TRANSMISSION CORPORATION OF ANDHRA PRADESH LIMITED ABSTRACT

APTRANSCO-Counting of Extraordinary Leave granted on the request of the individual for regularization of the dismissal/deemed suspension/suspension period, after exhausting all the available leave for the purpose of notional increments and Pension-Adoption of Government Orders-Orders-Issued.

T.O.O (Addl.Secy-Per)Ms.No.92

Dt.27-06-2013 Read the following:

G.O.Ms.No.307, Finance (FR.II) Department, dt.03-12-2012.

The Transmission Corporation of Andhra Pradesh Limited directs that the orders issued in G.O.Ms.No.307, Finance (FR.II) Department, dt.03-12-2012 (Copy enclosed) shall be made applicable to the employees of APTRANSCO.

- Necessary amendments to APSEB Service Regulations as adopted by APTRANSCO will be issued separately.
- These orders are also available on APTRANSCO Website and can be accessed at the address http://www.aptransco.gov.in.

(BY ORDER AND IN THE NAME OF TRANSMISSION CORPORATION OF A.P. LIMITED)

HIRALAL SAMARIYA, I.A.S CHAIRMAN & MANAGING DIRECTOR.

To:

All Executive Directors

All Chief Engineers

All FA & CCAs/Dy.CCAs

All Superintending Engineers.

All Divisional Engineers/Executive Engineers

APTRANSCO

PS to Chairman & Managing Director/APTransco/VS/Hyd.

PA to Joint Managing Director(HRD, Comml., IPC & IT)/A.P.Transco/VS/Hyd.

PA to Jt. Managing Director (V&S)/APTransco/VS/Hyd.

PA to Director (Fin. & Rev.)/APTransco/VS/Hvd.

PA to Director (Grid Operation)/APTransco/VS/Hyd.

DE/Tech. to Director (Transmission)/ APTransco/VS/Hyd.

DE/Tech. to Director (Projects) / APTransco/VS/Hyd.

PS to Chairman & Managing Director, APEPDCL, VISAKHAPATNAM.

PS to Chairman & Managing Director, APSPDCL, TIRUPATHI.

PS to Chairman & Managing Director, APCPDCL, HYDERABAD.

PS to Chairman & Managing Director, APNPDCL, WARANGAL.

PS to Managing Director & Vice-Chairman/APGENCO/VS/Hyd.

The Executive Director/Mechanical/ APTransco/VS/Hyd.

The Executive Director / Planning, RAC & Reforms/ APTransco/VS/Hyd. The Executive Director (G)/CC/ APTransco/VS/Hyd.

The Additional Secretary/ APTransco/VS/Hyd.

The Chief General Manager (HRD & Trg.,)/APTRANSCO/VS/Hyderabad

The Joint Secretary/A.P.Transco/C.T.I/GTS Colony/Erragadda/Hyd.

The Liaison Officer/SC&ST employees Grievances Cell/AP.Transco/VS/Hyd.

The Chief General Manager (Adm.)/APGENCO/VS/Hyd.

All Chief General Managers (HRD)/APEPDCL, APSPDCL, APCPDCL & APNPDCL.

The Joint Secretary (IR)/APCPDCL/Hyd.

The Senior Accounts Officer/SLDC//(F&P)/APTRANSCO/VS/Hyd.

The Pay Officer//Accounts Officer (CPR) APTransco/VS/Hyd.

The Company Secretary/ APTransco/VS/Hyd.

The Resident Audit Officer/EBCA/ APTransco/VS/Hyd.

All Deputy Secretaries.//All Asst. Secretaries/ APTransco/VS/Hyd.

The Assistant Secretary(Establishment)/APTransco/VS/Hyd ---- With a request to place the above orders in APTRANSCO Website.

All Sections in P&G Services/ APTransco/VS/Hyd.

The General Secretary, A.P.E.E.Union (Regd.No.1104), Mint Compound, Hyd.

The Secretary General, A.P.S.E.Employees Union (Regd.No.327), Mint Compound, Hyd.

The General Secretary, Telugunadu Vidyut Karmika Sangham (Regd.No.B-1245),MC, Hyd.

The General Secretary, APSEB Assistant Engineers Association, (Regd.No.1185),H.Q. KTPS, New Paloncha, Khammam Dist. - 507 115

The Secy. General, APSEB Engineers Association, (Regd.No.874/75), H.No.6-3-663, Somajiguda, Hyd.

The General Secretary, AP Power Diploma Engg. Assn., (Regd.No.B-473), H.No.5-9-22/55, Adarshanagar, Hyd.

