Welcome to:

DR. MCR HRD INSTITUTE OF AP
A.P. STATE AND SUBORDINATE SERVICE RULES, 1996
G.O.Ms.NO.436, G.A.D (Ser-D) Dept. dt.15.10.1996

STATE GOVERNMENT

State Services
- All Gazetted Posts

Subordinate Services
- All Non-Gazetted Posts
• Apply to holders of posts under State and Subordinate Service whether temporary or permanent

• Do not apply to the holders of the posts appointed by contract or on agreement
2. DEFINITIONS

1. Adhoc Rules: Issued to govern a temporary post which is not covered by any special rules or all or some of the services in regard to issues of common applicability of all such service

2. Appointed to service:

3. Approved candidate:

4. Approved probationer:
(7) Backward classes: Part C of Schedule I

(8) Cadre

(11) Date of regular appointment: Date of commencement of probation.

(14) Duty: Performing duty, training, deputed for higher studies, joining time, vacation, authorized holidays, casual leave.

(20) Officiating appointment : if appointment has been made after inclusion in the panel, but whose appointment is not been regularized.

(28) Schedule Caste: Part A of Schedule I

(29) Schedule Tribes: Part B of Schedule I

(30) Service: a post or a group of posts or categories of post classified as State or Subordinate service.

(31) Special Rules: the rules applicable to each service or class or category of a service, which include ad hoc rule applicable to temporary posts in a service or class or category which are not covered by the special rules. (AP Handlooms & Textile Subordinate Service Rules – Category 3)
• Rule 3-A : Conditions of service :

• Rule 3-B : Application of rules : Rule made under Article 309 are applicable to all persons holding posts intended to be held by members of that service on the date on which such rules were made applicable.

• Provided right or privilege entitled by or under any rule applicable prior to the making of such rule shall not be deprived.

• These rules cannot prevail over other rules
Rule 4: Method of Appointment:

- Direct recruitment
- Recruitment/Appointment by transfer
- Promotion, or
- Contract/Agreement/Re-employment
Rule 5:

a) Selection Posts : All Gazetted posts.

b) Non-selection posts : All non-gazetted posts.
Rule 6: Method of Preparation of Panels in respect of selection posts

- The appointing authority prepares in consultation with DPC/SC.
- Panel year: 1st September to 31st August of succeeding year.
- Currency of panel: 1st September to 31st December of succeeding year or date of approval of panel for next year.
- Vacancies arising from 1st September to 31st August
- The zone of consideration: 1:3
- The Panel can be reviewed after a period of 6 months after its approval to consider unqualified candidates who become qualified subsequently.
• **REVIEW OF PANEL**

• When eligible persons were omitted to be considered or ineligible persons were considered by mistake;

• When a Person’s Seniority is revised with retrospective effect;

• When procedural Irregularity is committed by the D.P.C, and

• When adverse remarks against a person have been subsequently toned down/expunged.

(GOMs.No. 187 GA (Ser.B) Depart dt. 25-4-1985)
Estimate of vacancies:

- Existing vacancies
- Vacancies to arise owing to retirement.
- Consequential Vacancies due to promotion or appointment by transfer
- 10% of the total estimate of vacancies towards reserve for
  (i) Deputation
  (ii) Training
  (iii) long Leave or
• Vacancies arise during the current panel year, if could not be filled up due to administrative reasons before 31\textsuperscript{ST} August, the same can be filled from the current panel to the extent of vacancies arise during the current panel year UPTO 31\textsuperscript{ST} December or before the date of approval of the panel for the next panel year. 
• Promotion or Appointment by transfer to a Higher Post in respect of officers who are facing Disciplinary Proceedings or a Criminal Case or whose conduct is under investigation is governed by G.O.Ms.No.257 GA (Ser-C) Dt.10.06.99

• Employees whose increments were withheld shall not be recommended for promotion during the period for which the increments were ordered to be withheld, w.e.f. the Date of Issue of the order imposing the penalty. (Cir. Memo No.34633/Ser.C/99 Dt.04.11.99)

• Any Minor Penalty Bars Promotion or Appointment by transfer for a minimum period of one year and withholding of increment with cumulative effect bars promotion or Appointment by Transfer for twice the period for which Increment is withheld to both Selection and Non-Selection Posts. (G.O.Ms.No.342, GAD (Ser-C) Dt.04.08.1997)
Employees against whom there are a series of punishments, which are not subsisting at the time of consideration for promotion, the D.P.C/Screening Committee have to take into consideration his overall performance which includes past punishments and not merely guided by the fact whether punishment is subsisting as on the date of meeting of D.P.C/Screening Committee or on the qualifying Date for preparation of panel. *(G.O.Ms.No.203, G.A (Ser-C) Dt.05.05.99)*
• If the charges have not been framed or proposed to be framed and the matter is at the stage of preliminary enquiry, no cognizance need be taken and the case may be considered on individual merits, disregarding the allegations under enquiry.

