ser.A) Department dated 21.04.1999**

d. The inter-se seniority of the Direct Recruit shall be as per the Ranking assigned to them by Recruiting Agency irrespective of their dates of joining provided they all joined within the time allowed for them to join as per Rule 11 of AP State & Subordinate Service Rules 1996

e. The seniority lists already finalized by the various authorities based upon the Courts' Judgments in individual cases which have become final shall not be disturbed.

If such cases are not finalized, they may be settled now as per these instructions

SENIORITY - CLARIFICATIONS

- **Circular No 57759/Ser.A/2004-1 of GA (Ser.A) Department dated 20.05.2004**
- **Settled Seniority – Not to re-open:** In dealing with the cases for fixing the Seniority, the Procedure and Rules prescribed in AP State & Subordinate Service Rules 1996 or in Special Rules governing the Post shall be followed.
- No request for revision of Seniority for a period which is more than 3 years old shall be considered
- The Seniority List in each category shall be communicated as and when the employee completes the prescribed period of Probation in the respective category

APPEAL AGAINST SENIORITY – RULE 26

- (a) An Appeal shall lie against an order passed by the Appointing Authority on fixing the seniority
- (b) The Appellate Powers shall be exercised by the HoD or Government on its own motion or an appeal received
- (c) The Appellate Authority shall dispose such appeal within a **maximum period of one year**
- (d) No appeal for restoration of seniority shall be entertained by the Appellate Authority after a Period of 90 days from the date on which junior was promoted
- (e) Revision Petition against the order of Appellate Authority may be submitted to the Government within three months of the orders passed by the Appellate Authority