



**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services – New Recruitment Policy and Guidelines – Orders – Issued.

**GENERAL ADMINISTRATION (SER.A) DEPARTMENT**

**G.O.Ms.No.94**

**Date:28-03-2001**

**Read the following:**

1. Act.2/1994, Dt.15.11.1994.
2. G.O.Ms.No. 211, Fin (PCIII)., Department Dt. 22-4-1994.
3. G.O.Ms.No.152, Fin & Plg.OP.I) Department., Dt. 14-06-1995.
4. G.O.Ms.No.275, Fin (SMPC) Department, Dt. 14-12-1995.
5. U.O.Note No. 2268-C/23/Fin SMPC/96, Dt. 6-3-1996.
6. G.O.Ms.No. 436, GA (Ser.D) Department, Dt. 15-10-1996.
7. G.O.Ms.No.58, Fin (SMPC) Department, Dt. 28-03-2001.
8. G.O.Ms.No.526, Fin (SMPC) Department, Dt. 28-09-2001.
9. W.P.No.2904 of 2002.
10. W.P.MP No. 3459 of 2002 in WP No. 2868 of 2002.
11. G.O.Ms.No.24, Fin(SMPC) Department., Dt. 9-1-2002.

**ORDER:**

**A P U S**

1. Act 2 of 1994, first read above, laid down the norms and procedures for regulation of appointments to public services and rationalization of staffing patterns and pay structures. This Act prohibited Government Departments, Corporations, Universities and local bodies etc., from making unauthorized appointments through the backdoor of NMRs, daily wages or appointments on consolidated pay. However, the Act 2 of 1994 did not put any ban on recruitment into public service. The Government of Andhra Pradesh Issued orders in the reference second read above on the procedure take followed in scrutinizing the requests for direct recruitment and forward all requests to the recruiting agencies through the Finance Department. The Finance Department scrutinizes all requests for fresh recruitment on a case-by-case basis, Including the need and justification, the possibility of redeployment of surplus staff and the likely financial burden and places the proposal before the cabinet for obtaining final orders. Once the competent authority has taken a final decision, the Finance Department Issues the necessary requisition to the concerned recruiting agency like Andhra Pradesh Public Service Commission or District Selection Committee, to make the recruitment to the extent approved.

2. Certain Writ Petitions were filed in the High Court of Andhra Pradesh and during the course of hearings in Writ Petitions ninth and tenth read above, the Hon'ble High Court of Andhra Pradesh observed that the Government of Andhra Pradesh should make public their recruitment policy. Accordingly, taking note of these observations, the Government of Andhra Pradesh, after careful examination, hereby declares its policy on recruitment to public Service.

**Core functional Category Posts only to be made Permanent:**

3."Every Department of the Government is created with the objective of providing certain public Infrastructure and services to the citizens. For example, the Roads & Buildings Department is created to construct and maintain roads and bridge. The Agriculture Department is created to provide technical advice and agricultural inputs to the farming community. They also perform certain regulatory, developmental, promotional and administrative functions of the department are performed through gazetted and non gazetted employees that have the professional qualifications in the field of engineering or agriculture and related subjects. They are provided administrative support through non gazetted ministerial staff such as Superintendents, Senior Assistants, Stenographers, and Junior Assistants Other functionaries like Attendants, Watchmen and Drivers etc., are provided as Class IV support staff.

4. The Government takes up several Developmental programmes, projects and schemes that are funded for a few years and discontinued thereafter, either on completion or drying up of funding. Temporary posts are created for implementing such schemes projects. In the reference third read above, Government had instituted implementation Committees for all departments to examine the desirability of making temporary posts permanent or continuing them as temporary or discontinuing them altogether. Unfortunately, these Implementation Committees have not been meeting regularly not have they developed norms for taking suitable decisions and the result has been that a very large number of temporary posts have continued as temporary for years together.

5. Explanation (i) under Rule 4 (b) of the A.P. State and Subordinate Service Rules, issued vide G.O. sixth read above, enlarged the definition of Substantive posts to include all temporary posts which have continued in existence for a period of five years or more. As a result of the increase in the number of substantive posts, the quota of posts for which direct recruitments has to be made has gone up substantially. This decision has led to the anomaly of permanent direct recruitment against temporary posts that are continued from time to time. This decision has also had an adverse financial impact on account of creation of permanent financial liabilities such as pension and other retirement payments.

6. Following the enactment of Act 2 of 1994, the State Government appointed a Staff Review Committee, in the reference second read above, to fix rational staffing patterns with reference to workload, and identify schemes, programmes, administrative units etc., that have become obsolete or redundant but were continued merely for the sake

of keeping the staff and paying them salaries. The affected Departments as well as Staff Unions have expressed their opposition to the SRC recommendations. The Government has yet to take a final view on the report.