• Similarly, in respect of cases relating to ACB which are at the stage of preliminary enquiry the eligibility of a candidate for promotion may be determined without reference to such preliminary enquiry.

• Where enquiry by the ACB is completed and it is proposed to hold regular enquiry, the case may be deferred.

• (GOMs.No. 187 GA (Ser.B) Depart dt. 25-4-1985)
Disciplinary proceedings/investigation/inquiry /trial has been taken up against an employee between the date of inclusion of his name in the approved panel and the date of actual promotion, such promotion has to be deferred till the termination of the such proceedings (GOMs.No. 104 GA(Ser.C) Dept dt. 16-2-1990.
• Confidential reports of the last 5 years would be taken, including the CRs in the lower/higher category or to the extent available in respect of direct recruit, to assess the suitability for promotion. (G.O Ms.No. 291 GA(DPC-Desk-I) Dept dt. 3-4-1990.)
• Un-communicated adverse remarks should not be considered.

• When representation against the communicated adverse remarks is pending or the time for submission of representation is not over, the case of such employee should be deferred till the disposal of the representation made or that may be made. (GOMs.No. 187 GA(Ser.B) Depart dt. 25-4-1985.)
• In G.O. 529 GA(Ser.C) 19-8-2008 orders were issued to consider the cases of employees for promotion wherever charges are held not proved by the criminal court and acquitted them, even though an appeal is preferred before the higher court against such acquittal.

• “Such promotion shall be purely on temporary basis with prospective effect and subject to outcome of the appeal pending before higher court.

• Such consideration shall be in the ensuing Meeting of the Departmental Promotion Committee / Screening Committee only.”

• (593 GA(Ser.C) dt. 21-10-2011)
• orders that promotions shall be considered with prospective effect only in subsequent panel years duly placing the matter before the DPC/Screening Committee afresh in respect of the cases where;

• (i) Charges were dropped using the words such as let off, warning, to be more careful in future, on humanitarian grounds, on benefit of doubt etc.,

• (ii) Original order of penalty was modified on appeal or revision, after elapse of stipulated time (or) on humanitarian grounds (or) due to retirement etc.,

• (iii) The individual was acquitted by courts on benefit of doubt in criminal cases.

• GOMs No. 331 GA(Ser. C) dt 4-5-2013.
• Preparation of panels:
  • An Estimate of vacancies has to be arrived.
  • The information in Annexure to G.O.Ms. No. 187 GA(Ser.B) Dept dt. 25-4-1985 has to be furnished.
  • A self contained note should be enclosed indicating the full information regarding the provisions for promotion under relevant service rules.
• **Annexure-I** showing the service particulars of the qualified and unqualified employees in the order of seniority who come within the zone of consideration has to be furnished.

• **Annexure-II** showing the disciplinary proceedings, ACB cases, Vigilance cases; Punishments imposed and in currency for the preceding five years of the qualified employees in the order of seniority who come within the zone of consideration has to be furnished.

• **Annexure-III** furnishing the position of Confidential Reports indicating the adverse remarks if any, communication of adverse remarks, whether representation made and the final orders on the same either expunging or retaining the adverse remarks for the preceding five years of the qualified employees in the order of seniority who come within the zone of consideration.
• Seniority list communicated has to be enclosed.

• Confidential Reports of the qualified employees in the zone of consideration be placed.

• All files relating the disciplinary cases/ACB cases/Vigilance cases pending/finalised of the qualified employees in the zone of consideration be made available.

• A copy of the Service Rules applicable should be furnished.

• Minutes of the previous DPC/SC
Rule 6 (i): Non-Selection Posts:

Basis: Record Sheet and the qualifications prescribed in the special rules.

Rule 7: Appointing authority:

State Services : Regional officers where 1st Gazetted
1st Gazetted : Regional officers exist otherwise H.O.D.

2nd Gazetted : H.O.D
3rd Gazetted & above : Government
**Rule-8:** An approved probationer Eligible for promotion or Appointment by transfer

AD-HOC RULE

“Notwithstanding anything contained in the relevant Special Rules or the Ad hoc rules for the State and Subordinate Services, the minimum period of service wherever prescribed in the said rules for a member of a service from the lower category, class or grade, to the next higher category, class or grade, whether such appointment is made either by promotion in the regular line or by recruitment by transfer from any other service, that period shall be three years in the category, class or grade from which such promotion or transfer is made”.

