

## SECRETARIAT OFFICE MANUAL

### I. THE SECRETARIAT ORGANISATION

**THE ANDHRA PRADESH GOVERNMENT** The executive power of the State is vested in the Governor of the State and is exercised by him, either directly or through officers subordinate to him in accordance with the provisions of the Constitution of India. There is a Council of Ministers with the Chief Minister as its head to aid and advise the Governor in the exercise of his functions according to the provisions of the Constitution of India.

**THE MINISTERS:** The allocation of business of Government among Ministers is made by the Governor on the advise of the Chief Minister. The transaction of the business is governed by the rules made by the Governor under article 166 of the Constitution of India and the instructions issued there under. These rules and instructions are known as 'THE ANDHRA PRADESH GOVERNMENT BUSINESS RULES' and THE ANDHRA PRADESH GOVERNMENT SECRETARIAT INSTRUCTIONS respectively. Each Minister disposes of the Government business in the subjects in his charge according to those rules and instructions.

**SECRETARIAT:** Secretariat means the Government office wherein or through which the Governor or any Minister of the State Government takes cognizance of matters relating to the administration of the A.P State.

**THE CHIEF SECRETARY:** He is the Chief Executive Officer of the State Government. Besides looking into the proper transaction of the regular Secretariat business allotted to him, the Chief Secretary has the following special functions to discharge:

- a. A superintending control over the entire Secretariat
- b. Administrative control over the Secretariat building
- c. Control over the Secretariat library which serve all departments of the Secretariat.
- d. Control over the personal staff attached to Ministers.
- e. Arrangements for the meetings of the Council of Ministers and
- f. Responsibility for all other matters not falling within the categories of subjects assigned to other Secretaries

**SECRETARIES TO GOVERNMENT:** Each department of the Secretariat consists of a Secretary to Government. He is the official head of the department and of such other officers and staff subordinate to him as the Government may determine. He is the Secretary to Government and not for the Minister in-charge of the department. He is responsible for the careful

observance of the Business Rules and Secretariat Instructions in the transactions of business in his department. He exercises general supervision and control over the staff under him and is responsible to see that the members of the staff under him discharge the work allotted to them efficiently and expeditiously.

The Secretary is usually assisted by one or more Additional, Joint, Dy. or Asst. Secretaries. The Additional, Joint or Dy. Secretary occupies a position identical with that of a Secretary to Government in regard to the subjects allotted to him. The Secretary is, however, in general charge of the entire department.

**ASSISTANT SECRETARY:** The Asst. Secretary exercises control over the sections placed in his charge both in regard to dispatch of business, and in regard to efficient administration. Subject to orders of the Secretary one of the Asst. Secretaries, designated by the Secretary for the purpose, if there is more than one such officer, is in general charge of office matters and procedure as a whole. He deals with contingent expenditure, drawal of pay bills of non-Gazetted officers etc., and controls the last grade employees.

**SECTION OFFICER:** The Section Officer is in charge of section in a Secretariat Department. He is assisted by a certain number of Assistant Section Officers (ASOs), one Typist cum Assistant. The Section Officer is responsible for all files relating to the subjects allotted to the ASOs under him. He is directly responsible to the officers under whom he works for the efficient and expeditious dispatch of business at all stages. Training of ASOs under him is one of his principal functions. He will not merely supervise but will himself deal with more difficult and important papers. He maintains discipline in his section.

**ASSISTANT SECTION OFFICER:** The main duties of an Asst. Section officer in a section besides assisting the Section Officer in dealing with the cases pertaining to the subjects allotted to the section are to draft and reference the communications properly and deal with the cases relating to his seat in the section efficiently and expeditiously. He should also maintain Personal Registers, Reminder dairy, Call Books, Periodicals and other relevant Registers.

**TYPIST CUM ASSISTANT:** They are expected to do the work of a routine nature such as maintenance of personal and other prescribed Registers, and if entrusted, drafting of routine reminders, typing drafts, fair copying, dispatch

**STENO TYPISTS:** Steno Typists do shorthand work for the Secretary, Additional Secretary, Joint Secretary, Dy. Secretary and other Gazette officers. They are to attend to the other work entrusted to them by the officers under whom they work.

**CENTRAL RECORD BRANCH:** The central record branch is the repository for non-confidential records appertaining to the current year and the preceding 3 years. This branch is under the control of an A.D. of the office of the Director of State Achieves. One of the principal duties of the staff in this branch is to

see that disposals asked for by the departments are supplied promptly and the papers supplied are returned to the branch as early as possible.

**CENTRAL ACCOUNTS SECTION:** The central accounts section deals with all matters connected with cash relating to all departments of the Secretariat. It is under the control of the Finance department.

## II. DEFINITIONS

**ARISING REFERENCE:** Any reference issued from the office which originates on file is called an arising reference.

**BRANCH:** It is the term used to denote one of the central branches, viz, The Central Record Branch and the Central Accounts Section.

**BUSINESS RULES:** It is the expression used to denote the rules made by the Governor under article 166 of the Constitution of India for the transaction of Government business.

**CASE:** Consist of the current file, draft, note file and any previous papers and books put up for reference.

**CIRCULATION:** The submission of files to the Ministers or to the Governor for information or orders is termed as 'Circulation'.

**CURRENT:** A communication received in one department from outside the office or from another department of the Secretariat which is stamped with a number of the department is known as 'current' and the number itself is called a current number or briefly C. No. Current file consists, at the outset, of one official or unofficial paper or papers under disposal. to which are subsequently added the office copies of any intermediate official or un official references and replies to such references, and telephone messages etc. The whole file is being arranged chronologically.

**DEMI OFFICIAL CORRESPONDENCE:** Correspondence is called 'Demi Official' when Government officers correspond with each other or with any member of the public, on administrative or official matters without the formality of official procedure and with a view to interchange of communication of opinion or information which may not necessarily be placed on official record in the proceedings of Government.

**DEPARTMENT:** is a division of the Secretariat acting under the direction of the Minister in charge or otherwise acting on behalf of the Government in accordance with the provisions of the Business Rules and Secretariat Instructions.

**DISPOSAL:** is the file containing the final decision of the Government on any matter submitted for its information or orders.

**DRAFTING:** is the preparation of any communication which is proposed to issue by or on behalf of or under the direction of the Government.

**ENCLOSURE:** A communication or a statement or a plan, sketch or other document which is attached to or accompanies another communication to supplement or elucidate the point, intention or orders conveyed in the latter, is called an "Enclosure" to it.

**FLAGGING:** It is the process of attaching to the top of papers put up for reference in a case, slips printed with letters of the alphabet or roman numerical.

**ISSUE:** is the term used to denote the process of copying or printing and dispatching communications intended for any person or authority.

**LINKED CASE:** One file is linked with another when a reference to any paper in the one is necessary for the disposal of the other.

**NEW CASE :** A paper which is not connected with a pending case in the office or one which originates in the office or is started under a note or demi-official letter of a Minister or officer of the Secretariat, is treated as 'new case'.

**NOTE FILE:** It consists of the notes with unofficial references and replies thereto and demi official communications from Ministers and Officers,

**OLD CASE:** A reply to a reference issued from the office or a paper which though not a reply of that nature has for any other reason to be filed with a current already pending in the office is called as 'old case'.

**PUT UP PAPERS:** means the previous orders or other papers connected with or having a bearing on the subject of a current under consideration and put up in the case with the current.

**REFERENCE:** is the process of putting up in a case previous correspondence, laws, rules, reports etc required for its disposal, flagging them and indicating their presence by references in the margin at the portion of the current file or the note file in which they are mentioned or quoted.

**REGISTRY:** A paper is said to be registered when it is given a 'current number' and entered with an abstract in a receipt register known as the Personal Register.

**ROUTINE NOTE:** A note for the elucidation of a point arising in a case which a Secretariat Officer wants to be cleared up, or on matters of an ephemeral nature, such as reminders, delays in office etc which will not go into the permanent record, is termed as routine note.

**SECRETARIAT:** is the Government Office wherein or through which the Governor or any Minister takes official cognizance of matters relating to the administration of the State.

**SECRETARIAT INSTRUCTIONS:** are the instructions issued by the Governor under rule 59 of the Business rules to supplement the latter rules in regard to circulation, noting, drafting and other allied matters.

**SECTORAL NOTES:** are notes written on each of the several issues arising out of a single subject where orders have to be obtained separately on each of such issues, they are distinguished from the main note which treats the subjects as a whole.

TAPPAL: Communications received in the office which are official, un official or demi official are, until registry, known as 'Tappal'

**UN OFFICIAL CORRESPONDENCE:** When it is proposed to obtain on the note file of a case the concurrence, opinion or remarks of another department of the Secretariat or of any particular officer of Government, so that such concurrence, opinion or remarks may not form part of the official proceedings, the mode of referring a paper or a case and obtaining a reply is called un official correspondence.

### III. **COURSE TO BE FOLLOWED ON A PAPER FROM RECEIPT TO DISPOSAL**

There will be tappal section and tappal Assistant will be in charge of this section. He will receive all papers addressed to the department. He will sort them out in respect of various sections in the department as per the distribution of subjects and send to the sections through the officers concerned. In regard to confidential papers received in sealed covers and references from GOI the Dy. Secretary or the A.S. in charge of tappal section will study the papers and will send such papers for the perusal of the Secretary as he considers necessary. As soon as the papers are received in the section the S.O. distributes to the ASOs concerned.

The ASO will add the papers received in tappal to the existing files if there are any Otherwise he puts each paper in an appropriate file board and the paper then becomes a case. The ASO will then take necessary action like obtaining previous papers or precedents, acts, rules etc., required to process the case and puts up note. The Section officer after making any revision or addition to the note put up by ASO or puts up a fresh note as he considers necessary and submits the case to the next Superior Officer. The officer normally Assistant Secretary to Government to whom the case is submitted will direct further action or suggests the nature of disposal to be made or orders to be passed and submits to the D.S., JS./Addl. Secretary/Secretary who will take further action as to circulation to Minister or issue of final orders. The file then is returned to the section through all the officers in descending order and finally reaches the section. The Section Officer then, arranges to get further information or issues final orders as per the directions of the superior officers. The disposal can be in the form of a Government order, letter, endorsement, memorandum, telegram, demi-official, un official or lodged paper. The concerned Assistant Section Officer will take action to issue the references to be sent outside. When action is complete the papers will be closed as Government orders, letters, memorandum, lodged etc duly docketed and stitched by the record assistant and properly arranged in, bundles on the record racks or almairah in the section.

#### IV. FORMS AND RULES OF CORRESPONDENCE

The correspondence in the Secretariat departments will be in the form of a) Letter b) Government order. c) Memorandum d) Endorsement and e) Demi Official letter.

**LETTER:** The correspondence should be in the form of a letter when it is proposed to address; i) a higher authority ii) Govt. of India or another State Government iii) The Chief Justice of the High Court of Judicature, Hyderabad iv) Chairman, A.P. Administrative Tribunal, v) Speaker of the AP Legislative Assembly or the Secretary, A.P. Legislative Council vi) APPSC vii) An Officer not under the administrative control of the State Government viii) Vice Chancellor or Registrar of a University ix) A Member of A.P. Legislative Assembly / Council x) All Non officials including Members of Public and xi) an Association or Society or Corporation whether it is a public undertaking or not.

While making correspondence, letters to the Government of India, shall be complete and it is not desirable to develop a personal touch and the use of personal pronouns should be avoided.

**Incorrect form:** I am to request you to make necessary provision of funds.

**Correct form:** I am to request that necessary provision of funds may be made.

Letters should not be addressed to the Chief Justice or Judges of the High Court and Judges of other courts. The correspondence should always be addressed to the Registrar. However demi-official letters can be addressed to the Chief Justice or the Judges by the Chief Secretary depending upon importance and circumstances of the case.

**GOVERNMENT ORDER:** When the disposal of the case contains the orders of the Government, the same should be issued in the form of Government Orders. G.Os are issued mainly in 2 forms, G.O.Rt. and G.O.Ms. When the disposal is not of sufficient importance and need not be retained permanently, the proceedings are to be issued as G.O.Rt. If the proceedings are to be retained permanently they are issued as G.O. (Ms). If the G.O's are to be printed they are termed as , G.O.(P).

**MEMORANDUM:** When any information or opinion has to be obtained from a subordinate officer and if papers are not being sent in original, the correspondence in the form of Memo will be issued. Memo will be issued when any instructions are issued to the subordinate officers. Memo form can be used for acknowledging the receipt of a communication or for conveying information not amounting to an order of Government.

**ENDORSEMENT:** When a paper is returned in original to the sender or when it is referred to the subordinate officer for disposal, the form of correspondence will be endorsement.

**DEMI-OFFICIAL LETTER:** While addressing an officer or a member of public

without formality of the official procedure and when this correspondence is not to be placed on official record, Demi Official letters' will be issued. This form is mainly used when the personal attention of the individual is to be invited to the issue for expeditious disposal of the cases. Gazetted Officers also should use this form. The demi official letters between the officers of All India Services (IAS, IPS, IFS etc) should be addressed as Dear Sri while a senior All India Service Officer addressing a far junior officer of IAS or non-cadre, My Dear may be used. If Gazetted Officer addresses the officers of All India Services or officers of distinction, they should use the form Dear Sir/Dear Madam.

