



GOVERNMENT OF ANDHRA PRADESH

Public Services - Regularisation and absorption of Daily Wage/NMR or Consolidated Pay - Specific Scheme - Formulated - Orders - Issued.

FINANCE & PLANNING (FW.PC.III) DEPARTMENT

G.O.Ms.No.212

Dated:22-4-1994

Read the following:-

1. The A.P. (Regulation of Appointments to Public Services and Rationalisation of Staff Pattern and Pay Structure) Act 2 of 1994
2. Government Memo. No.42246-A/907/PC.I/A1/93, dated 2-2-1994.

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ORDER:

Government noticed that appointing authorities of the Institutions and Establishments under the control of State Government, Local Authorities, Corporations owned and controlled by the State Government and other bodies established by the State Government grossly violated the instructions issued from time to time by the Government and appointed persons indiscriminately to various categories of services either on Daily Wage basis or temporary basis without there being a post and without being sponsored by Employment Exchange and without observing the rule of reservation to the Scheduled Caste, Scheduled Tribe and Backward classes. In most of the cases, the persons appointed for a specific work have been continued even after their need ceased. After a lapse of some time, all these appointees have approached the various Courts and Tribunals for regularisation of their services and Courts and Tribunals have been directing the State Government to regularise the services on the ground that they have a long service to their credit. This practice has been causing considerable drain on the finances of the State Government. Government have thought it imperative to prohibit the unauthorised and irregular appointments by a law in the public interest. Accordingly the State Government have enacted law regulating the appointments to Public Services and for Rationalisation of the Staff Pattern and Pay Structure in the reference read above. This will streamline the recruitment along healthy lines, to enforce Employment Exchanges (Compulsory Notification of Vacancies) Act in its true letter and spirit, to follow the rule of reservation enshrined in the Constitution with utmost strictness and to punish those who are guilty of violating the law. The above Act came into force with effect from 25-11-1993.

2. Through the reference 2nd cited, information has been obtained from various Government Offices, Local Bodies, Public Sector undertakings etc., from the information received by Government it is seen that appointing authorities have violated the instructions issued by Government and appointed several individuals. Appointments have been made indiscriminately in the Government Offices, Local Bodies, Universities, Public Sector undertakings and various other Bodies and Institutions operating on Government finances. In fact,

there is no need to continue all these Daily Wage/Temporary employees for the reasons that not all of them are appointed in sanctioned posts and the recruitment was in many cases not through Employment Exchange. Their appointment was made without following rule of reservation and in the case of workcharged employees, there is no work for them as the specific work for which they were appointed has already been completed. Though the Act provides that no person who is Daily Wage employee and no person who is appointed on temporary basis shall have any right to claim for regularisation of service on any ground, it has been the endeavour of the Government to regularise as many as NMR/Daily wage employees as possible who are otherwise qualified depending on the requirement of the workload while keeping in mind the hardship that would be caused if their services are not regularised. The Hon'ble Supreme Court in its Judgement dated 12-8-1992 in Civil Appeal No.2979/92 and batch have also observed to evolve an appropriate policy for regularisation. Accordingly, Government after careful examination of the whole issue and in supersession of all previous orders on the subject including G.O.Ms.No.193, General Administration Department, dated 14-3-1990 and keeping in view the above judgement of Supreme Court of India, have formulated a scheme for regularisation of services of the persons appointed on Daily Wage/NMR or on consolidated pay and are continuing on the date of commencement of the Act. Government accordingly decided that the services of such persons who worked continuously for a minimum period of 5 years and are continuing on 25-11-1993 be regularised by the appointing authorities subject to fulfilment of the following conditions:

- 1) The persons appointed should possess the qualifications prescribed as per rules in force as on the date from which his/her services have to be regularised.
- 2) They should be within the age limits as on the date of appointment as NMR/Daily wage employee.
- 3) The rule of reservation wherever applicable will be followed and back-log will be set-off against future vacancies.
- 4) Sponsoring of candidates from Employment Exchange is relaxed.
- 5) Absorption shall be against clear vacancies of posts considered necessary to be continued as per work-load excluding the vacancies already notified to the Andhra Pradesh Public Service Commission / District Selection Committee.
- 6) In the case of Workcharged Establishment, where there will be no clear vacancies, because of the fact that the expenditure on Workcharged is at a fixed percentage of P.S. charges and as soon as the work is over, the services of workcharged establishment will have to be terminated, they shall be adjusted in the other departments, District Offices provided there are clear vacancies of last Grade Service.

3. All the Departments of Secretariat/Heads of Departments are requested to process the cases of absorption/regularisation of services of N.M.Rs./Daily Wage employees etc. in pursuance of above scheme and obtain the clearance of Government in Finance & Planning (FW.PC.II) Department before orders are issued for such regularisation or absorption.

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

A.R. JAYA PRAKASH
SPECIAL SECRETARY TO GOVERNMENT

To
All the Departments of Secretariat
All the Heads of Departments

All Collectors and District Magistrates.
 The Director of Treasuries and Accounts, Andhra Pradesh, Hyderabad.
 The Director of Local Fund Audit, Andhra Pradesh, Hyderabad.
 The Pay and Accounts Officer, Andhra Pradesh, Hyderabad.
 The Director of Works Accounts.
 The Accountant General, Andhra Pradesh, Hyderabad.
 The Registrar, A.P. High Court, Hyderabad (with covering letter).
 The Secretary, A.P. Public Service Commission, Hyderabad (with covering letter).
 The Managing Director and Vice Chairman, A.P.S.R.T.C., Hyderabad (with covering letter).
 The Secretary, A.P. State Electricity Board, Hyderabad (with covering letter).
 The Registrars of all Universities including A.P.A.U. and J.N.T.U.
 The Registrar, Regional Engineering College, Warangal.
 All Managing Directors of Public Enterprises/Co-operative Enterprises.
 All District Treasury Officers including Sub-Treasury Officers.
 All Audit Officers through Director of Local Fund Audit, Andhra Pradesh, Hyderabad.
 The Pay and Accounts Officer, Projects.
 All District Development Officers, Zilla Praja Parishads.
 All Municipal Commissioners.
 The Commissioner Municipal Corporation of Hyderabad/Vijayawada/Visakhapatnam.
 All Administrators of Urban Development Authorities.
 All Secretaries, Zilla Grandhalaya Samasthas through the Director of Public Libraries.
 All Secretaries to Market Committees through the Director of Marketing.
 The Managing Director & Vice Chairman, A.P. Housing Board, Hyderabad.
 The Executive Officer, Tirumala Tirupathi Devasthanams, Tirupathi.
 The Director, Nizam Institute of Medical Sciences, Hyderabad.
 The Director, Sri Venkateswara Institute of Medical Sciences, Tirupathi.
 The Secretary, State Council of Higher Education, Hyderabad.
 The Secretary, A.P. Residential Educational Institutions Society, Hyderabad.
 The Secretary, A.P. Social Welfare Residential Educational Institutions Society, Hyderabad.

U. J. Reddy

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Section Officer
 Finance Dept.
 A. P. Secretariat, Hyd.