Rule 10 (a):

Temporary appointment by direct recruitment/ appointment by transfer or by promotion in public interest
Ad hoc promotions in exigencies of administration.
No increment till fulfilling qualifications/completion of training
Rule 11:
The time limit for joining

- a) Direct Recruitment – 30 days
- b) Otherwise than by Direct Recruitment – 15 days.

“Provided that the employee, who does not join the post within the stipulated time or evades to join the post by proceeding on leave, second time also, shall lose his promotion right / offer permanently.”

- G.Ms.No. 227 GA (SER-D) DEPT Dated: 30.05.2014

Rule 12: Qualifications for Direct Recruitment:

- Sound Health, Good habits etc.,
- Good character and antecedents
- Academic qualifications
- Citizen of India
- Training
Age limit: Min. 18 years
Max. 34 years as on 1st July for General candidates.

Relaxation: 5 years for S.C’s, S.T’s and B.C’s. For B.C’s age not exceed 40 years

ADHOC RULE

Notwithstanding anything contained in the Andhra Pradesh State and Subordinate Service Rules or in the Special or Adhoc Rules for any State and Subordinate Service, the maximum age limit prescribed in the said rules for appointment by direct recruitment shall be raised by “Six Years” i.e., from 34 to 40 years for the purpose of direct recruitment to the various categories of posts to be notified from the issuance of this GO and up to 30.09.2016 by all the recruiting agencies in the State of Andhra Pradesh. The age concession over and above the Upper Age Limit shall also be allowed to the categories as provided under Rule 12 of the Andhra Pradesh State and Subordinate Service Rules, 1996.

• G.O.Ms.No.295 GA(SER- A) DEPT Dated 23.09.2014
Disqualifications:

# Canvass or extraneous support from officials, non-officials relatives etc
# Bigamy
# dismissal from service
# conviction for a offence involving moral turpitude
**Rule 13:** Pass in Language Test in Telugu within the period of probation failing which probation shall be extended and increments shall be postponed without cumulative effect until passes the test.

**Rule 14** Exemption from Passing of Language Test in Telugu

(i) in case of pass in X class in Telugu medium or Telugu as one of the subject

(ii) on attaining the age of 45 years.
AD-HOC RULE

“Notwithstanding anything contained in AP State and Subordinate Service Rules, 1996, APMS Rules, 1998, AP General Subordinate Service Rules, 1992 as well as APLGS Rules 1992 as well as AP Judicial Ministerial Service Rules and Special Rules of any service and in any rules for the time being in force, in the matter of direct recruitment to be made on or after 1st January 2003, candidates should pass Telugu Language of Secondary School Certificate standard, and in respect of the posts where the qualification prescribed is lower than the SSC, such candidates shall secure a minimum of 50% marks in Telugu Language in the qualifying examination.
Rule 15 (a): Newly prescribed tests should be passed within the period of probation, one year or two examinations, which ever is later.

Rule 16: PROBATION
Commences: from date of appointment.
Minimum Service: 60 days in case of promotion.
Period of Probation (i) for direct recruits 2 years duty within 3 years of service
(ii) for promotees/appointment by transfer one year duty within 2 years of service
Tests to be passed during probation.

If does not pass tests, probation has to be extended for one year by the appointing authority and subsequently by Government till passing the tests.

If does not pass within the period of extended period, the date of commencement of probation be changed to a date two years anterior to the date of passing the tests and the seniority be reckoned from such date.

**Failure to pass the tests the appointing authority discharges**
Under Rule 17:

Probation can be suspended for want of a vacancy.

Probation can be terminated for unsatisfactory work or for failure to pass the prescribed tests.

Probation can be extended in case of failure of passing tests.
• Rule 18: A decision as to extend/suspend or discharge from service should be taken within 8 weeks on expiry of probation period.

• If no such order is passed within one year of expiry of probation period, such employee be deemed to have satisfactorily completed the period of probation and a formal order should be issued.

• In case of charges pending, the above position does not apply
Rule 19: Rights of a probationer and approved probationer for re-appointment:

a) First preference in filling up of a vacancy to approved probationer or probationer.

b) i) Discharge of a Probationer or Approved Probationer:

A probationer or an approved probationer shall be discharged for want of vacancy in the order of juniority.
Rule 21: Confirmation:
Employee declared to have satisfactorily completed his probation, shall be confirmed as a number of that service.

