

Copy of :

**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 : 23-7-1997

Read the following :

- 1.The A.P. (Regulation of Appointment to Public services and Rationalization of Staff Pattern and Pay Structure) Act 2 of 1994.
- 2.G.O.Ms.No.212, Finance & Planning (FW.PC.III) Department dated 22-4-1994.

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 Schedule Caste, Schedule 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 their 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 unauthorized 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 Rationalization of Staff Pattern and Pay Structure) Act, 1994 (Act 2 of 94) in the reference read above, this will streamline the recruitment along healthy lines, to enforce Employment Exchange (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 regularizing the services of the persons who re appointed on Daily Wage basis / NMRs or Consolidated pay and who re 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 Under takings 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 post. Though, the Act 2 of 1994 provides that no person appointed on daily wages on Part-time shall have any right to claim regularization 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 workload and keeping in mind the hardship that would otherwise be caused, if their services are not regularized.

5. The Hon'ble Andhra Pradesh High Court also in its interim orders dt.25-04-1997 in W.P.M.P.No.24471/96, WPMP 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 regularization of the services of the persons appointed on part-time basis, Government have taken a decision that the services, of such persons who have 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 94) came into force, be regularized 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 the date from which his or her services have to be regularized.
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 backlog 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 regularization will be suggested for the senior among the two accordingly.
7. The regularization of services of full-time employee already made in terms of G.O.Ms.212, Finance & Planning (FW.PC.III) Dept., Dt.22-04-1994 will not be reopend for giving effect to the present order.
8. All the Departments of Secretariat / Heads of Departments are requested to process the cases of absorption / regularization 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 regularization or absorption.

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

M.SAHOO
Secretary to Government