**CORRESPONDENCE FROM/TO GOVERNOR'S SECRETARIAT:** Any official communication sent by the Governor of A.P. whether it be an order or sanction or recommendation or approval or permission or message intended to the Speaker of legislative Assembly / Chairman, A.P. Legislative Council should be forwarded by the Secretary of the department concerned demi officially to the Secretary, Legislative Assembly / Legislative Council stating that the same has been issued under the orders of Governor and that it may be placed before the Speaker or the chairman as the case may be. Communications of personal nature from the Governor to the Speaker of Legislative Assembly / Chairman, A.P. Legislative Council should be issued from the Secretary to Governor.

**CORRESPONDENCE WITH ADVOCATE GENERAL, APPSC, PUBLIC etc:** Before addressing the Advocate general, Law Department should be consulted. Only references containing important communications should be addressed to Advocate General. All other routine references should be addressed to the concerned Government pleaders. All communications intended to the APPSC should be addressed to the Secretary, APPSC. Men and ladies of Indian nationals should be addressed as Sri and Kumari/Srimati and other nationals as Mr and Miss/Mrs. as the case may be. While addressing the firms Sri should be used for Indian firm and Messer should be used for other firms.

**CORRESPONDENCE WITH OTHER COUNTRIES AND FOREIGN MISSIONS SITUATED IN INDIA:** All correspondence intended to foreign Missions in India should not be addressed directly by the State Government, but only through Government of India. However State Government can correspond directly to the Consulate General and trade representatives of foreign Governments. State Government can correspond with the Indian missions abroad directly on routine matters with copies to the Ministry of External Affairs. However- correspondence involving policy should invariably be sent through the Ministry of External Affairs.

## **V. TAPPAL**

Tappal consists of: a) Communications in cards, closed envelopes, packets Telegrams, / Fax Communications, e-mails, wireless messages etc., addressed to the Chief of Secretary, Special Chief Secretary, Principal Secretary, the Addl. Secretary, the J.S, the D.S or the A.S of the department, and

b) Non confidential papers from departments of the Secretariat, which by an interdepartmental arrangement are sent open to the departments concerned.

**RECEIPT OF TAPPAL:** Except for registered articles, all cards, closed envelopes and packets delivered either by post or by messenger are ordinarily put in the tappal box. The key of the box is in charge of the S.O. of the OP section or the tappal clerk or other person designated for the purpose. Communications from private parties received by post for which postal charges have not been paid in full should be refused.

Communications delivered by messengers or papers sent by other departments of the Secretariat which are marked urgent or special, and telegrams should not, however, be put in the tappal box but should be attended to immediately.

**OPENING OF TAPPAL:** The Tappal box is opened by the Tappal clerk at convenient intervals and the tappal is taken by him unopened to the Assistant Secretary concerned in whose presence it is opened and stamped with the date stamp.

Any tappal marked 'Secret' or 'Strictly confidential' or addressed to an officer by name is opened only by the officer to whom it is addressed.

Tappal consisting of letters from APPSC, Government of India, Governments of other State, Foreign Embassies, Consulates, papers relating to disciplinary proceedings of Gazetted Officers, Reports from ACB, SBCID; Tribunal for Disciplinary proceedings, explanations of the officers or requests for personal interview, should be submitted to Secretary for perusal

**TREATMENT OF VALUABLE ENCLOSURES:** Money, cheques and other valuables such as court fees stamps, copy stamp papers etc received as enclosures will be delivered by the tappal assistant in person to the S.O. of the section concerned. The tappal assistant will enter these in the Special register maintained by him for the purpose in the presence of the AS opening the tappals and then hand them over to the S.O concerned against an acknowledgement in the register.

**TREATMENT OF ADHESIVE STAMPS AFFIXED TO COMMUNICATIONS:** The adhesive stamps affixed to petitions or other documents should first be defaced by the, tappal assistant by affixing the date stamp in such a manner as to cover or to touch some part of the stamp but not in such a way as to obliterate the entries on them or render the detection of forgeries difficult. The stamps should be cancelled by punching the figure heads. Although the duty of cancelling adhesive stamps is laid primarily on the tappal clerk, the S.O. and the section assistant concerned should see that all adhesive stamps have been punched and defaced as indicated above

**NUMBERING OF CURRENTS AND DISTRIBUTION AMONG SECTIONS:** The tappals received in section are numbered by the section inward and outward communication. Papers which are of a casual nature such as post copies of telephone messages, tour programmes of Ministers, etc are, not



numbered as currents

When a current relates to more than one section, it should be taken up by the section which is concerned with the first point mentioned in the communication. That section should register it and if the points raised are sufficiently important, give extracts to the other concerned sections for taking necessary action.

**DISTRIBUTION OF CURRENTS IN SECTION:** Each section will maintain a numbering register in which tappals are serially numbered in hand and the acknowledgements of the subject ASOs will be obtained therein. It is the responsibility of the SO to ensure that all papers assigned numbers are brought to the personal registers.

## VI. REGISTRY OF PAPERS

**PERSONAL REGISTERS:** The currents received in each section should be registered in the personal register. The personal register should be maintained by the concerned ASO of the section. It should not be maintained in loose sheets or in unauthorised note books. This should be written up for every calendar year. Old files of the previous years be brought forward to the new register before 31<sup>st</sup> January of that calendar year.

**CURRENTS TO BE REGISTERED IN THE REGISTERS IMMEDIATELY ON RECEIPT:** As soon as the papers are received in the section, the concerned ASO should at once enter them in the personal register. Any delay or neglect in this matter will be treated as a very serious dereliction of duty on the part of the concerned official. Section officers should see that all currents received in the section are duly registered in the personal register and all entries made neatly

**NUMBER' OF ENTRIES ON A PAGE:** The number of entries on each page of the register shall ordinarily be three or four. A line in red ink should be drawn across the page after each entry. If the space so allotted proves inadequate, slips should be pasted along with the page for making additional entries

**BOW TO WRITE TITLES:** The title to be entered in column 4 of the register shall be as brief as possible, just sufficient to convey generally the subject of the paper. It should be framed and arranged exactly as an index title. It is the duty of the S.o. of the section to check the accuracy of the titles when ' he checks the personal register

**CLOSING OF CURRENTS:** If the disposal is final, its nature, number and date will be entered in the last column of the personal register. For example, when a file is closed by an order or letter in the ordinary or routine series, the number and date of the disposal should appear in that column. A similar entry will be made when the closure is in the form of an endorsement, memorandum, telegram, demi official or un-official. The current number in column 2 of the register should be ringed off in red ink as soon as it is finally disposed off.

**CHECKING OF PERSONAL REGISTERS:** The S.O. should check the register once in a week on a specified day. It should not be nearly nominal. He should not only check the correctness of entries but, also take immediate action on delayed and urgent papers. Besides this weekly check of personal register, he should frequently inspect the papers pending with clerks. The ASOs will be personally responsible for delays

## **VII. REFERENCING, NOTING, AND DRAFTING**

**SECRETARY:** Secretary of a department is the official head and it is his duty to take all necessary steps for the prompt despatch of business in his department

**ADDITIONAL, Jt., AND Dy. SECRETARIES:** The duties of all these officers are similar to those of the Secretary in regard to the sections/ subjects placed under their control

**ASSISTANT SECRETARY:** He is to control and supervise the sections under his charge by issuing instructions on how to deal with the papers and ensure that such instructions are carried out and that papers are promptly and properly handled. Noting and drafting of cases of a difficult and complicated nature should be done by the AS by making use of the stenographers and also by utilizing the services of SOs and Assistants in the section for statistics and other papers which may be required in this regard. He has to draft necessary notes at the tappal stage itself depending upon the urgency and importance of the papers.

**SECTION OFFICER:** The S.O. is responsible for the prompt, steady and efficient disposal of work in his section. He must constantly watch the pending cases with his ASOs advise them suitably, guide them properly with a view to see that all the papers received in the section are put up according to their urgency. He should ensure that a good note is prepared bringing lucidity, completeness and brevity. The S.O. will assign papers of routine and simple nature to his/assistants and he himself will deal with other papers by obtaining assistance like previous papers, rules, acts, precedents etc.,

**ASOs ASSISTANTS:** The ASO should assist the S.O. in dealing with the paper. They should go through the paper immediately and put up all necessary papers, make accurate referencing and prepare precise and rough draft for the use of the section officer

Immediately on receipt of the paper in the section, the concerned ASO should register the paper by entering into the personal register and adding to the previous papers, if it is an old communication or put up in a separate file board, if it is a fresh communication. He will verify the enclosures if any and tag them neatly and take action to put all the papers referred in the current received and take action to put up the note. If there are any court fee stamps affixed, they should be punched and defaced if the same was already not done by the tappal clerk. If a paper belonging to any department of secretariat is by mistake received, it should be sent to that department with the approval of a Gazetted Officer with a UO note. If the communication demands action

from more than one department, it should be forwarded immediately to the concerned department. A similar procedure should be adopted in regard to communication relating to more than one section in the same department.

**REFERENCING:** If the current has been registered, arrangements should be made to deal with the paper. Every paper connected with a current and its enclosure should be put up along with the paper.

Particular care should be taken in handling the old records. After such required references have been obtained, the papers will be arranged as follows:

1. The put up papers (both original disposals and copies)
2. The current file
3. Draft for approval
4. Note file
5. Books, Acts etc to be put up for any reference

1. **THE PUT UP PAPERS:** THE put up papers; papers should be arranged in chronological order, the oldest at the bottom the next in date immediately above, and so on. The latest being placed at the top. The old records should be carefully handled and very old cases should not be flagged and they must be put in envelopes and kept in the file.
2. **CURRENT FILE:** The current file consists of official / unofficial papers received from outside, interim official or unofficial references received and replies thereto. The following references also constitute the current file.
  - a. A question in the Legislature and any official or unofficial references and replies in connection therewith.
  - b. Answer to the LAQs
  - c. Demi official communications received other than. From Ministers and the Governor.

Papers in the current file followed by its enclosure shall be arranged chronologically and page numbers given continuously in red ink. Where enclosures and books are running into several pages and are unwieldy to handle, they should be removed from the current file and put up separately in the file. No flags shall be attached to the current file

3. **NOTE FILE:** Note file consists of the notes with un-official references and replies there to demi-official communications or notes from Ministers and the Governor the Memoranda for the Council of Ministers. Legislative Questions received from the Legislature department with an UO note on the separate sheet of paper also should go into the note file. Pages in the note file shall be continuously numbered. Before starting the note file, title has to be invariably written besides giving the page numbers. Notes shall be broken into paragraphs which deals with single point. Paragraphs

should be numbered continuously irrespective of the fact that notes are recorded by the concerned office or other offices and officers. All references collected shall as far as possible be incorporated in the bottom 6th of the note and they should be , referred with pencil in the margin.

When it is necessary to refer in one file the papers of another file, which has not been disposed off, 2 files will be linked i.e., the file put up for reference will be put up under the other file and the strings of the lower file will be tied around the upper file. While tying the strings of the upper file underneath the top file, should have a slip 2 cases for orders. While the linked file might have 'LF for reference only' as the case may be. While giving references of the linked file the top file, current no, and the department of the file should invariably be given in the margin so that it can be easily identified even if the LF is detached and disposed off. In any case either the top file or the linked file should not be tagged.

4. **NOTING:** No notes must be written on the current itself except in very simple cases. Notes shall be written on a paper of foolscap size with 1/3 margin. Wherever tabular statements are to be given they shall follow the note except in the case of big statement which can be put up separately with the flag. A note connected with- any subject will run continuously, from the inception of the file till final orders are passed. Whenever any reference is issued the same should be noted first in square brackets at the end of the note and replies received also should be noted similarly with red ink. After completion of each note" the concerned ASO and the SO who prepare the notes should sign their names in full) legibly and write giving the date and the year.

### **VIII. DELAYS IN DISPOSAL OF FILES**

**DELAYS:** We are concerned with the avoidance of delay in the disposal of files in the Secretariat. What is delay, how it happens, and what are the remedies, to ward off such delay in public administration are some of the problems which are bothering the administration

The main reason for delay according to critics is red tape, that is to say, rigid adherence to a rigid formality or procedure. They, therefore, suggest that delay which is occurring in the disposal of the Government business can be reduced by suitably modifying and restructuring our administrative and office procedures. To what extent they can be reduced without reducing efficiency are matters, which are regularly, being considered by the administration. How far it is expedient to modify the existing procedures and the extent to which they can be so modified and their rigidity mellowed down are some of the aspects which have to be carefully examined changes and modifications in the procedure are being affected whenever felt necessary and found feasible

It may be pointed out that a certain amount of delay is inherent in the system itself. But without a system there can be no organization or organised work.

The point that certain administrative system for handling the Government business is necessary, cannot be denied even by the literate critics of administrative weaknesses. The existing systems have, however, to be formulated in such a way that they can serve the present day needs of the State. The strong points made out against the present system of administration is that it is the legacy of the British Government, out dated, and that it is not at all suited to the present times when speedy execution of our developmental programmes is the need of the day and therefore the entire procedure should be given up lock, stock and barrel and new orientation to the existing procedure is generally needed.

The other point made out by critics is that the delay is also due to human factors, that the persons in charge of administration at different levels are indifferent to the actual progress of a case, but more keen in the observation of formalities in the procedures rather than the actual problems in the case' and instead of thinking of a suitable solution to the problem itself, spend much time to tossing the cases without the contribution, thus contributing to the in decision and eternal pendency of some cases. This situation is casually remediable. If the officers at higher levels are vigilant and are serious about their work and duties, and pursue the cases sincerely.