7. Government has reviewed the situation and decided that, in future, Government shall treat only a certain number of posts under gazetted and non gazetted posts under the Service Rules of concerned departments and Group I and II posts under Andhra Pradesh State and Subordinate Service Rules, as core functional posts. In order to identify the core functions of each department, the Implementation Committees shall be immediately reactivated. These Implementation Committees shall take into account the Performance and Process Indicators, the Start and Cost efficiency norms, the use of Information Technology and other modern management practices such as contracting [rupees for month fixed tenures or outsourcing administrative and logistical support services to service providers etc., to arrive at the number of core functional posts for each department. Government will separately lay down norms and guidelines on core and non core functions, In consultation with Finance Department and the Centre for Good Governance, for the Implementation Committees to follow.

8. Based on tent identification of core functions of each department, the Implementation Committees will recommend the number of core functional posts in Gazetted, Technical, and Group.I & II categories that are required to be made permanent. Further, since in most departments , a large number of permanent posts already exist in non core functional categories, shall also be treated on par with core functional posts and continued on permanent basis. However, in future no new posts in the non core functional categories shall be made permanent.

9. Pending implementation of the decision in the preceding paragraphs to fix the cadre strength of permanent posts, the Government further orders that, in super cession of orders in sixth read above, henceforth, direct recruitment shall be restricted only in tent case of vacancies arising against existing permanent posts in all the departments. The number of direct recruit vacancies in the permanent posts shall be computed only after first adjusting the existing direct recruits presently working against temporary posts. Consequential vacancies in the core functional temporary posts shall be computed only after first adjusting the existing direct recruits presently working against temporary posts. Consequential vacancies in the core functional temporary posts in Gazetted, Technical, Group I and II categories may be filled up only through contract appointments on fixed tenure basis, not exceeding three years. Further direct recruitment or contractual appointments in Group.III and IV and Class IV posts shall be deferred till the adjustment of all already available direct recruits against future permanent vacancies.

**Contractual Appointments for Core functional Temporary Posts:**

10. With effect from 1st April, 2003 all departments shall maintain separate roster for permanent and temporary posts of all Core functional categories in order to Identify direct recruitment and promotion vacancies. These rosters shall also indicate the

vacancies reserved for various categories such as scheduled castes, scheduled tribes etc., While promotion quota of core functional temporary posts may be filled up through temporary promotions from the feeder categories, no direct recruitment quota temporary posts shall be filled up through any adhoc promotions.

Further, the direct recruitment vacancies for core-functional temporary posts shall be computed only after adjusting the regular direct recruits already in service. Consequent recruitment vacancies of core functional temporary posts may be filled up through contractual appointments on a fixed tenure basis.

11. The tenure of each contractual appointment shall not be more than the period or which the posts has been created or three years, whichever is less. If the original contractual appointment is for a period less than three years, this may be extended from time to time but shall necessarily be terminated at the end of the three years. No further extension shall be admissible under any circumstances. However, the individuals concerned may be permitted to appear on par, with other candidates for any fresh contractual appointments. The procedure for, and terms and conditions, of contractual appointment are prescribed in the Annexure-I to this order. Emoluments for contract appointments to be related to Market:

12. It is common knowledge that in Andhra Pradesh, as also in the country, senior Government/public sector officers are paid far less than their counterparts In private/corporate sector. But the position is quite the opposite at the time of initial recruitment in Group I Gazetted categories for candidates with similarly professional and technical qualifications. Similarly, in non-gazetted technical, Groups II, III & IV and Class IV Jobs, the Government / Public sector employees are paid more than their counterparts in the private/corporate sectors. The Government employees also enjoy the benefit of security of tenure. Further, while the administrative and logistical support staff is relative small in private/corporate sectors, their numbers are very large in Government / public sector, thereby putting a hug financial burden on the public exchequer. While the pay scales fixed by the Government may have to be contractual appointment posts, there is a need to review the policy of fixing emoluments for contractual appointment against core functional temporary posts to bring them in line with market rates.

13. In order to attract the best candidates with appropriate professional and technical qualifications For senior core functionaries of temporary nature, the Government hereby order that emoluments should be fixed on par with market rates on a consolidated pay basis. Each department will constitute a committee under the Chairmanship of the Administrative Secretary with representative of General Administration and Finance departments for fixing emoluments for different categories of temporary Gazetted posts to be filled up by contractual appointees. The guidelines for fixing the emoluments an given in ten Annexure-1 to this order. For all groups of non Gazetted posts, the General Administration Department, In consultation with Finance

Department, shall fix emoluments from time to time in relation to market rates, to be offered for temporary contractual appointments.