Rule 22 Special Representation (Reservation):
• Out of 100 vacancies
• 15 for S.C’s,
• 6 for S.T’s
• 29 or B.C’s (A-7%; B-10; C-1%; D-7% and E: 4%)
• 3 for P.H (6 VH, 31 HH 56 OH).
• 2 (12 and 37) for Ex-Serviceman.
• In respect of S.A’s, J.A’s, Junior Steno’s, Typists etc., in H.O.D’s and A.S.O’s etc., in Secretariat, 2 points at 48 and 98 for meritorious sports men.
Rule 22-A: Women reservation:

33 1/3 % w.e.f. 28-5-1996 in respect of all categories
For solitary post the rule of special representation shall not apply. (j)

Provided that the rule of special representation shall be applicable for appointment if the number of posts is more than one even though selection is to be made against only one vacancy at any recruitment other than limited recruitment.
• In respect of appointments by promotion or recruitment by transfer from subordinate service to state service, the claims of S.C’s & S.T’s shall be considered on the basis of seniority subject to fitness.

Provided that a member of the S.C or the S.T possessing superior merit & ability shall be allowed to supersede not only others but also the members of S.C’s or S.T’s as the case may be.

• The vacancies in respect of SC, ST, B.C’s (Group-A to Group-D) Women. Handicapped shall be carried forward
SALIENT POINTS TO BE BORNE IN MIND

SC and ST Vacancies are not inter-transferable.

The vacancies for backward classes are inter-transferable only among the different groups.

The members belonging to SC, ST, and BC can also be considered against OC vacancies.
Unfilled reserved vacancies for physically handicapped should be carried forward to next year. If no candidate is available for second year also such vacancy is interchangeable among VH/ HH/ PH. If the vacancy cannot be filled by interchange, the same can be filled as OC vacancy in the subsequent year. (GOMs No. 99 GA(Ser.D) dt. 4-3-2014 w.e.f. 28-8-2004)
<table>
<thead>
<tr>
<th>Director Recruitment</th>
<th>Promotion/Appointment by transfer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. when the sanctioned posts are more than one.</td>
<td>only when cadre strength is more than five</td>
</tr>
<tr>
<td>2. Reservation for SC, ST, BC, Women, PHC, Ex Serviceman, Meritorious Sportsmen</td>
<td>Reservation only for SC, SC-W, ST, ST-W, PHC</td>
</tr>
<tr>
<td>3. Separate roster be maintained</td>
<td>Separate roster be maintained</td>
</tr>
<tr>
<td>5. SC, ST candidates selection against OC vacancies shall not reckoned for their representation</td>
<td>SC, ST employees promoted as per seniority shall be taken into account to consider the adequacy.</td>
</tr>
<tr>
<td>6. Since the adequacy of representation is not considered and the reservation is observed as per the roster points with reference to cadre strength</td>
<td>Once the adequacy of representation is achieved, the reservation should be stopped.</td>
</tr>
<tr>
<td>7. The question of lapsing Un-utilized roster points for SC and ST does not arise as such points are to be carried forward till the same are filled up</td>
<td>Un-utilized roster points for SC and ST shall lapse when the percentage is achieved.</td>
</tr>
<tr>
<td>8. ST points should be filled as per roster points earmarked for ST and cadre strength has no relevance</td>
<td>When cadre strength is 6, 7, or 8, one vacancy shall be filled by ST at their turn in the roster if there is no representation.</td>
</tr>
<tr>
<td>9. When SC and ST candidates are not available such point cannot be filled by other communities and such points shall be carried forward till the same are filled by respective categories</td>
<td>When eligible and suitable SC and ST employees are not available consecutively for second panel year, such vacancies can be filled by seniority. However equal number of such vacancies shall be made good in the next panel year</td>
</tr>
<tr>
<td>10. The selection candidates against roster points shall be made by the recruiting agency</td>
<td>The recommendation of the employees against roster points for SC and ST shall be made by the DPC/SC</td>
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Rule 23: Appeal, Revision and Review of orders of appointment to Higher Posts:

Order can be revised within six months by the appellate authority on its own motion or on appeal filed by the aggrieved employee. Revision can be made within three months on the appellate authority order.

Rule 24: Revision of lists of approved candidates (panels) or list of eligible candidates for appointment by promotion or by transfer by placing before the DPC/SC within six months from the date of original order
Rule 25: Review:

The State Government may review its order or any order of revision passed by them under Rule 24 if it was passed under any mistake, whether or fact or of law or in ignorance of any material fact or for any other sufficient reason.