Several checks are prescribed in the manuals of office procedures themselves for eg; the secretariat manual and the district office manual lay down specific checks to eliminate delays and therefore a duty is cast on the officials at all levels to closely follow these instructions. They are briefly, the correct maintenance of the registers, such as, the personal register, the periodical register and certain checks like the reminder diary, the call book, the detention list and the arrear lists, their periodical and proper inspection by officer concerned

Apart from the above, few steps are, being evolved to speed up disposal of files. They are:

**1. DELEGATION OF POWERS:** In practice it is found that one of the causes for delay in disposal of files is the lack of enough delegation of powers to lower levels in the hierarchy. Delegation is the art of getting things done through others. It is conferment of specific authority or powers by the above to the one below. The main aim of delegation is to facilitate quick disposal of work. If all powers are concentrated in the top authority, he may not have enough time to do justice to the work. Delegation of powers thus serves the twin objectives of relieving the superior authority from some of his powers and thus giving him more important problems and attend to them more quickly as the number of cases coming to this level will be less now. The lower authority can now dispose off the cases which were going to a higher level before and this means saving of all the time taken by the cases for going up and coming down

Now a large number of powers have been delegated to the Section Officers in the Secretariat. It is now the responsibility of the Section Officer to exercise these delegated powers properly and contribute to the prompt disposal of files. So also, large number of powers are delegated to subordinate officers 9f

the Secretariat. This is a continuous process and more and more powers can be delegated to the section officers, stage by stage after observing the working and effectiveness of the delegation

The delegation should be liberal and should be in all directions including financial and administrative areas. Such delegation should be on rational lines facilitating decision taking at all levels. There should be periodical review of the working of the delegated powers and assessment of its efficient working and the extent to which delay in disposal of cases has been reduced.

**2. LEVEL JUMPING:** Another suggestion is to reduce time taken by a file in its movement through every level. The idea is to cut down one or two levels before it reaches the decision making level.

In all important cases, according to the Standing Orders in a department of the Secretariat, the Secretary in the department is the decision taking level. According to the set up of the Secretariat, such a file after it is prepared by the Section officer goes to the AS/DS/JS/ Addl.S/Secy./Prl.Secy. The question is whether any time can be saved if the file bypasses one or the other superior levels after the Asst.Secretary before it is sent to the Secretary for final orders. The convenience in such case will all depend upon the point whether it will serve any purpose by being seen by all the levels and whether all these levels should be involved in the decision taking. One theory is that it is good if all the levels are involved in important matters as their contribution with reference to their knowledge and experience will be of immense value in taking a decision on the subject. The other theory advanced by protagonists of quick disposal is that usually there is not much contribution from each and every level and adding more and more files will only minimize the time at their disposal. Therefore, it is better to reduce the number of levels and it is enough if the Asst.Secretary who should take all pains to ensure that the file is perfect and the orders for decisions are clearly set out and submits the case to the Secretary direct instead of submitting it through the D.S, thus jumping one level. This has the advantage of (a) saving some time required in the normal course for disposal of the case (b) reduces the number of files reaching the D.S level and giving him some time to attend other files and files in which he himself is competent to dispose off.

**3. DIRECT SUBMISSION OF THE FILES:** Similarly, the system under which a section which submits cases direct to the D.S. instead of through the A.S should be implemented in more stricter sense as this will enable quicker disposal of files. For this purpose some section, for example, which attends to personal matters such as, sanction of leave, P.F, S.B.loans, posting and transfers can be directly attached to D.S instead of passing through A.S.

**4. ZEAL OF CASE WORKERS:** The human factors which go into the expeditious disposal of cases is the zeal and enthusiasm with which the staff work. This in turn largely depends upon the overall make up of the individual concerned and the sincerity and devotion to duty with which he applies himself to the work

His knowledge of the subject and his capabilities also go a long way in the

efficient disposal of work. It is therefore necessary that care should be taken to post proper personnel to man proper sections.

## **IX. FAIR COPYING, EXAMINING AND DESPATCHING**

**GENERAL:** The work of fair copying and examining papers, both confidential and non-confidential, of each department is done in the respective department. The dispatch of papers in each department is done in the dispatch section of each department

**FAIR COPYING:** The following general rules have to be observed by the Typists in fair-copying:

1. Before a TCA begins to type a draft letter, he shall verify that it has been approved by a Gazetted officer.
2. All proceedings of Government i.e., Government Order, Memoranda, letters etc except those issued in roneo should be typed in forms embossed with the A.P. State Emblem.
3. Any fair copy extending for more than one page shall be typed on both sides of the paper.
4. All fair copies should be typed nearly and legibly.
5. The margin to be left should be in the left hand side of the front page and the right hand side of the back page of a sheet of paper. The margin may be encroached upon only if statements have to be copied in the body of communication and are too big to be typed on the portion on which the communication is typed.
6. In forms of correspondence in which the designation of the officer sending the communication has to be typed underneath his signature, the name of the department need not be typed, if that is printed, embossed or typed at the top of the paper
7. If there are enclosures to accompany a communication they should be indicated by an oblique line (thus/) in the margin against the paragraph in which they are referred to.
8. The TCA should invariably type his or her initials with date at the left hand corner at the end of a fair copy.
9. Drafts of letters should be kept as office copies and carbon copies should be made only when the draft has been so extensively altered as to make it necessary to have a clean copy.
10. On no account should the bare signature and designation of the officer typed on the last page without any matter being typed above.

It is the duty of the drafting section to see that instructions are clearly and fully noted on the draft for issue before it is sent to a TCA for fair-copying, such as, whether it is a reference or a final disposal and if it is a final disposal, its nature, the person or persons to whom it is to be sent, and if the whole of it is not to be communicated to all of them, the portion to be communicated to each. The TCA and examining clerk should see that the paper is accurately copied in accordance with the

instructions before it is sent to the dispatch section.

**TELEGRAMS:** Telegrams should be copied on the appropriate form, inland or foreign as the case may be, and correct telegraphic abbreviated address should be used where they exist. The superscription 'State' 'Immediate' etc should be correctly entered in accordance with the instructions given by the drafting section.

In every case where a telegram is typed, a post copy of it should invariably prepared and dispatched simultaneously with the telegram or immediately after the issue of the telegram.

**SAVINGRAM:** Communications which can appropriately be drafted in the form of telegrams but which are not of such urgency as to require dispatch by telegram or which are too lengthy to be telegraphed may be sent as savingram by post. The savingram should be on receipt be treated with the same expedition as if it had been telegraphed.

**ENDORSEMENT:** The endorsement is usually written or copied on the last page of the current if there is room and if not, on a separate form embossed with the A.P. State emblem added to the current. The endorsement if copied on the current is noted as endorsement No: ..... dt..... the name of department being entered at the right top corner. But if the endorsement is made on a separate sheet, the name of the department is typed as mentioned above on a paper with the A.P. State Emblem and then added to the current.

**MEMORANDUM:** A memorandum is copied on the special embossed form as indicated below

( ) Emblem .....department  
Hyderabad

Office Memo No. /year

Sub:

Ref:

(Body or matter of the memorandum)

Sd/-

Secretary to Government

Address entry :



**PRESS COMMUNICATION OR PRESS NOTE:** A press communique or a press note is prepared in the form of a memorandum or a note. These are invariably issued by or under the authority of the Director of Information and Public Relations. The matter is furnished by the concerned department of the Secretariat.

In a press note the Government take a passive or defensive attitude or reply to criticism or explain or give facts and figures to amplify their declared policy. In a press communique the Government take an active aggressive attitude or respond to a given situation how they discharge their responsibility.

**FORM OF AUTHENTICATION OF ORDERS AND PROCEEDINGS:** All orders or instructions made or executed by order or on behalf of the Government of A.P. will be expressed to be made by order and in the name of the Governor of A.P.

**SIGNING OF LETTERS:** All important letters addressed to the Government of India, to other State Governments, Public Service Commission, High Court etc., should ordinarily be issued in the name of the Chief Secretary or the Secretary to Government as the case may be. Such letters may, however be signed by the concerned Joint or Dy. Secretary who has actually approved the draft.

## **X. THE CENTRAL RECORD BRANCH**

The Central Record Branch is the repository for the current non-confidential records of all departments of the Secretariat. This branch is attached to 'the General Administration Department and is under the immediate control of an A.S of the department.

**FUNCTIONS OF THE CENTRAL RECORD BRANCH:** The main functions of the Central Record Branch are:

- a. Supply of records in response to requisitions
- b. Checking of records transferred by the departments of the Secretariat
- c. Sorting of originals and spare copies of proceedings etc sent or returned by the departments and placing them in or restoring them to their proper places
- d. Registry of records sent out of the branch and noting their return in the register.
- e. Sending every month reminders for the return of records taken out more than 3 months ago and furnishing to the departments every fortnight a list of Government orders, numbered two weeks previously, but not received in the records
- f. Cleaning and dusting of racks, and the examination of records in order to protect them from damage by insects.
- g. Labelling and varnishing record boards
- h. Keeping the bundles and volumes arranged neatly and methodically on the racks.

- i. Destruction of records in due time
- j. Annual transfer of records to the central record office.

**CUSTODY OF RECORDS:** The records are distributed in blocks each of which is in the charge of an assistant.

**DUTIES OF THE RECORD ESTABLISHMENT SO:** The branch is under the immediate supervision of a section officer who is responsible for the proper maintenance of the records, and expeditious transaction of business in it. He should periodically inspect the registers maintained by the clerks in order to ensure that they are properly maintained.

**RECORD ASSISTANTS:** Record Assistants are responsible for the proper maintenance of the records of their respective blocks and for the work of attenders under them. They should see that the records are neatly and methodically arranged and the rooms kept tidy. They should promptly attend to requisitions for records and maintain necessary registers showing the records sent out and returned.

**PERIOD OF RETENTION OF RECORDS:** Originals of the orders of Government in Manuscript series are retained permanently.

The following records are kept in the central record branch for the periods noted against each of them.

Nature of records	No.of years for which they are kept including the current year
a) Originals of Govt. orders in routine series, demi official letters, endorsements and memoranda	5 years
b) Lodged papers	3 years
c) Personal registers other than those related to the current and the preceding 2 years	5 years
Destruction of records: The periodical destruction of records shall be regulated as follows:	
Description of records	Year of destruction
a. Proceedings in routine series	At the end of 5 years from the year to which they relate
b. Lodged papers	At the end of 3 years from the year to which they

	relate
c. Call books, Arrear Lists, current distribution Registers and circulation Registers	At the end of 3 years from the close of the year to which they relate
d. Attendance registers, daily abstract books and similar registers	At the end of 3 years from the close of the year to which they relate
e. Budget notes of the Finance department	At the end of 7 years from the close of the year to which they relate
f. Office Orders	At the end of 30 years from the close of the year to which the relate

**SECRETARIAT LIBRARY:** Governor, Ministers, Gazetted and Non Gazetted staff of Secretariat, Heads of Departments, MLAs, and MPs are eligible to borrow books from the library. On application, one can have two borrowing tickets. Every book borrowed shall be returned within 14 days. Encyclopedias, Dictionaries, Gazettes will not be supplied. The library has a reading room and it is open from 10am to 2.00 pm and from 5 to 6 pm on all working days. All Gazettes of State and other States and also of Government of India are available for reference.

**DUTIES AND FUNCTIONS OF ASO:** As soon as the tappal is distributed by the SO to the ASO after assigning numbers to them, the ASO enters them in the personal register after duly acknowledging their receipt in the tappal register. Any neglect or delay in this regard will be viewed as a serious dereliction of duty on the part of the ASO.

1. The ASO should normally make .three entries in each page of the PR and the number of entries may be reduced to two or even one if circular instructions are issued or if protracted correspondence is anticipated. If the allotted space is' not sufficient slips should be pasted along-the page for making additional entries.
2. The ASO should register the papers by entering in the PR in the order of current numbers assigned to them. i.e. on the seriatum.
3. The title of the entries made in the PR should be brief and clear.
4. The ASO should assist the SO in all stages in dealing with the currents/files. They should study the currents immediately on receipt.
5. A typed copy of every communication received, which is illegible, shall be made and should be filed above the original communication.
6. All the stitches of threads etc on papers should be removed and arranged chronologically and tagged.

7. Enclosures, which are bulky and inconvenient, should be kept below and treated as put up papers. If the enclosure said to have been enclosed is not received, the sender should be immediately informed and the enclosure obtained immediately.
8. If the current relates to the pending file, it will be added to the concerned current file or note file and if it is a new current it shall be kept in a new file board.
9. Page numbers, should be made continuously.
10. All court fee stamps affixed to the papers should be punched and defaced if not done already, by tappal clerk.
11. Papers relating to other departments of Secretariat should be transferred immediately.
12. If the current relates to more than one department, an extract of the portion relating to such-matter- should be-forwarded immediately to the concerned department under the orders of Gazetted Officer. The same procedure should be adopted in cases of currents pertaining to more than one section in the same department.
13. Letters received from Foreign Countries, Foreign Missions in India, Associations of officials and non officials, Members of State Legislature and Parliament and general public should be first acknowledged.
14. The ASO should arrange the put up papers; rules, acts, required for examining the case. The put up papers should be flagged.
15. Wherever necessary, the ASO would link files.
16. The ASOs should assist the SO in all stages in dealing with the currents / files. They should study the currents immediately on receipt and collect papers required for dealing the current without delay. They are responsible for complete and accurate referencing and for Proper arrangement of a case. They should put up notes and drafts in simple cases and should assist the SO in dealing with complicated matters by procuring previous papers, preparing rough drafts etc. The principal duty of ASO is to attend to routine matters with scrupulous care and punctuality. They should seek the advice and guidance of the SO whenever they' have doubts or difficulties.
17. Immediately after the competent officer passes orders for issue of draft, the same should be given to typist or TCA for fair copying duly obtaining the SO's orders for issue. He should get the same fair copied and compared and dispatched without delay. He should also ensure that all the enclosures also are got typed and despatched along with the main reference.
18. After taking action as stated the papers should be closed as GO, Memo, Lodged letter etc. as the case may be.
19. After dispatch of the reference, further reminders if any, has to be entered in the reminders diary. In case of final disposal, the ASO should ensure that the dispatch has been correctly made, that call book

entries, if any, have been duly entered in the call book register and that extracts for further action, if any, have been taken. Then the disposal should be docketed and stitched.