The A.P.Power Engineers Association, 2nd Floor, SSR Chambers, Opp:Rajdooth hotel, Telephone Bhavan Road, Lakdi-ka-pool, Hyderabad – 500 004.

The General Secretary, Andhra Rashtra Power Employees Union(Regd.No.G-445), H.No.1-8-565/5, RTC 'X' Road, Hyd-20.

The General Secretary, APSEB Accounts Officers Association, (R.No.C-5)/VS/Hyd.

The General Secretary, Junior Accounts Officers Association, (R.No.880), VS, Hyd.

The General Secretary, APSEB P&G Secretariat Employees Association, (Regd. No. 54/69), APCPDCL Corporate office, 6-1-50, Opp: Security Printing Press, MC, Hyd - 500 063.

The General Secretary, United Electricity Employees Union (Reg d.No.B-1829), H.No.1-1-60/4, Musheerabad, Hyd-20.

The General Secretary, APSEB Technical Employees Union, (Regd.No.B-2275), C/o Sri K.Sampath Reddy, H.No.6-1-40/5, Mint Compound, Hyderabad.

The General Secretary, APSEB SC & ST Employees Welfare Association(Regd.No.1589), Mint Compound, Khairatabad, Hyderabad-500 063.

The General Secretary, State Scheduled Tribe Employees Welfare Association, (Regd.No.956/78), HQ: Mint Compound, Besides APCPDCL Head Quarters (New Building), Hyd. - 500 063.

The General Secretary, A.P.E.E.P&G & Officers Association, H.No.6-1-48/4, GSR Bhavan, Mint Compound, Hyd - 500 063.

The General Secretary, Telangana Elecy., Employees' Association (Regd.No.H.61/2005), H.No.14-3-237, Goshamahal, Begumbazar, Hyd-12.

The Secretary General, Electricity Backward Classes Employees Welfare Association, (Regd.No.1681/2006), Plot No.7, Road No.5G, Krishnanagar Colony, Moulali, Hyd-40.

The Secretary General, Electricity OC Employees Welfare Association, (Regd.No.1088/2008), H.No.1-1-287/33/A, Chikkadapally, Hyderabad.

The General Secretary, Telangana Raastra Vidyut Karmika Sangam, (Regd.No.H-58),

H.O: Q.No.3-7-443, 444, Beside 132/33 KVSS, Jagital Road, Karimnagar.

The Founder and State President, A.P. Electy. Employees Muslim Minority Assn. (Regd.No.151/2010), D.No.12-3-670-1, Jesus Nagar, Opp:D4-Section, APCPDCL, Anantapur-515001.

The Secretary General, APTRANSCO & Genco SC/ST & Dalitha Christan Employees Association (Regd), Plot No.12, G.N.R.Gardens, Anandbagh, Malkajgiri, Hyderabad-500 047.

The Secretary General, Telangana GENCO TRANSCO DISCOMS SC/ST Employees Welfare Assn.Regd.No.202/2010), Head Office:# C-37, 'A' Colony, Ramagundam Dt:Karimnagar-505 208.

The General Secretary, A.P.Electricity Bahujan Employees Welfare Association (Regd.No.79/2011), D.No.53-1-46(3), Cloughpet, 3rd lane, Ongole-523001.

The Secretary General, Telangana Electricity Engineers' Association (Regd.No.319/07), Jayashankar Bhavan, Mint Compound, Hyderabad-500 004.

The General Secretary, Telangana Vidyut Engineers Association (Regd.No.1438/2007), Q.No.D-22, APGENCO Housing Colony, Paloncha, Khammam District-507183.

The General Secretary, Y.S.R.Vidyut Employees Union (Regd.No.H-128), H.No.8-4-369/256, Beside Anjaneya Swamy Temple, Swaraj Nagar, Borabanda, PO:Sanathnagar, I.E,Hyd. – 18 The Central Record Section. & The Stock File.

C.No.Addi.Secy./DS(L,IR&Reg.)/AS(L,IR&Reg.)/PO(Reg.&HRMS)/JPO/145/2013.

//FORWARDED BY ORDER// G.T. PERSONNEL OFFICER.

27/6/13

Copy of:

GOVERNMENT OF ANDHRA PRADESH ABSTRACT

Fundamental Rules – Amendment to F.R. 54 (5) and FR 54-(B)(7), F.R. 26 (b)(ii) for counting EOL for sanction of notional increments and Pension – Orders – Issued.