Rule 26: Appeal against seniority or other conditions of service:

Appeal against seniority or assignment of notional seniority on par with junior be entertained by the appellate authority within a period of 90 days from the date on which junior was promoted. Revision within 3 months
Rule-28: Relinquishment of rights by members:

Relinquishment of any privilege by the employee may be accepted if it is in public interest.

Rule-30: Resignation:

Resignation forfeits past service.

It takes effect from the date of relief.

If on leave it takes effect from the date of expiry of leave.

The employee may withdraw his resignation before it takes effect.

The Resignation of a Government Servant against whom departmental proceedings are pending shall not be accepted.
If the resignation is accepted, but has not taken effect and he withdraws his resignation before it has taken effect, he should be deemed to be continuing in service.

A member of service, shall, if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation but all his previous service under the Government.
Where a member of a service is selected for appointment by direct recruitment to another post and is appointed to it, his lien on the service or his probationary right, if any, in the former post shall be retained for a period of three years or until he becomes an approved probationer in the latter post, whichever is earlier; and if before the expiry of three years he is not an approved probationer in the latter post, unless he reverts to the parent department, he shall be deemed to have resigned to the former post with effect from the date on which the three years period expires:
provided that nothing in this sub-rule shall affect the benefits accrued to such member of a service in the previous post or posts, except the lien or probationary right on such post or posts;
Rule 31: The Governor has the power to relax rules in public interest or where the application of such rule or rules is likely to cause undue hardship to the person or class of persons concerned in respect of posts carrying a scale of pay of Junior Assistant and above.
• Rule 32 : The Head of the Department is competent to relax rules relating to transfer, promotion or other service conditions governed by these rules or special rules in respect of posts carrying a scale of pay less than that of Junior Assistant in his Department.
Rule 33: Seniority:

a) The date of first appointment to a service

b) fixation of seniority among two persons who join service simultaneously, the order of preference fixed by the competent authority is the criterion.

For candidates allotted by the A.P.P.S.C, Seniority with reference to the order of merit or order of preference assigned to them in the said list.
• If notional date for promotion is assigned such date shall be taken into consideration for computing the qualifying length of service in the feeder category for promotion to next higher category. Such notional date should be counted for the purpose of declaration of probation also in the feeder category (Rule 33 c).
• The seniority of retrenched employee on reappointment is with reference to the date of reappointment (Rule 33 – f)

• **Rule 34: Preparation of integrated or common seniority list of persons belonging to different units of appointment:**

• The list should be prepared with reference to the provisions of sub rule (a) of Rule 33, provided that the seniority list of the persons inter-se belonging to the same units shall not be disturbed.
Rule 35: Fixation of Seniority in the cases of transfers on request or on administrative grounds:

- **Administrative Grounds:** Date of Seniority in the former unit of appointment.
- **Request:** Date of his joining in the letter unit of appointment.

Rule 36: Inter-se Seniority where the dates of commencement of probation are same:

- In respect of candidates selected by A.P.P.S.C the ranking assigned irrespective of the date of commencement of probation.
- In respect of persons promoted or appointed by transfer, the dates from which they were placed on their probation.
- In respect of the above if the date of commencement of probation is same, whoever is aged shall be the Senior.
- In respect of persons appointed on transfer on administrative grounds, the seniority shall be from the date on which the individual was placed on probation in the original dept.
Rule 37: Seniority of directly recruited candidates, re-allotted in consultation with A.P.P.S.C

Seniority shall be assigned below the last regular candidate in the concerned class or category in the unit to which such candidate is re-allotted.

• For Determining the seniority of the employee the provisions contained in Gen.R.33 shall be followed.

• 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 direct recruitment arose.

• If an employee is promoted to a post earmarked for Direct Recruit, his probation shall be reckoned from the date on which he would have occupied the vacancy meant for promotee.

• The inter-se Seniority of Direct Recruits shall be as per the ranking assigned to them by the recruiting agency irrespective of their dates of joining provided they all joined within the time allowed for them to join as per Rule. 11

• The Seniority lists already finalized as per court orders need not be disturbed, if they are finalized. If not yet done, they should be finalized as per these instruction.
No request for revision of seniority for a period which is more than 3 years shall be considered (GM No. 57759/Ser.A/2004-2 GA(Ser.A) Dept dt. 20-5-2004)
38. **Postings and transfers**

Transfer to a post within the unit of appointment or within the jurisdiction of local cadres.

Appointing authority or any authority superior to appointing authority or any subordinate authority delegated such power.

HoD from one unit to another unit where the Presidential Order does not apply including on tenure basis.

All inter local cadres transfers in public interest and on reciprocal basis be made by Government only.
THANK YOU