20. After scrutiny by the SO to ensure that there is no further action in the case and after making pass orders by him, the ASO should note the disposal in the transit and send to CRB and obtain acknowledgement.
21. It is the duty of the ASO to maintain stock files up to date. Subject wise communications which are to be added to stock file should be entered in the stock file duly marking S.F. after the address entries of the communications issued. Similarly, when a paper of importance or of general nature is received in the section, a copy of such reference after obtaining orders of SO should be added to SF.

**DUTIES AND FUNCTIONS OF TCA:** The duties of the TCA as the designation indicates are two fold i.e. of Typist and Assistant

**FUNCTIONS OF TYPIST:** Fair copying of the references, enclosures, etc typing the extracts, important notes including note for circulation, memorandum to the Council of Ministers etc.

**FAIR COPYING GENERAL RULES REGARDING COPYING:** The following general rules regarding copying shall be observed by the typists

1. Before a typist begins to copy a paper for issue, he shall verify that it bears the initials of a Gazetted Officer.
2. All proceedings of Government, Government orders, memoranda, endorsements etc except those issued in roneo should be typed in forms embossed with the A.P. State Emblem.

Note: Affidavits and counter affidavits to be filed in the High, Court, APAT and other Civil Courts should be not be typed on papers embossed, with the state emblem but typed on foolscap size paper.

3. Any fair copy extending over more than one page shall be typed on both sides of the paper.
4. All typing must be made neatly and legibly.
5. Copying must be done with care, erasers and corrections being avoided, interpolation, inter lineation should not be made, especially in letters.
6. In copying, the first word of a separate item in the preamble to a proceedings and the first word of every paragraph in a communication to be issued, a five or six letter space should be left between the word and the prescribed margin.
7. The margin to be left blank should be on the left hand side of the front page and the right hand side of the back page of a sheet of paper. The margin may be encroached upon only if statements have to be copied in the body of a communication and are too big to be typed on the portion on which the communication is copied.

8. Marginal entries, unless they are very small, should be inserted by an indenture made on the side on which the communication is copied and should be separated from such communication by three lines ruled or typed on the top, bottom and the side facing the body of the communication.
9. All fair copies should be typed with single spacing.
10. In forms of correspondence in which designation of the officer sending the communication has to be typed underneath his signature, the name of the department need not be typed, if that is printed / embossed / typed at the top of the paper.
11. In official correspondence, if the designation of an officer is typed, his officiating status (if he is an officiating officer) should not be indicated by the word officiating before the designation.
12. If there are enclosures to accompany a communication, they should be indicated by an oblique line (thus \) in the margin they are referred to.
13. Copies should be made on the smallest sheet consistent with the dignity and requirements of the communications. The appropriate form where one has been prescribed should be used.
14. The Typist should invariably type his initials with date at the left hand corner at the end of a fair copy and shall also initial with the date in ink on the left hand top corner of the draft (or in the appropriate place in the page, if one is printed there)
15. Drafts of letters kept as office copies should be typed only when the draft has been so extensively altered as to make it necessary to have a clear copy. When possible, the carbon copy of a letter should be typed upon the back of the letter to which a reply is being sent.
16. When a letter or any other communication is typewritten and two or more sheets of paper are used, the typist and comparer must see that.
  - a. A paragraph is never finished at the bottom of a page and that at least two lines of the paragraph are carried on to the next page, so that with the exception of the first page succeeding page will start with a fresh paragraph and
  - b. On no account, should the bare signature and designation of the officer only be on the last page with out any matter, being typed above.

**DUTIES OF ASSISTANT:** Assisting the ASO and SO of the section in arranging the files, collection of put up papers and routine work such as, dispatch of references, submitting files to higher officers, sending UO references to other departments of Secretariat and for circulation to Ministers or Governor and also in comparing the F.Cs.

In addition to the duties of routine nature mentioned above, the Assistant should attend all functions assigned to him by the SO or ASO connected with the section

## Chapter – 2

# BUSINESS RULES AND SECRETARIAT INSTRUCTIONS

The Andhra Pradesh Government Business Rules are issued, by the Governor of Andhra Pradesh under Article 166(2) and (3) of the Constitution of India

There are 60 Rules in all. Under rule 59 the Governor on the advice of the Chief Minister has issued Secretariat Instructions to supplement the Business Rules to the extent necessary.

There are 74 instructions.

The following note deals with certain important transactions of business in the Secretariat. No note on these rules can be exhaustive and one is required to read and be through with every rule and instruction.

### **CABINET - COUNCIL OF MINISTERS**

Every Department will be in the charge of a Minister. The Department may also be in charge of more Ministers but the Minister who is substantially concerned with the Department shall be deemed to be in charge of the Department (B.R.5).

Secretary to the Department is the Secretary to Government and not Secretary to the Minister (Insst.8(1))

Council of Ministers is constituted under article 163 of the Constitution

Even though the Minister in charge is primarily responsible for the disposal of business operating to that department, every order is issued in the name of the Governor.

All cases referred to in the Second Schedule to B.Rs should be brought before the Council of Ministers after obtaining the Orders of Chief Minister, duly following the provision of the rules contained in the BRs.

If a case involves financial implications, consultation with the Finance Department is necessary (B.R.s 9, 11)

### **PROCEDURE OF THE COUNCIL**

The Chief Secretary or such other officer as the Chief Minister may appoint is the Secretary of the Council (B.R 14).

If, any of the cases referred to in the Second Schedule is for consideration, the concerned Department should examine it thoroughly in consultation with the Head of the Department and the other departments of the Secretariat, if the subject matter is concerned with those departments also and then circulate the case to the Chief

Minister through the Minister in charge of the subject for orders as to whether it should be placed before the Council or to circulate to other Ministers for opinion. In the later case, if the Ministers are unanimous and if the Chief Minister thinks that the discussion in the Council is unnecessary, the case will be decided without such discussion in the Council. In this case copies of all papers relating to the case, which are circulated among Minister for opinion shall simultaneously be sent to the Governor.

Where a case is circulated in original to the Ministers, it should be circulated to Governor also after all the Ministers have seen the case (B.R.16).

When it is decided to bring a case before the Council, the Department shall, intimate the fact to the Secretary to Council prepare a draft Memorandum and after its approval in circulation., the department should take two fair copies of the note and send one copy to Technological Services Unit, Finance and Planning (planning) Department for data entry into the computer. The second fair copy should be sent to the G.A (Spl.B) Department.

As soon as the agenda items are finalized, the General Administration (Spl.B) Department will obtain the required number of copies and get them arranged in proper form by the Technological Services Unit for taking further action.

In all cases where an item comes up for inclusion in the agenda as a formal item or informal item, at the last moment and it is not possible to get the copies printed by the Technological Services U.nit, the Secretariat Department concerned should get the Memorandum for the Council of Ministers typed on an Electronic Typewriter and furnish the usual number of copies (Photostat) to the General Administration (Spl.B) Department before 6.00 PM on the day earlier to the date of the Cabinet Meeting.

While sending the files along with Memoranda to the General Administration (Cabinet) Department both English and Telugu version of the Memoranda are to be sent.

Strictly limited number of copies of Memorandum including agenda will be taken and each copy numbered. In top secret case memorandum will not be circulated and the Minister concerned may orally explain the case. The Memorandum and agenda papers will be collected at the end of the Council Meeting by General Administration Department and all copies except two for future use will be destroyed (B.R 18).

## **PREPARATION OF MEMORANDUM**

The Memorandum shall be a self contained and appendices should be avoided as far as possible. It shall be signed by the Secretary of the Department concerned after obtaining the previous approval of the Minister concerned. The Memorandum shall contain a brief statement of the case for consideration, with sufficient precision all relevant facts and precedents, opinion of Law Dependant or Advocate General if any, views of the Department and of all other Departments concerned particularly of Finance, when financial issues raise, and SW Department GA (services) Department, Public Enterprises Department wherever necessary and in conclusion the various points on which decisions have to be taken, the alternative decision possible and the Minister's recommendations on the decisions (B.R.18(1) and Inst.



19). It shall also contain at the end "a draft resolution".

The decisions of the Council are confidential. The Minister concerned shall take action to give effect to the decision.

A report on the action taken shall be sent to General Administration (Special) Department within a week after receipt of the decision.

## **LEGISLATION**

The procedure to be followed for undertaking any Legislation is detailed in (B.Rs 42 to 54 and instructions 23 to 34)

### **CASES INVOLVING CONTROVERSY WITH GOVERNMENT OF INDIA OR OTHER GOVERNMENT (BR.31)**

Any matter likely to bring the State Government into controversy with the Government of India or with any other State Government shall as soon as possible, be brought to the notice of the Governor, Chief Minister and the Minister in charge. (BR.31)

### **POWERS OF GOVERNOR TO SUGGEST MODIFICATION ETC. TO ANY ORDER PASSED BY A MINISTER**

In any case, Governor considers that necessary any further action should be taken or that action should be taken otherwise than in accordance with the order passed by a Minister in charge, he may require the case to be placed before the Council and it is to be complied with. The notes, minutes, or comments of the Governor in any such case shall not be brought on the Secretariat record unless the Governor so directs. (BR.33).

### **CASES TO BE SUBMITTED TO CHIEF MINISTER AND THE GOVERNOR:**

Various types of cases that are required to be submitted to the Chief Minister and Governor are specified in Business Rule 32.

### **CERTAIN IMPORTANT SECRETARIAT INSTRUCTIONS IN REFERRING ANY MATTER TO APPSC**

- a. All references should be to the Secretary by a letter enclosing copies of all relevant papers.
- b. Secretariat note file should not be sent.
- c. When it is proposed not to accept with commission's recommendations, it should be given reasonable opportunity of reconsidering their opinion and if necessary of making a fresh recommendation. In case it is decided to reject or deviate from Commission's recommendations, Government shall communicate reasons to the Commission after obtaining orders in circulation from the CM through the CS. Special care should be taken to ensure that, until the Commission's advice has been obtained and a decision has been reached by the Government on it, no language is used in any communication

issued in connection with the case which is capable of being interpreted as implying that the Government have formed a settled opinion, on the merits or any part of the case.

**Disciplinary matters - Procedure:**

- a. After a thorough examination of the case in all its aspects as per CCA Rules, Secretary to Government will refer it to the APPSC.
- b. After receiving advice, the case will be circulated without further noting and reference to GAD, when there is agreement between the Department and the APPSC. If the Government wants to differ for sufficient reasons, the secretary to the department can circulate the case through Chief Secretary to the CM through the Minister. No officer below the rank of secretary shall be permitted to comment on the advice tendered by the APPSC.

If the case relate to financial irregularities, it shall be sent to Finance Department before making a reference to the Commission and also after receiving the recommendation.

Issue of regulations under provision to Article 320(3) of the Constitution:

If the Government for any reason wants to exclude a particular, appointment or class of appointments from the purview of the APPSC and if the Commission is not agreeable, the case shall be circulated to the Governor through the Minister concerned and the Chief Minister to make regulation under Article 320(3). If the Governor agrees, the case should be sent to General Administration (Services) for the issue of necessary regulation.

This procedure i.e. consultation or obtaining concurrence of the APPSC is not necessary to issue a regulation when Governor considers that the issue of such a regulation is necessary in the interest of effective and timely transaction of Government Business.

All the regulations shall be laid for not less than 14 days before each House of the State Legislature as soon as possible, after they are made.

**Copies of orders to be sent to APPSC:**

Copies of orders of appointment of candidates selected in consultation with the Commission and the final order of disciplinary and other matters in which the Commission was consulted shall be sent to the APPSC.

**REFERENCE TO ACCOUNTANT GENERAL (Instn.47):**

Proposals to relax existing rules or grant of concessions not strictly admissible under the rules should not ordinarily be referred to Accountant General. In such cases Finance Department should be consulted. If Finance advises then only the Accountant General should be consulted on any particular point or points.

### **REFERENCE TO ADVOCATE GENERAL (Instn.58):**

Any reference to Advocate General for opinion shall be made in consultation with Law Department. The opinion tendered by Advocate General shall also be shown to Law.

### **SANCTION OF DEFENCE (Instn.57):**

For sanction of defense at public expense, consultation with Law is necessary. Such consultation is not necessary if the administrative department satisfies that the Government servant has acted in good faith and in accordance with the provisions of Law. The Government may delegate power to sanction of defense to Heads of the Departments, subject to such conditions as they think fit.