**Outsourcing of Support Services:**

14. There are two types of outsourcing of support services. The first one is outsourcing of functionaries, and the second one is outsourcing of functions. In the first case, a department may enter into a contract with an agency to provide the services of a certain number of technical support functionaries, e.g., Computer professionals or Surveyors or Draughtsman for a specific period. The agency selects and employ the functionaries as per the requirement of the job functionaries continue to be the employees of the service agency during and after their assignment with the Department. In the second case, the Department may outsource the function, e.g., catering, housekeeping security etc. to a service provider agency for a fixed period of time for a mutually negotiated amount. Accordingly, the service provider agency will engage a certain number of personnel and deploy equipment to meet the specific standards prescribed for that function in the contract. In this case also, the functionaries continue to be the employees of the service provider agency during, and even after, their assignment with the Department.

15. Government has permitted several departments to out source. Functions or functionaries for support services in the last few year. Experience has shown that the Department have received good quality services at very reasonable rates compared to performance of similar functions through Governments own staff. Competition among services providers ensures good quality and the Departments have the flexibility to source personnel according to their emerging needs. Since the remuneration is market based, it turns out to be very cost effective, particularly because there is no permanent liability of retirement benefits. However, the Government is equally committed to its assurance that existing employees shall not be retrenched. On the other hand, the Government will make efforts to gainfully use their services through redeployment. However, future direct recruitment in these non-core functional categories of posts shall be restricted to permanent posts only, and the requirement of temporary personnel for non core functions shall be outsourced.

16. Government has reviewed the position and hereby orders that regular direct recruitment in Group. II, IV and Class IV categories against existing temporary vacancies shall be discontinued forth with. The Implementation Committees shall make recommendations on the need and in the non core functional categories on the basis of criteria already mentioned in respect of permanent posts . However, in future no further direct recruitment shall take place for such non core functions or posts. The implementation Committees will recommend the mode of outsourcing for various categories of such posts, which may be filled up as per norms and procedures prescribed in the Annexure 2 to this order.

**Procedure for Creation and filling up of posts:**

17. Government order seventh read above laid down the procedure for continuation of temporary posts, and their conversion into permanent posts, government order eighth read above lays down the procedures for the creation and up gradation of posts. However, in fact these procedures are not effectively being followed, particularly in respect of scrutiny of proposals for continuation of temporary posts or their conversion into permanent posts. As ordered in the previous paragraphs, the implementation committees shall be reactivated to ensure that work norms and management innovations are employed to get best value for money in the magnitude and mode of deployment of manpower in governments.

18. Government orders fourth and sixth read above lay down the procedure to be followed for forwarding the regularizations to the recruiting agencies to initiate the recruitment process. A question has arisen whether the role of finance Department is limited to examine the request of the Administrative Department from the perspective of redeployment of surplus staff only or does it encompass larger issues of the need and justification for proposed recruitment, and its financial impact on the budget, Government has carefully examined this issue and hereby clarified that a mere availability of vacancies cannot be treated as adequate justification for a department to go ahead and initiate direct recruitment each Department has to justify the need for filling up of the vacancies and get formal approval from the competent authority. In the absence of effective functioning of the implementation committees, Finance Department has undertaken the scrutiny of recruitment proposals on a case-by case basis, particularly in view of the financial implications of such recruitment proposals, often unbudgeted, which is in accordance with their mandate as per the rules of Business, the government proposes to continue this practice.

19. Accordingly in partial modification of government orders eight and ninth read above, Government hereby orders that every department shall place their proposals for the continuation of temporary posts and/or conversion of temporary posts into permanent posts, before the implementation committee every year. The implementation Committee shall make their recommendations to the Government in accordance with the guidelines prescribed in this order. Thereafter, each department shall calculate their likely direct recruitment vacancies in permanent or temporary categories for the next one year and obtain approval of government, in consultation with finance Department as per Rules of Business, for filling them up as per the prescribed mode of recruitment i.e, regular recruitment or contract appointment or out sourcing as the case may be. Thereafter, the Finance Department will forward the requisition to the concerned recruitment agencies for regular recruitment or contract appointment, as the case may be or authorize agencies for regular recruitment or contract appointment, as the case may be or authorize the concerned department to outsource the support service in accordance with guideline in Annexure 2 to this order.

20. This Order shall come into force with immediate effect and shall apply to all Government departments, public undertakings, autonomous institutions, local bodies, and all such institutions are receive grants-in-aid for salaries from the State Government. Necessary amendments shall be made in the Andhra Pradesh State and subordinate Service Rules 1996 and other relevant rules.

21. All the Special Chief secretariat/principal Secretaries/Secretaries, Head of Departments and Collectors shall bring this order to the notice of all concerned institutions for information and stricle compliance.

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

**SATHINAIR,**

Chief Secretary to Government .