



GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Regularisation and absorption of Part-time employees - Specific Scheme - Formulated - Orders - Issued.

Finance & Planning (FW.PC.III) Department

G.O.(P).No.112.

Dated:23-07-1997

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. G.O.Ms.No.212, Finance & Planning (FW.PC.III) Department, dt.22-4-1994.

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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 put in 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 the Andhra Pradesh (Regulation of appointments to Public Services and Rationalisation of Staff Pattern and Pay Structure) Act, 1994 (Act 2 of 1994) 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. In the reference second read above, Government issued orders for regularising the services of the persons who are appointed on Daily Wage basis/NMRs or Consolidated pay and who are put in five years of service and continuing in service on the date of commencement of the said Act 2 of 1994.

3. It is observed that the Government offices, Local Bodies and Public Sector Undertakings are also having part time workers in various categories who have been appointed in contravention of instructions and guidelines issued by the Government from time to time. In fact there is no need to continue all these part-time employees for the reasons that there is not enough workload and many of them have been appointed without any sanctioned posts from the competent authority and the recruitment in many cases had been made without the media of employment exchange. Their appointments have also been made without following rule of reservation.

4. However, many representations have been made for regularisation of such part-time employees in regular posts. Though, the Act 2 of 1994 provides that no person appointed on daily wages on part-time shall have any right to claim regularisation of services on any ground, the Government on humanitarian ground have been examining the feasibility to regularise as many part-time employees as possible who are otherwise qualified depending on the requirement of the work load and keeping in mind the hardship that would otherwise be caused, if their services are not regularised.

5. The Hon'ble Andhra Pradesh High Court also in its interim orders dt.25-4-1997 in W.P.M.P.No.24471/96, WVMP No.961/97 have directed to formulate a scheme to regularise part-time employees.

6. Government accordingly after careful consideration of this issue hereby formulate a scheme for regularisation of the services of the persons appointed on part-time basis. Government have taken a decision that the services, of such persons who has worked continuously as part-time workers for a minimum period of ten years and are continuing as on 25-11-1993 the date on which The A.P. (Regulation of Appointments to Public Services and Rationalisation of Staff Pattern and Pay Structure) Act, 1994, (Act 2 of 1994) came into force, be regularised by the appointing authorities subject to the fulfillment of the following conditions:

1. 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 or as the case may be, the District Selection Committee.
2. The persons appointed should possess the qualifications prescribed as per rules in force as on the date from which his or her services have to be regularised.
3. The person should be within the age limit as on the date of appointment as part-time employee.
4. The Rule of Reservation wherever applicable will be followed and back-log will be set off against future vacancies.
5. The sponsoring of candidate from Employment Exchange is relaxed.
6. If there are two candidates, one part-time and the second one a full-time employee (Daily Wage employee) of any category or name and there exists only one vacancy, the senior most between the two in terms of continuous service already rendered prior to 25-11-1993 treating two years of part-time service as one year of full-time service, relative seniority will be calculated and regularisation will be suggested for the senior among the two accordingly.

7. The regularisation of services of full-time employee already made in terms of G.O.Ms.No.212, Finance & Planning (FW.PC.III) Department, dt.22-4-1994 will not be reopened for giving effect to the present order.

7. All the Departments of Secretariat/Heads of Departments are requested to process the cases of absorption/regularisation of services of Part-time employees in pursuance of above scheme and obtain the clearance of Government in Finance & Planning (FW.PC.III) Department before orders are issued for such regularisation or absorption.

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

M. SAHOO
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.S.E.B., 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.

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