### **LAND ACQUISITION CASS (Instn. 55):**

Notifications under Land Acquisition Act may be issued by any Secretariat Department.

1. If land is required by a Department of Secretariat, Revenue Department need not be consulted.
2. If land is proposed to be acquired on behalf of a private institution or body, reference to Revenue Department is necessary.
3. If acquisition is for a company, reference to Revenue is necessary. The draft agreement to be entered into by the company under Section 41 of the Act shall also be sent to the Revenue Department for scrutiny.

### **APPOINTMENT AND. POSTING OF OFFICERS (Instn. 12):**

All correspondence dealing with appointments, and promotions shall be treated as confidential. Appointments may be of two kinds viz, those in Departments under their own departmental Heads and those not under any departmental Heads, Ex. Appointments of Heads of Departments themselves and of members of IAS, IPS and IFS procedure for appointment is as specified in the SL's.

#### **Appointment of Heads of Departments:**

Cases dealing with appointments of Heads of Departments shall be submitted to Chief Minister through the Minister concerned and the C.S.

#### **Appointment of District Judges:**

Appointments of District Judges etc., shall be as specified in the SL's

### **ORDERS TO BE ISSUED IN THE NAME OF THE GOVERNOR (B.R 12 & Instn. 63):**

All Government orders or instruments made or executed by or on behalf of Government of the State shall be expressed to be made in the name of the Governor, as below:

"By order and in the name of the Governor of Andhra Pradesh"

Where the order contains financial sanction and where the concurrence of the Finance Department has been obtained, the order shall contain the following paragraph:

"This order / memorandum issues with the concurrence of the finance Department – Vide their U.O.No..... dt.....".

Where such order is issued under the delegation of Rules by Finance, the order shall contain the following paragraph:

"This order/memorandum doesn't require concurrence of the Finance Department under the rules or orders on the subject".

All orders containing financial sanction meant for communication to audit shall be signed by a Gazetted Officer not below the rank of Asst. Secretary.

**WHEN THERE IS DISAGREEMENT WITH THE HEAD OF THE DEPARTMENT (Instn.42(A)):**

Before orders are issued negating or materially modifying the recommendation of the Head of the Department, the Secretariat Department shall inform him unofficially to enable him, if he thinks fit, to explain the Minister in charge or as the case may be to the Chief Minister.

**NOTES OF SECRETARIAT COMMUNICATIONS OUTSIDE – RESTRICTIONS (Instn. 62):**

Notes written in one Department shall not be communicated by another department to an officer outside the Secretariat without the consent of the concerned Department. Similarly, notes, written by a Minister or Governor also shall not be communicated to an Officer outside the Secretariat without the permission of the Minister or Governor.

**FINANCE DEPARTMENT**

B.Rs 35 to 38 and Instruction 46 deal with the cases in which the Finance Department is required to be consulted and the powers of the Finance Minister to call for cases involving financial issue and the powers of the Finance Department to make rules governing the financial procedure. B.R 11 deals with the procedure in financial matters. Where in any case the Finance Department has been consulted and there is a difference of opinion between the Department and the Finance and the Department wants to press the case in circulation, the case shall be circulated through the Secretary of the concerned Department the Finance Secretary the Minister in charge, Finance Minister and the Chief Minister.

**CIRCULATION**

- a. Circulation of files to the Minister in charge or to other Ministers is as specified in S.I 3, before issue of orders.

- b. When the case is to be circulated to two or more Ministers, the order of circulation is as below (Instn.4)
1. Minister in charge of the department.
  2. Finance Minister if financial issues are involved.
  3. Any other Minister or Ministers directly concerned with the subject.
  4. The remaining Ministers, if any, in the order of juniority.

**Interruption of circulation (Inst. 4)**

The secretary in the Department concerned may in his discretion, interrupt circulation, at any stage, if he considers that such a step is necessary with reference to the minutes recorded in the file by any Minister

Circulation to Governor (Inst.9)

Cases to be submitted to Governor shall be submitted by the Secretary concerned through the Minister or Ministers concerned and the Chief Minister.

## Chapter – 3

# PREPARATION & PASSING OF BILLS

## PREPARATION AND PASSING OF BILLS

A need for undertaking Legislation by the Government may be due to many a reason such as Constitutional requirement, public demand, and policy decision of the Government. Owing to the prevailing circumstances, a Head of the Department may whenever necessary submit proposals for Legislation explaining the reasons therefor. Such initiation for Legislation may also be originated or initiated in the concerned Department of Secretariat. The administrative department shall thoroughly examine the need or otherwise for undertaking Legislation keeping in view the available material and send the file to Law Department for consultation on:

1. The need for the proposed Legislation from a legal point of view.
2. The competence of the State Legislature.
3. Consultation with the Government of India
4. The requirements of the constitution as to obtained the previous sanctions of the President to introduce the bill in the state Legislature.
5. Consistency of the proposal with the provisions of the Constitution particularly of those relating to fundamental Rights.

Law Department after examining the issue on the above items the file to the Administrative Department along with its remarks.

If the Legislation is, decided upon, the Department has to preparation note indicating with sufficient precision, the lines on which it has been dispatched to legislate, statement of objects and reasons, financial memorandum in Legislation involves expenditure from the consolidated Fund. Memorial on delegated Legislation it any, the file will then he sent to Law Department preparation of the tentative draft Bill.

After a tentative draft bill is prepared by the Law Department, then will be circulated to Chief Minister through the Minister concern the Chief Minister agrees, the matter will be placed in the Cabinet Meeting.

If the Legislation falls under the concurrent list, consolation wills Government of India is necessary before the Bill is introduced in the Legislature. In some cases, previous sanction of the President is necessary to introduce Bill in the State Legislature under article 304 of the Constitution. In both cases, the Ministry of Home Affairs, Government of India has to be added

The following documents shall be sent to the Ministry of Home Affairs

- a. Six copies of the forwarding letter
- b. Six copies of the Bills with statement of Objects and rates?

- c. In the case of amending bill, six upto date copies of the public Act, Notes on clauses, of the proposed Legislation and a comparative statement of the existing and proposed clause

A certificate to the above effect shall also be furnished.

At least 15 days time should be given to the Ministry of Home Affairs to examine the matter in consultation with the concerned Ministry / Department in the Government of India.

When a Bill is referred to the Government of India the comments of the Government of India should invariably be awaited before the Bill is introduced in the Legislature. The Government of India while conveying their approval may make certain observations / suggestions which the State Government should normally consider not withstanding whether they may ultimately accept them or not.

After obtaining the remarks from the GOI, the file will then have to be sent to Law Department for finalising the draft Bill. All the bills shall invariably be placed before the Cabinet following the procedure prescribed in the Business Rules for approval.

The recommendation of the Governor is necessary for introducing the bill and is certain for consideration of the rules in legislative assembly. Wherever such recommendation of Governor is necessary it should be obtained on the administrative department.

After receipt of the sanction of the President or recommendation of the Governor (where it is required) as the case may be, the department will prepare a Notice of Motion for leave to introduce the Bill in assembly, obtain the signature of the Minister concerned and forward it to the secretary of the Legislature together with the copies of Statement of objectives and reasons, notes on the clauses of the Bill, Financial Memorandum. And memorandum on Delegated Legislation, if any, and the sanction of the President or recommendation of the Governor as the case may be. As soon as the leave is granted by the Speaker, the Legislature department will get it published in the A.P Gazette as L.A Bill. In exceptional cases of urgency on the direction of the Speaker, the bill will be published in the A.P Gazette, although no motion has been made for leave to introduce the Bill. In that case, it shall be not necessary to move for leave to introduce the Bill and if the Bill is afterwards introduced it shall not be necessary to publish it again. The Department should however prepare a notice of motion to introduce the bill, obtain the signature of the Minister and send it to the Secretary Legislature. After introduction or publication of the Bill in the AP Gazette the Law Department shall send 10 copies of such bill which falls within the concurrent legislative field or which attractive processions of article 31(2) or 31-A(1) of the Legislature or seeks to attend a Law within the concurrent legislative field, to the Ministry of Law Government of India (B.R.50)

When the Bill is introduced in the legislative assembly, some times select committee may be constituted to go into the matters relating to the Legislation. When the report of the select committee is received, the administrative department shall deal with the amendments suggested by the committee in the same manner as that of the original bill.

The same is the procedure for introduction of any bill in the Legislative Council to the execution of bill motion ultimately, when the bill is passed by the State Legislature requires the assent of the President, the following procedure has to be followed:

When a bill passed by both the houses of State Legislature should be sent to Government of India (Ministry of Home Affairs), clearly indicate in the forwarding letter whether the proposal had been sent to the Government of India for prior approval before it was introduced in the State Legislature and if so whether the suggestion / observations made by the Ministry were incorporated with or without modification or in case of not entering the same reasons therefor.

The following documents should be forwarded to the Ministry of Home Affairs:-

- a. 6 copies of the forwarding letter
- b. 3 authentic copies of the Bill, printed on Panchment paper each endorsed by the Governor reserving the Bill for the consideration and assent of the President, and leaving sufficient space below the Governor's signature for appropriate endorsement by the President.
- c. 6 copies of the Bill passed by the State Legislature
- d. 6 copies of the bill as introduced with the Statement of Objects and Reasons
- e. The report of the Select Committee if any, along with 3 copies of the Bill as received by the Committee.
- f. In case of Legislation is an amending one, 6 up to date copies of the Principal Act, Notes on clauses of the proposed Legislation and a comparative statement showing the existing and as it would read of the proposed amendment.

A certificate to the above effect should also be furnished.

When the Bill is assented to by the Governor or the President as the case may be, the Law Department shall cause it to be published in the A.P. Gazette, as an Act of the State Legislature

The Law Department shall also forward copies of all Acts assented to by the Governor / President Supreme Court of India, Governor, Advocate General for the State to the Ministry of law Ministry of Home Affairs.

## **PRIVATE BILLS**

Whenever a Private Member of the State Legislature gives notice of his intention to move for leave to introduce a Bill, the Legislature Secretariat shall send immediately two copies of the Bill and the S.O.R to the department principally concerned with the subject matter and one copy to Law Department. The Administrative Department shall submit one set of the papers to chief Minister through the Minister concerned for information. Then the Administrative Department on the advice of Law Department will deal it as a case only following the same procedure adopted in respect of an Official Bill

## **ORDINANCE**



An ordinance is promulgated by the Governor during the recess of the Legislature depending upon the necessity and urgency. The provisions of B.R 42 and 54 shall apply to all proposals for promulgation of an ordinance under article 213 of the constitution. The Ordinance will have the same force and effect as an Act of the State Legislature. It shall cease to operate at the expiration of 6 weeks from the reassembly of the Legislature (Article 213 of the Constitution and Secretariat Inst. 31).

**BILLS TO BE INITIATED BY THE LAW DEPARTMENT.**

Bills solely to codify and consolidate existing enactments and Legislation of a formal character such as repealing and amending bills may be initiated by the Law Department (BR 51)

## Chapter - 4

# FILE MANAGEMENT

### Objectives:

On completion, you will be able to:

- State the parts of a file
- Arrange the Note file and Current file
- Describe the procedure for
  - referencing
  - flagging
  - linking of files

### File Management

In government any paper received is to be treated with care and proper reply communicated since they deal with the needs of the public. They have to be dealt in accordance with rules and not to our whims and fancies. The procedure is that they should be first kept in a file to facilitate a decision on the reply given to him/her.

### What is a File?

File is a collection of papers in a flat file case on a specific subject matter. It has a number for identification purpose. It consists of correspondence portion and notes portion. Correspondence portion contains all currents (incoming written communication) and office copy of outgoing written communications. The process sheet containing the written remarks of the dealing assistant and above for arriving at a decision are filed in the notes portion.

### Parts of a File

A file consists two parts i.e. Current file and Note file.

Before starting a file whenever a current is received the ASO should carefully go through it and see whether any previous correspondence is available. For this purpose he/she has to consult both the index and personal register. It is very important. If not checked there is a possibility of treating it as a new case when already there exists a file. This will not only duplicate the work but may cause confusion also. You should remember that before registering the current the study of it should be done. Based on the study you decide whether it is a new case or old case.

### Current File -Tagging of currents:

As soon currents are received, the communications relating to new cases should be taken separately and each new case arranged on a flat file. For arrangement of the current file, the first and foremost thing is to punch the current.

The purpose is that all papers received in the current file should be neatly tagged together to see that they are at one place and not mis placed. How to punch? In many offices people use the file tags and make holes to the papers with the metal attaches of the tag. In some other places people tear the paper with fingers to attach the tag. Doing like this will spoil the paper and such practices should not be done. The best way is to keep a **single punch** and make holes with it. It is always better that the hole to the paper be made on the left hand side top giving one inch space from the side and top. The purpose of punching the paper is to see that the papers can be turned freely when the file is used. Since all papers are punched at the same place i.e the top corner when the papers are tagged it will be tight bundle.

### **Fly Leaf**

To distinguish the current and note files, a blue fly leaf should be attached to the current file on the top. It should be marked "Current file". Nothing should be written on this fly leaf as it can be removed once the action in the file is completed and used in another file.

### **Arrangement of papers**

All papers in the current file must be arranged in chronological order. The current received first takes the top place in the file. It is to say that papers are arranged in the order of the dates on which they are received. Supposing that you have received four currents in the file on 1.10.2000; 12.12.2000; 3.1.2001 and 5.2.2001, the papers should arranged in the same order. Now on the top of the file, you will have the letter dt.1/10/2000 and the others down. The arrangement is upside down.

