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 period, after exhausting all the available leave for the purpose of notional increments and Pension—Adoption of Government Orders—Order—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.

2) Necessary amendments to APSEB Service Regulations as adopted by APTRANSCO will be issued separately.

3) 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

Copy to:
PS to Chairman & Managing Director/APTRANSCO/VS/Hyd.
PA to Joint Managing Director(HRD, Commi.,PR & IT)/APTRANSCO/VS/Hyd.
PA to Jt. Managing Director (V&S)/APTRANSCO/VS/Hyd.
PA to Director (Fin. & Rev.)/APTRANSCO/VS/Hyd.
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, APFPDCL, HYDERABAD.
PS to Chairman & Managing Director, APFPDCL, WARANGAL.
PS to Managing Director & Vice-Chairman/APENCECO/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/QTS Colony/Erragadda/Hyd.
The Liaison Officer/SC&ST employees Grievances Cell/APTRANSCO/VS/Hyd.
The Chief General Manager (Adm.)/APENCECO/VS/Hyd.
All Chief General Managers (HRD)/APEPDCL,APSPDCL,APFPDCL & APNPDCL.

(P.T.O)
All Sections in P&O Services / APTransco/VS/ Hyd.
The General Secretary, A.P.E.E. Union (Regd.No.1104), Mint Compound, Hyd.
The Secretary General, A.P.E.E. Employees Union (Regd.No.327), Mint Compound, Hyd.
The General Secretary, Telugu Nadu Vidyyut Karnika 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),N.O.6-3-663, Somajiguda, Hyd.
The General Secretary, AP Power Diploma Engg. Asso., (Regd.No.B-473), H.No.5-9-22/55,
Adarshnagar, Hyd.
The A.P. Power Engineers Association, 2nd Floor, SSR Chambers, Opp: Rajdoot Hotel,
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H.No.1-B-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.R880), VS, Hyd.
The General Secretary, APSEB P&O Secretary General’s Association, (Regd.No.54/69),
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, Khamarabad, 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.P & G Officers Association, H.No.6-1-48/4, GSR Bhavan,
Mint Compound, Hyd – 500 063.
The General Secretary, Telangana Elec., Employees’ Association (Regd.No.H.61/2005),
H.No.14-3-237, Goshamahal, Begumpet, Hyd-12.
The General Secretary, Electricity Backward Classes Employees Welfare Association,
(Regd.No.1681/2006), Plot No.7, Road No.5G, Krishnanagar Colony, Mouliil, Hyd-40.
The General Secretary, Electricity O.C Employees Welfare Association,
(Regd.No.1088/2008), H.No.1-1-287/33/A, Chikkadapally, Hyderabad.
The General Secretary, Telangana Rastra Vidyyut Karnika 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. Eleccty. Employees Muslim Minority Asso. (Regd.No.151/
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The Secretary General, APTRANSCO & Genco SC/ST & Dalitha Christian Employees Association
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The Secretary General, Telangana GENCO TRANSCO DISCOMS SC/ST Employees Welfare
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 Vidyyut Engineers Association (Regd.No.1438/2007),
Q.No.D-22, AGPENCO Housing Colony, Paloncha, Khammam District-507183.
The Secretary General, Y.S. Vidyyut Engineers 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.Addl.Secy./DSI,(IR&Reg.)/ASL,(IR&Reg.)/PO(Reg.&HRM)/JPO/145/2013.

//FORWARDED BY ORDER//

PERSONNEL OFFICER.
**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 Dl 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.

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**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. Gazette.

**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 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)
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The Accountant General, AP., Hyderabad (by Name)
The Pay & Accounts Officer, Hyderabad.
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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 GENC/O/TRANSO]
The General Manager, A.P., State Road Transport Corporation, Hyderabad (with covering letter).
All District Educational Officer.
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