FINANCE (FR.II) DEPARTMENT

G.O. Ms. No. 307

Dt. 03-12-2012

- 1. G.O. Ms. No.3, Finance (FR.II) Dept. dt. 4-1-2006
- 2. U.O. No. 37392/Vig.I(2)/2009, dt. 29-01-2011 from Revenue Dept.

ORDER:

- In the G.O. 1st read above the discretion of the competent authority for counting the not-duty period for a specific purpose was withdrawn when the period of deemed suspension/suspension is regularized as "not duty". Hence, the Govt. servant would not be entitled for leave, increments and pension for suspension and dismissal period when it is treated as "not duty".
- 2. In the U.O. Note 2nd read above it has come to the notice of Finance Department that in many cases, the Hon'ble High Court of Andhra Pradesh/A.P. Administrative Tribunal while acquitting the Public Servant in Criminal Appeals from the Criminal Charge ordered to regularize the suspension period and dismissal period as not duty and to count the interregnum periods (suspension/dismissal) for the purpose of pensionary benefits and also to pay interest on certain issues. In such matters when consulted the Law Department, while citing the Apex Court judgements, advised that the suspension period and the interregnum period between the date of dismissal and reinstatement of a Public servant be counted for purpose of pensionary benefits. But, there is no provision in Fundamental Rules for such payments to the Public Servant for any pay and allowances for the above periods except the subsistence allowance, as per the rules in force now.
- 3. According to FR. 54 (5), and FR. 54-(B)(7) when period of deemed suspension/suspension is regularized as 'not duty' the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty and the authority competent may convert the above periods into leave of any kind due and admissible to the Govt. servant, if he so requests.

- 4. It is observed that in cases where there is long pendency of litigation, there is no benefit due to conversion of leave of any kind due and admissible to the Public servant, since the Public servant would not have such long period of leave at his credit. Hence, if such long periods are treated as Extra-ordinary leave, they will not count for increments and affecting pay and allowances culminating in the reduction of pension which will be a double jeopardy on the public servant. The long pendency of the trial in lower court and also in Appellate Court may not be attributable to the public servant. In such cases there is case for counting the Extra-ordinary Leave granted for regularizing the suspension/dismissal period for the purpose of pensionary benefits and notional increments on the request of the individuals.
- 5. As there is no provision now in Fundamental Rules for counting the 'not duty' period for purpose of leave, increments and pension, Government after careful examination have decided to amend the clauses under FR. 54 (5) and FR. 54-(B)(7) by adding the words "that the leave granted on EOL under the above clause, after exhaustion of other types of leave like Earned Leave, Half-pay Leave may be counted for purpose of notional increments and pension"
- 6. Further, a note may be added under FR. 26 (b)(ii) to the above effect.
- 7. Accordingly, the following notification shall be published in the Extraordinary issue of A.P. Gazettee.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the constitution of India and of all other powers hereunto enabling, the Governor of Andhra Pradesh hereby makes the following amendment to the Fundamental rules as subsequently amended from time to time.

AMENDMENT

In the said rules;

i) under the proviso to sub-rule (5) of FR. 54, the following shall be added as Note "(C)"

"that the Extraordinary leave granted after exhaustion of all available leave under the above clause may be counted for the purpose of notional increments and pension"

ii) Under the proviso to sub-rule (7) of rule 54-(B) the following shall be added as Note "(C)"

"that the Extraordinary Leave granted after exhaustion of all available leave under the above clause may be counted for the purpose of notional increments and pension"

iii) Under the proviso to FR. 26 (b) (ii) after the existing Note, the following shall be added as Note-2;

"The Extraordinary Leave granted on the request of the individual for regularization of the dismissal/deemed suspension/suspension period, after exhausting all the available leave may also be counted for the purpose of notional increments and pension"

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

DR. D. SAMBASIVA RAO PRINCIPAL. SECRETARY TO GOVT. (FP)

To

All the Departments of Secretariat (10 copies each)

The Accountant General, AP., Hyderabad (20 copies)

The Accountant General, AP., Hyderabad (by Name)

The Pay & 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.

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, Andhra Pradesh GENCO/TRANSCO]

The General Manger, A.P., State Road Transport Corporation, Hyderabad (with covering letter).

All District Educational Officer.

All the District Development Officer.

All District Panchayat Officers.

All Secretaries of Zilla Grandhalaya Samsthas through Director of Public Libraries, Hyderabad.

All Secretaries of Agricultural Market Committees through Director of Marketting, A.P., Hyderabad.

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The Director, Government Printing Press, A.P., Hyderabad for publication in the A.P. Gazette.

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// Forwarded :: By Order //

Sd/-SECTION OFFICER

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PERSONNEL OFFICER.

27/11/3