If books, maps etc. are received they should be separated from the current and kept separately immediately underneath the current file. They should not be tagged with the current file.

### **Page Numbering**

All the papers in the current file should be numbered in red ink. Both sides of the page should be numbered. Even there is no written matter on the back side of a page it should be numbered. Old pages numbering, if any, should be erased or scored out neatly and clearly. Overwriting is prohibited. (para 73 (6) of SOM)

### **Note File**

Note file should not form part of the current file. The general principle is that no notes must be written on the currents except in very simple cases. Note must be written on both sides of the paper prescribed for the purpose. What is the prescribed format? The format is of two types:

1. Half margin (margin half of the width of the paper)
2. One third margin (margin one third of the width of the paper)

Why such half of the paper or one third of the paper should be left as margin in the note file?

## **Half margin**

Half margin is used only when the subject dealt with invites marginal comments or orders. i.e. when orders have to be passed on a number of points in a case dealing with revision of rules etc. On subjects like this there may be need for continuous orders on various points. The note file from first to last should be run in the same fashion.

## **One-third margin**

One-third margin is used in all other cases excepting the above. It is also to be continuous from first to last.

## **Right and Left Margins**

Besides the half and one third margins in the note, the margin should be given on the left side of page one and right side on the second page. This is to facilitate stitching the record. Once the file is disposed it is stitched like a book. When this is done if both sides margin is given at the same place some portion of the note will go in to the stitches. By giving margin at left and right sides this is avoided.

## **Page numbering**

Similar to the current file page numbers should be given to all the pages in the note file. The note file and current file are separate and page numbers should be given separately. Unlike in current file, black ink should be used to give page numbers in the note file. The same principle of both side numbering should be followed irrespective of whether the page written or blank.

## **Para numbering**

The file number i.e. the current number is given on the right side top of the note file. Subject and references will be given leaving some space from the margin. We will discuss in detail about subject and reference in the next paragraphs and in module 3 where we will be discussing about noting and drafting.

After the subject and references the office note follows. The Note should be divided into convenient paragraphs and each para should be numbered. This is a continuous number. Even orders recorded in the margin by the officer should be numbered. (Para 84 of SOM)

## **Referencing**

The object of noting references is to connect the whole case so that an officer reading the file may have no difficulty in finding the references. Hence proper referencing should be done. (Para 85 of SOM)

Whether a new case or old case for disposing it you may need some previous references, rules, regulations, Government orders, Codes and manuals etc. Whenever any of these are put up as reference in the file, they should be properly referenced.

## **Current File/Note File**

A reference to every paper in the current i.e. the incoming communication should be noted in the margin of the current with pencil.

Whenever material in the current file or note file of the same file is quoted for reference the page number of the current file, page and para number of the note file should be indicated in pencil in the margin of the note file. No flag should be kept to the current or note file of the same file.

## **Disposals**

Similarly whenever a record file is put up no flag should be kept to the current or note file of the disposal. Only page numbers of current file and para and page number of the disposal indicated.

## **Stock File**

Stock file is the one in which all important orders of the government or the departments are stocked subject wise. Whenever stock file is put up for reference, page number of the Government or other order referred to in to note should be indicated in pencil in the margin of the note.

## **Codes and Manuals**

Whenever codes and manuals are put up to support the note page rule number to be indicated in the note and reference made in the margin of the note file showing the page number in which the particular rule is available in the code or manual.

### **3.5. Flagging**

Whenever a disposal is kept for reference it should be flagged. For flagging paper fasteners should be used. Attaching flags with pins is not permitted generally. Flags should be indicated in Alphabetical order as A, B,C etc. Care should be taken to see that no alphabet comes second time. Further care should be taken to see that the flags are kept in such a way that catch the eye. Flags should be attached as given below:

#### **Disposals:**

Every disposal file put up for reference should be flagged. No flag should be attached to the current or note files of the Disposal. Flag is to be attached to the outer docket of the disposal.

**Maps/Statements:** Maps and statements should also be flagged.

If number of flags are attached flag A should be kept at the bottom, B above, C on B and so on. Care should be taken to see that one flag does not cover the other flag. (Para 85 of SOM)

### **3.6. Linking of Files**

When it is necessary to refer in one file to another file that has not been disposed of, the two files will be linked. I.e. the file put up for reference will be put up under the other file and the strings of the lower file, not the flaps, will be tied round the upper file. The strings of the upper file will be tied underneath it in a bow out of the way, so that one may not have the trouble of untying and retying two sets of strings. Each file will thus be intact with its note file, current file and reference files, properly arranged on its own pad. The two pads must not be put together at the bottom with the contents of the two files mixed together above them. Files are not to be linked unnecessarily to refer to a paper in one file in order to dispose of the other or when the orders passed on the one will apply to each other.

When files are linked on the top flap it should be indicated as "Linked File". If the main file is put up for orders and the other file or files put up for reference the same should be indicated. Similarly the second file whether it is put up only for reference or also for orders should be indicated on the flap. (Para 88 of SOM)

## Chapter – 5

# NOTING AND DRAFTING SKILLS

### Objectives

On completion you will be able to

- Know the terms “Noting” and “Drafting”
- Understood the noting skills and drafting skills
- Explain the definition for noting

“Note” means remarks recorded on a case or paper under consideration to facilitate its disposal and includes précis of previous papers analysis of questions requiring decision, suggestions regarding the course of action and the orders passed thereon.

“Drafts” means the rough sketch of a communication to be issued subject to approval (including modification/alteration) of the competent authority.

### Noting Skills

<b>Commands:</b> Check up	:	FACTS
Supply	:	MISSING FACTS
Refer	:	RULES/REGULATIONS
QUOTE	:	PRECEDENT
Suggest	:	ALTERNATIVES
Assess	:	IMPLICATIONS

### Essentials:

Nature of Case	Necessity of Noting
Strategic/Operational	Maximum
Problem Solving	-do-
Correspondence Handling	Minimum
Routine Cases	-do-
Unnecessary Cases	No noting

### Searching Questions – One Dozen

- What is the Problem?

- How has it originated the case?
- What is the nature of the case?
- Is it worth detailed examination?
- Can it be broken into major and ancillary parts?
- Does any part involve any other agency?
- Is there any rule/policy/guideline/precedent available?
- What are possible alternative solutions?
- Which is the best solution? Why?
- What should be its implications?
- If not worth detailed examination, is there any standard process sheet?
- Who will finally take the decision?

### **Drafting Skills**

<b>Commands</b>	Identity	-	SENDER
	Adopt	-	RIGHT FORM
	Visualise	-	RESPONSE
	Express	-	CLARITY, CONSISTENCY UNIFORMITY
	Avoid	-	REDUNDANCY, VERBOSITY CIRCUMLOCUTION, REPETITION
	Summarise	-	COMPLEX & LENGTHY

**Essentials**

Clear, Concise, Incapable of Misconstruction  
 Lucid, Brief, Complete  
 Facts, Direction, Guidance  
 Unit of Idea  
 Coherence of Flow

### **Searching Questions – One Dozen**

- Is a draft necessary?
- Who should be addressed and who will sign?
- What should be the form?
- Is something to be conveyed or to be called for?



- Are all details available?
- What is the intension of the decision?
- What should be the recipient response?
- Does the language convey?
- Has the referencing been done?
- Is it logically sequenced?
- Does it have proper urgency, security grading?

### Use the Simple Word

It is not always the shorter word that is better understood. For example, more people understand the word “negligent” than the word “derelict”. “Think” is usually a better word than “Deem”. Sometimes two or three words are required to take the place of one showy word. And there is nothing wrong with that, your aim is to make your writing easy to read, not to save space on the page. We should try to EXPRESS rather than IMPRESS. Here are a few examples of simpler replacements of the showy words.

Showy	Simple
Constitutes	Makes up
Component	Part
Utilisation	Use
Mandatory	Required
Cogitate	Think about
Penultimate	Last but one
Obviate	Make Unnecessary
Proximo	Next Month

### NOTING: DEFINITION

The manual of Office Procedure defines a “Note” as. “The remarks recorded on a case to facilitate its disposal”, and it includes a précis of previous papers, a statement or an analysis of the questions requiring decision, suggestions regarding the course of action and final orders passed thereon.

A “Note” contains facts and figures, rules, law procedures, and precedents, as also views of other Divisions/Departments, which might have been consulted.

It helps the decision-making authority in taking a decision. It should normally comprise a brief resume of the case, the analysis/statement of the point(s) at issue, suggestions regarding the course of action or the orders, if any passed thereon

The name, designation and telephone number of the officer signing a note

should invariably be typed or stamped with a rubber stamp below the signatures, which should be dated. In recording the date, the month and the year should also be indicated along with the date.

### **Why Record a Note?**

The working of the government is a continuous affair. The officers may come and go, but the policy of the Government has to remain uniform in a given set of circumstances. It is, therefore, necessary to have a written record of the reasons for adopting a particular course of action in a case so as to ensure identical treatment to a similar case coming up in future.

The “Notes” thus lend consistency and continuity to the actions and decisions of the Government.

The “Notes” also provide a very useful guide to the officers who might have to handle the same or a similar case in future in as much as they reveal the line of thought and the logic behind the decision taken earlier.

### **Edit Your Writing**

More often than not, deadwood is noticed in our notes and drafts that we put up. Not that it is, not there in everyday English – rather it is very much there, nor is it grammatically wrong. Consider the following sentence.

**“The reason the attendance figure today is so low is due to the fact that the RTC has followed the policy of keeping the buses off road to avoid confrontation with the agitating students”**

Can you spot the deadwood? Here it is

The reason	(Omit)
Figure	(Omit)
Due to the fact that	(Because)
Followed the policy of keeping	(Kept)

The sentence should, therefore appear as

“The attendance, today is so low because the RTC has kept the buses off road to avoid confrontations with the agitating students”

Similarly, it is commonly seen that we write, “Find enclosed herewith”, whereas either “find enclosed” or “find herewith” should be sufficient. Hence the need to edit our writing. Our purpose is not necessarily to achieve brevity; it is to help our readers by removing deadwood that they have to hurdle over.

## GUIDELINES TO NOTING AND DRAFTING

1. The aim of a full initial note should be to present in the most intelligible, condensed and convenient form possible the facts of the case to be dealt
2. Where necessary its past history, the points for decision, useful precedents, and the material provisions of the law or rules governing it
3. In cases of importance, precedents or decisions on analogous cases should be referred to especially if they are in conflict with the proposals under consideration, in order both to secure a reasonable degree of continuity and consistency and to obviate the wastage of time involved in reiterated discussion on identical or similar points
4. Every paper quoted by its number and date in a current and its enclosures should be put up
5. If there are discrepancies in a case, the dealing hand should get the discrepancies reconciled before proceeding further with the case
6. When writing a note, the dealing hand should state the questions for consideration and bring out clearly the points requiring decision
7. In making written inter-departmental references, it should be ensured that the originating department clearly state the points on which the opinion of other departments is sought
8. When the officer writes a question in the margin of the note, the reply to it is to be written in continuation of the note and not in the margin.
9. Where the action to be taken is so obvious that a draft is put by the office, there is no need to put up a note practically identical with the draft
10. A tabular statement in a note shall follow the portion of the note relating to it and not be detached. Big statements may, however, be put up separately with a flag.
11. The note connected with any subject will run continuously from the inception of the file until final orders are passed
12. Should a note result in an intermediate reference, with its number and date are entered in red ink in the note and new note with reference to the new current is written in continuation
13. When the case is finally disposed of, its disposal number and date shall be inserted within square brackets at the end of the note file
14. When a case is sent for the remarks of another department unaccompanied by a draft, the department of origin shall state, with as much precision as possible, the specific points on which the remarks of the other department are invited and the department referred to shall avoid repeating in its notes what is already sufficiently stated in the note of the department of origin
15. When several issues arising out of a single subject where orders have to be obtained separately on each of such issues, sectional note shall be initiated
16. In the sectional notes, each point should begin on a fresh sheet of paper and after each such separate sheet a sufficient number of blank sheets should be added for the use of officers
17. While preparing note, opinions and suggestions should not be given at the sectional level, unless they are specifically founded on statute, rule or precedent or are clear from the nature of the case.

18. If the issue raised in the document on a current file goes beyond the scope of the file, a new file should be opened to process the document after placing the relevant extracts or copies on the file
19. When a decision-making authority makes any deviation from the existing rules or procedures, he should record reasons in writing justifying the deviation
20. Files relating to sensitive decisions of confidential nature, policy making, amendments to Acts and Rules, etc., must be in the personal custody of circulating officers
21. The time bound matters should be processed promptly and circulated to Ministers/CM sufficiently in advance
22. No Officer below the rank of Deputy Secretary to Govt. should carry any files home

### **Revision of notes by Section Officer and Officers:**

23. Only single note shall be put up by section in the department
24. Where the notes or drafts put up by an ASO are corrected or revised by the Section Officer the original notes and draft should be kept at the bottom of the file separately tied so that the officer concerned can assess quality of work done by ASO
25. When a draft or a note is re-typed as mended by the Officer concerned, the initials of the ASO who put up the original draft should be omitted, the initials of the officer who last corrected the draft or note only being typed thus indicating his responsibility for the revised draft or note
26. All ephemeral (short term) matter in the current file and in the notes should be removed and placed at the bottom of the case so that the officers, Ministers may be saved from unnecessary reading

### **Drafting:**

1. Drafting is the preparation of any communication which it is proposed to issue by ,on behalf of or under the direction of the Government
2. Orders should be drafted so as to be complete in themselves
3. Care should be taken that in communicating general rulings which arise out of a particular case; the latter is kept distinct from the former. The general ruling alone should be issued to all who it may concern. The orders on the particular case should be communicated only to the head of the department concerned
4. In writing notes and drafts simple and grammatical language should be used; complex and long sentences should be avoided
5. Split infinitives should not be used
6. The expression "Government of Andhra Pradesh" should be used instead of expression "State Government"
7. The phrase "Government are unable" is incorrect in cases where the Government have power to take certain course of action. The word "decline" should be used in such cases involving the exercise of discretion. Where it is advisable to regret, the formula in such cases might be "the Government regret that they must decline.....".
8. The amounts in drafts should be clearly expressed in words as well as in figures
9. Superseded drafts should be folded and kept underneath the file and destroyed when the file is finally disposed of

## Chapter - 7

# FORMS OF WRITTEN COMMUNICATION

### Objectives

On completion, you will be able to:

- State the formats of written communications used in Govt. offices
- List out the important components of any communication
- Describe various formats used on Secretariat
- Select suitable form of communication for the given data
- 

### What is a communication?

The main purpose of an office is information receiving, processing, Communicating and its retrieval. An office note is prepared for facilitating to take a decision on a communication received in the office. Once a decision is taken an appropriate format has to be selected to communicate the decision to the person who sent the communication to us.

When get a letter from parents, friends and relatives we also communicate in the same format. From offices like Electricity, Municipal, Water works etc. you will be getting bills or demand notices etc. It is to say different formats are used in daily life in our communications. Similarly in Government offices also many types of formats are used in correspondence.

### FORMS OF COMMUNICATION

Letter	Demi-official letter
Memorandum (Memo)	Government Order (G.O.)
U.O. Note	Telegram
Circular	Endorsement
Telex Message	Press Communication/Note
Notification	Officer Order

### Important Components in the format of Communication

Any correspondence, communication will contain certain components whether, it is official or personal. In our personal correspondence also we give date, place, the reference of the sender i.e. from whom we have received the communication etc. The communication is to serve a defined purpose. The components of an official communication are:

1. File Number
2. The names and complete postal address of the sender organization
2. The name/designation of the addressee with complete postal address
4. Salutation (sir or Dear Sir)
5. Subject of the communication
6. Number and date of the last communication in the series (from the Addressee or from the sender)
7. The enclosures, which are to accompany the fair copy  
(A short oblique line in the margin will indicate that enclosures are to be sent along with the fair copy)
8. Subscription (yours faithfully, yours sincerely)
9. Urgency grading, by registered post, by special messenger indicated at the top right corner
10. Name, designation, signature of the sender

**The form applicable should be carefully chosen from the SOM**

#### **Letter: To whom?**

The most commonly used format in any government office is letter. It is generally used for corresponding with Government, i.e. secretariat, the Andhra Pradesh Public Service Commission, High Court, heads of departments, subordinate offices, public enterprises, statutory authorities, local bodies and members of public. It carries more of formality than any personal touch. It is used for collecting/eliciting information as well as for conveying views, decisions.

#### **How it should be written?**

1. All Government letters either contain government emblem on the top center of the page or the words "Government of Andhra Pradesh" typed in capitals.
2. The name, designation and telephone number of signatory must be mentioned in the from address on the left side top.
3. The address entry of the person to whom it is intended is indicated at the right side top
4. Then it must commence with sir/madam, (Dear sir/madam) this depends on the person to whom it is addressed.
5. The letter Number will be given here. This is the file number as indicated in the note file and the date of approval of the communication indicated.
6. After the words the "subject" be indicated. (Generally the subject will be the same that is noted in the Personal register and the note file)
7. Immediately after the subject, Reference is indicated. Here all the references that are required for following the case should be given.
8. Body of the letter in convenient paras comes next.
9. A letter is written in first person.

10. Finally it ends with yours faithfully on the right end of the body of the letter.
11. Signed by designation of the officer approving it.
12. Indication of Enclosures at the left end of the body of the letter.
13. Grading i.e. Urgent, Priority be indicated on the right side top corner of the letter
14. Similarly the mode of dispatch if required by registered post, under certificate of posting or by special messenger etc. indicated on the right side top corner of it.

### Specimen of Letter

By Regd. Post Ack.Due	
<b>URGENT</b>	
GOVERNMENT OF ANDHRA PRADESH PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT	
FROM	TO
Sir,	
Letter No. 3456/Estt.IV/2011 dt.	
Sub:	
Ref:	
***	
(Body of the letter)	No. of paras as required
Yours faithfully	
Enclosures:	For Secretary to Govt

#### DO letter

DO stands for Demi Official. It is used in correspondence between government officers to draw personal attention of the addressee officer.

#### To whom?

Addressed to the officers of the same rank of the addressee being not more than one or two levels above the officer who is writing. But, it is also written to junior and senior officers depending upon the need. To a non-official for an inter change or communication of information or opinion without the formality of prescribed procedure.

#### How it should be written?

1. Similar to the letter, government emblem on the top center of the page or the words "Government of Andhra Pradesh" typed in capitals.

2. The name, designation of the sender on the left hand side top corner just below the emblem of the government to be typed. (Generally you will be finding printed D.O. letter formats of the officer in the office and will help you in this regard)
3. The department name, address of office and telephone number of signatory must be mentioned in the left side top opposite to the name and designation.
4. The address entry of the person to whom it is intended is indicated at the left hand side bottom after the body of the D.O. letter.
5. Then it must commence with salutation. Unlike in the letter here different salutations are used. Depending upon the level of the officer to whom it is addressed the following salutations be used:
 

For Senior level officers	:	Dear Sir/Madam
For Equal level officers	:	Dear Sri./Smt (here the name of the officer in his own handwriting be given)
For junior level officers	:	My Dear (here the name of the Officer in own hand writing be given)
6. The letter Number will be given here. This is the file number as indicated in the note file and the date of approval of the communication indicated.
7. After the words the “subject” be indicated. (Generally the subject will be the same that is noted in the Personal register and the note file)
8. Immediately after the subject, Reference is indicated. Here all the references that are required for following the case should be given.
9. Body of the letter in convenient paras comes next.
10. It is writing in the first person and in a personal and friendly tone.
11. Finally it ends with an expression of regards (You should note that depending upon the level and intimacy of the officers it is written as follows:
 

For Senior level officers	:	with kind regards
For Equal level officers	:	with regards
For junior level officers	:	with best wishes
12. The subscription “yours Sincerely” comes last on the right end of the body of the letter.
13. Signed by name of the officer approving it.
14. Indication of Enclosures at the left end of the body of the letter.
15. Grading, i.e. Urgent, Priority be indicated on the right side top corner of letter



## Specimen of Demi-Official Letter

GOVERNMENT OF ANDHRA PRADESH	
Sri./Smt Designation of the officer (sender)	Department and address with both office and Residential telephone Nos. Fax and e-.mail Nos.
Dear Sir/Madam/ Dear Sri./Smt/ My Dear	
Sub: Ref:	D.O.Lr.No. dt.
(Body of the letter)	No. of paras as required
	Yours Sincerely
	XXXXXXXXX (Name of Officer)
Sri/Smt.(To whom it is addressed)	

Particular form of communication is adopted for a specific purpose with a specific target group to be addressed. Accordingly, therefore, each should have some distinctive features, is only obvious.

### Memorandum (memo)

You might have seen that most of the employees refer to a disciplinary case whenever they hear about a memo. Isn't it? In fact this is a misnomer. Memorandum commonly called memo is one of the commonly used form of communications in government offices.

### To whom?

Addressed to all subordinates. Suppose in an office various categories of officers are there, memo format can be used to all except the top boss. Similarly to subordinate offices viz: From Secretariat Department to Head of the Department, Head of the Department to District and other offices, District to Mandal office etc. You should also note that there is no compulsion that only memo should be used to a subordinate. Nothing prevents us from writing a letter. It is used in calling for or conveying information but not for conveying any order of the govt.

### How it should be written?

1. On the top center of the page the words "Government of Andhra Pradesh" and the name of the department concerned typed in capitals.

2. The address entry of the person to whom it is intended is indicated at the left hand side bottom after the body of the memo as in the case of a D.O. letter.
3. Unlike in the letter, no salutations are used.
5. The memo Number with sub number and date will be given then. This is the file number as indicated in the note file
6. After the words the “subject” be indicated. (Generally the subject will be the same that is noted in the Personal register and the note file)
7. Immediately after the subject, Reference is indicated. Here all the references that are required for following the case should be given.
8. Body of the memo in convenient paras comes next.
9. It is written in third person passive voice.
10. Bears no subscription except the designation of the signatory.
11. Signed by Designation of the officer approving it.
12. Indication of Enclosures at the left end of the body.
13. Grading i.e. Urgent, Priority be indicated on the right side top corner.

### **Specimen of Memorandum**

<p><b>GOVERNMENT OF ANDHRA PRADESH</b>  <b>PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT</b></p>	
Memo. No. 45630/Est.IV/2011 - 3	Dated
Sub:	
Ref:	
****	
(Body of the Memo)	No. of paras as required
Enclosures:	XXXXXXXXX Designation of Officer
To (whom it is addressed)	

### **Government Order (G.O.s) / Proceedings**

What are proceedings? You might have received number of G.Os. from government. If the Government Order (G.O.) is the final order of the government, proceedings are the final order of the department/office.

## **Context**

When the disposal on a case contains the order of the Government, the proceedings form is adopted. If the disposal is proposed to retain it permanently in the records the proceedings are issued in the "Ordinary" series. These disposals are marked either "P" (printed) or "Ms" (Manuscript). Where the disposal is not of sufficient importance to be retained permanently, the proceedings are issued in the "R" (Routine) series.

Unlike other forms of communication, a proceeding communicates the final order of the competent authority. It should indicate

1. The delegation of powers (financial or administrative) under which the officer is empowered to sanction,
2. Background of the case to give clear picture i.e the context under which it became necessary to issue the sanction order,
3. Appropriate budget head to which such expenditure is to be debited after consulting about availability of the financial provision.

## **How it should be written?**

1. On the top center of the page the words "Government of Andhra Pradesh" typed in capitals.
2. Abstract (Title / Subject of the G.O.)
3. The address entry of the person to whom it is intended is indicated at the left hand side bottom after the body of the proceedings as in the case of a D.O. letter and memo.
4. Besides the person to whom the sanction is concerned, copy of it should invariably be marked to the drawing and Disbursing officer, Treasury/Pay and Accounts office, Accountant General and other concerned persons
6. No salutations are used.
7. Recently the Computer Generated G.O. Number with date is taken from Computer in two series either Ms or RT. This is not the file number
8. Under the date column, "Read the following" is indicated instead of Reference. The major difference in other forms of communications and proceedings is this. It indicates that I have read the references quoted here under and knowing fully well the powers empowered upon me I am issuing the sanction order. Here all the references that are required for issuing the order should be given.
9. One additional feature is after read, 'ORDER' in capital letters is indicated before the body of the proceedings.
10. Body of the proceedings in convenient paras comes next. A proceedings should at least have: Para:1: Context of the case; Para:2: Sanction order with reference to the delegation; Para:3: Reference to availability of budget provision and the relevant budget to which the expenditure is to be debited.

12. Bears no subscription except the designation of the signatory.
13. Signed by Designation of the officer approving it.
14. Generally it should be comprehensive and self-explanatory and putting enclosures to be avoided. If it is necessary, that information shall be given in the form of Annexure to the Government Order.

**Specimen of the Government Order (G.O)**

<p>Emblem GOVERNMENT OF ANDHRA PRADESH  ABSTRACT</p> <hr style="border-top: 1px dashed black;"/> <p>PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT</p>	
<p>G.O.Ms/Rt. No.</p> <p style="margin-left: 40px;">1. 2.</p>	<p>Dated Read the following</p>
<p>***</p>	
<p><b>ORDER:</b></p> <p style="text-align: center; margin-top: 20px;">Body of the G.O.</p>	
<p>XXXXXXXXX SECRETARY TO GOVERNMENT</p>	
<p>To Address Entries to whom it is addressed</p>	
<p>Copy to  <div style="margin-left: 40px;"> Accountant General, A.P., Hyderabad  Other relevant officers(depending upon the need)  Stock File </div> </p>	

**U.O. Note**

**To whom?**

This form of communication is used with in the Department or Secretariat Departments. One way is to send the file to the concerned section for their remarks.

The other way is we obtain the information by sending a U.O.Note.

### **How it should be written?**

1. The U.O. Note No. is given on the top with date. This is the file number as indicated in the note file and the date of approval of the communication indicated.
2. The address entry of the person to whom it is intended is indicated at the left hand side bottom after the body of the U.O. Note as in the case of a Memo & D.O. letter.
3. Unlike in the letter, no salutations are used.
4. After the words the “subject” be indicated. (Generally the subject will be the same that is noted in the Personal register and the note file)
5. Immediately after the subject, Reference is indicated. Here all the references that are required for following the case should be given.
6. Body of the U.O. Note in convenient paras comes next.
7. Bears no subscription except the designation of the signatory.
8. Signed by Designation of the officer approving it.
9. Indication of Enclosures at the left end of the body.

### **Purpose of Un-official correspondence: (U.O. or U.O. Note):**

When it is proposed to obtain, on the note file of a case the concurrence, opinion or remarks of another department of the Secretariat or of any particular officer of Government so that such concurrence, opinion or remarks may not form part of the official proceedings, the mode of referring a paper or a case and obtaining a reply is called “Un-Official Correspondence”.

### **Telegram**

In our personal life also we give telegrams on various occasions. It is such a popular form of communication, that you find list of greetings in the telephone directory. Though we have today more advanced modes of communications like fax, e-mail etc. the importance of a telegram can not be under estimated.

### **How it should be written?**

If you notice the previous para it indicates that the telephone directory gives numbers to the popular greetings. This is done for the purpose of economy. Since each word in a telegram is counted for the purpose of calculation of the charges for sending the telegram. This means that it is necessary to write the telegram in very short, pointed language, that is why every one say “Telegraphic language”.

It is necessary that when you write short and pointed language, keeping the

economy in view, you should also take care of the punctuation. You might have heard a popular saying here. Look at the following:

Hang not Leave Him

What do you understand by the above sentence? Before we say something about what does it mean, we would like to give you some background of it.

“A person was convicted by the court of law and he was about to be hanged on a particular day. The person submitted a mercy petition to the Governor of the state. Considering the shortage of time, the Governor sent a telegram to the Jailor of the prison with the message. The jailor was puzzled with the message”. Let us see the sentence now:

STOP, NOT HANG HIM (.)  
STOP NOT, HANG HIM (.)

That is why it is said that “kama (,) killed a person. One should take care about not only the short and pointed language but also about punctuation when you send a telegram.

1. To telegram is to be written in very short, pointed language.
2. Should be written in capital letters in double line space.
3. You might have noticed that many organizations will have Telegraphic address, which is referred as “Grams”. If you keep a list of the telegraphic addresses it will be easy.
4. Generally Government telegrams are indicated as “State”
6. Telegrams are classified in to two types i.e. Urgent and Ordinary.
7. It is necessary to send a post copy after the issue of the telegram.
8. Whenever a post copy is sent additional information can be furnished through it.

### Specimen of Telegram

STATE                      ORDINARY/URGENT                      TELEGRAM

**ADDRESEE (Better to keep the telegraphic address and send with it)**

**Message (REFYRLR TWENTYFIFTH (.) SEND FURTHER DETAILS URGENTLY (.)**

SENDERS TELEGRAPHIC CODE

## **Circular**

The “Circular” mainly differs from the ordinary memorandum in that it is addressed to several departments or persons simultaneously. The circular form should be used whenever the substance of the communication does not require the formality of proceedings or letter. In other words it is a form of memorandum to be issued to large number of people at the same time.

## **Endorsement**

You may be wondering is this one also a form of communication. This form is made use of when a paper is returned in original to the sender or is referred to another department or section for information, remarks or disposal. Also used where a copy of communication is to be forwarded to others in addition to the original addressee. In such a case, the following types of endorsements you will be finding:

“A copy (with a copy of the letter to which it is a reply) is forwarded to \_\_\_\_\_ for information and guidance/ for necessary action/ for favour of reply/ for early compliance”.

“Copies of financial sanctions issued by the departments, where required to be communicated to the audit authorities through the accounts department are also sent by endorsement”

## **Telex Message**

This is one of the advanced versions of communication. The format that is used in respect of a telex message is as that of a Telegram with some variation. This is possible only if the sender and addressee are Telex subscribers.

### **How it should be written?**

1. Telex messages should be worded briefly and precisely in the same manner as in the case of telegrams.
2. The messages should be typed in capital letters in double line space.

## **Press Communication/Note**

**You might have noticed in your office that certain events are given to** the press for publicity. We will be generally calling them press communication, press note, press release etc. Though much difference is not there, they slightly vary.

### **What is a Press Communication?**

A press communication or press note is issued when it is sought to give wide publicity to the decision of the government/department. Press communication is more formal in character than a press note and generally reproduced by the press.

Communications like events that are taking place in the office, brief reports intended to be appeared in the press comes under this category.

### **What is a Press Note?**

On the other hand, a press note is intended to serve as a handout to the press. They may edit, compress or enlarge as they may choose.

### **Notification**

We are sure that you are familiar with this. Probably you might have joined the present service after seeing a notification, applying and later selected to the post.

Notifications are used for publishing rules and orders passed under legal enactments by the government. Also used for making announcements about appointments, postings, transfers, etc. In the departments/offices it is mostly used for publishing matter in government gazette under provisions of any law. It is also used to notify.



## Chapter -8

# DISPOSALS & RECORDS MANAGEMENT

### Objectives:

#### On completion, you will be able to:

- Define a disposal
- List out Functions of Central Record Branch
- Describe the procedure to obtain disposal from CRB
- Describe the contents to be noted on disposal jacket
- Define what is a premature disposal
- Describe the importance of an index slip
- Explain the record retrieval system in government

### Why disposing of files?

Any issue that arises in the office either with a letter or representation from public or with in the office needs to be settled. If it is not settled, it becomes a cause of dissatisfaction. Even the very purpose of establishing an office is to solve or settle issues. In the normal life also we would like to settle issues as early as possible so that we can be peaceful. Any pending issue causes inconvenience to us. Hence it is essential to dispose the files at the earliest possible opportunity.

### What is a disposal?

The dictionary meaning of the word 'dispose' is:

- "to apply to a particular purpose".
- "to settle things"

The word 'disposal' is the noun form of dispose and it means:

- "the act of disposing" or "arrangement"

Disposal means settling things. In official parlance it is the act of settling the issues that arise in the office.

### Central Record Branch (CRB):

The Central Record Branch is the repository for the current non-confidential records of all departments of Secretariat except the Legislature Department. The Branch is attached to the General Administration and is under the immediate control an Assistant Secretary to Government.

**Sending all records to CRB:**

The departments in Secretariat should send all disposals/records to CRB. The evils of unnecessary detention and accumulation of records in the section reflects in the ASO's work. Records are more easily and more quickly obtained from the CRB than by hunting for them in ill-arranged lots detained in the Section.

**Functions of the Central Record Branch:**

1. Supply of records in response to requisition
2. Checking of records transferred by the departments of the Secretariat
3. Sorting of originals and spare copies, etc., sent or returned by the departments and placing them in or restoring them to their proper places
4. Registry of records and volumes sent out of the Branch and noting their return in the register
5. Sending every month reminders for the return of records, taken out more than three months ago and furnishing to the departments every fortnight a list of Government orders numbered two weeks previously, but not received in the records
6. Cleaning and dusting of racks, and the examination of records in order to protect them from damage by white ants
7. Labelling and varnishing record boards
8. Keeping the bundles and volumes arranged neatly and methodically on the racks
9. Keeping the record rooms tidy and in good repair
10. Destruction of records in due time
11. Annual transfer of records to the State Archives

**Supply of records by the CRB:**

1. Records shall be supplied only on requisitions made in the prescribed form vide Appendix –VI of SOM
2. Requisition for records shall be signed by ASO or superior Officers
3. Records relating to more than one department shall not be asked for in the same form
4. If a department transfers a file to another department, together with the record obtained from the CRB for disposal of the case, the sending and the receiving departments should give necessary intimation to CRB so that

the CRB may know on any day where precisely the record supplied by them is kept.

5. Record will be supplied by the CRB direct to any Secretariat department on regular requisition
6. It is the duty of ASO concerned to return the records to CRB which is taken out from the CRB
7. The CRB is held responsible for any record found missing after its receipt .  
Records issued to departments should be supported by
  - a. Requisition slip duly acknowledged
  - b. Entry in the issue register, and
  - c. Dummy slip in the bundle

**Destruction of records:**

The records to be destroyed should be classified into the under mentioned two broad categories:

- (a) **Fist category:** To be destroyed straightaway after a particular period to be specified at the intial stage of sending the disposals to the CRB. Each such disposal should carry on tits docket sheet the words “Destroy after .....years”
- (b) **Second Category:** To be sent by the CRB to the concerned department for scrutiny and certification either as fit to be retained for a further period of time or for destruction. Each disposal falling under this category should carry on its docket sheet the word “To be scrutinized again after.....years

**The periodical destruction of records shall be regulated as follows:**

(para 369 of SOM)

S.No.	Description of records	Year of destruction
1.	Govt. letters, Memos, Endorsements and telegrams	5 years
2.	G.O.s (Rt)	5 years
3.	Lodged papers, Call Books, Current Distribution Register and Circulation Registers	3 years
4.	Attendance Registers, daily abstract books, vacation turn lists and similar registers and lists	3 years
5.	Budget notes of Finance Department	7 years
6.	Office Orders (Ms)	30 years

7.	Office Orders (Rt)	5 years
8.	Personal Registers	5 years
9.	G.O. (Ms) (A review shall made of all records of Ms series in consultation with respective departments) Transfer all the permanent records to State Archieves after 5 years from the Central Record Branch	Once in every 50 years

### Disposal Jackets

The current number given in the inward will continue for the disposal also.

### Outside the disposal jacket

1. Disposal Number
2. Name of the department (marked boldly)
3. Name of the office
4. Number of current file pages
5. Number of Note file pages
6. Total pages in the disposal
7. Year of destruction (Whether requires to be reviewed before destruction)

The disposal number is indicated on the top. This is the original current number. Only the difference to be noted is that the number of the assistant i.e., A, B etc are to be removed and the current number and the year of it indicated.

The name of department to which the disposal belongs should also be indicated boldly on the outer cover sheet. The total current file pages and the note file pages and the total of them should be indicated. This helps that at a later date tampering with pages is not possible.

### Inside the disposal jacket

The very purpose of disposing the files and keeping them as records is to have precedents as and when a similar case arises in the future. It is very much necessary to keep track of the earlier and future references of such similar cases to help us. The inside of the disposal jacket should contain the information of the **previous disposals i.e., the back numbers** of the disposals and also the **future disposals**. Indication of the back and future disposals is called **chaining of disposals**.

### Premature Disposals

We are discussing all the time about disposals. What is this premature disposal? Did you ever come across such thing? The practice of closing a current

merely because it has been pending a long time and opening a new current is most pernicious and is strictly prohibited. Closing a current like this is called "Premature disposal". You might have noticed in offices where a current is pending for a longer time, the assistant closes it and then opens a fresh file with a reminder either issued from the section or received from other office. Such irregular disposals falsify the statistics of pendency. They also make it impossible to watch for and enforce the submission of replies to references. This is only waste of time and such practices should be avoided.

**Why and how to retrieve?** Information is collected, stored and preserved for future use by different levels of decision makers. It is hence necessary that the information should be available whenever required without undue loss of time so that the decision taking function is performed efficiently.

The question of retrieval, therefore assumes importance right from the stage of creation of a file. During its active life, the file has periods of activity as well as rest. When it is active, it may be moving up and down or horizontally within the organization or even moving out of the organization temporarily from time to time. During period of temporary rest, the file is in the custody of the dealing hand, record clerk or the section assistant if it is in suspense. The retrieval at this stage, is facilitated by the movement and Personal registers maintained in the section

#### **Aids to retrieval**

1. **Personal registers** which help in retrieval are aids to retrieval which indicate the latest location of the source records.
2. **Index of records:** An index helps an individual in tracing previous papers on a particular subject. The index slips of all R & D disposals are made a list and circulated among all staff so that it is easy for every dealing hand to locate the disposal when needed.
3. **Retention schedules:** One of the pre requisites of a sound records management system is that there should be a reasonable ratio between the creation and destruction of records
4. **Microfilm:** Putting a document on microfilm means photographing it to a fraction of its original size. The most fundamental reason for using microfilm is simply to reduce the need for storing vast amounts of paper, which takes up space, accumulates dust and is expensive to maintain.

**Chapter -9**

**LEGISLATIVE COMMITTEES**













































## Chapter -10

# A.P. CIVIL SERVICES (CONDUCT) RULES 1964

## GENERAL

1.1. Under the proviso to article 309 of the Constitution of India, which empowers the Governor to make rules regulating interalia, the conduct of Government employees, the A.P. Civil Services (conduct) Rules 1964 came to exist.

1.2 These rules contain the does and don'ts of Government servants.

## SCOPE

Government employee is defined as any person who is a member of Civil Service of the State of Andhra Pradesh or holds any civil posts under the State or in connection with the affairs of the State, whether he is on duty or under suspension or on leave or on foreign service, either within or outside the state.

## FAMILY

3. These rules are also applicable to the members of the Family of the Government employee. "Member of the Family" includes the spouse, son, daughter, step-son or step-daughter of such employee whether residing with such employee or not and any other person related to and residing with such employee and wholly dependent on such employee; but does not include a spouse legally separated from such employee or a son, daughter, stepson or step-daughter who is no longer in any way dependent upon such employee or of whose custody such employee is deprived by law.

## 4. FUNDAMENTAL RIGHTS OF INDIAN CONSTITUTION

4.1 ARTICLE: 14 Equality before law.

4.2 ARTICLE: 15 Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

4.3 Article: 16 Equality of opportunity in matters of public Employment

4.4 Article: 19 Rights to freedom

4.4.1 Freedom of speech and expression

4.4.2 Freedom of assembly

4.4.3 Freedom of association

4.4.4 Freedom of movement

4.4.5 Freedom of residence and settlement

4.4.6 Freedom of profession, Occupation, trade or Business.

## **5. RESTRICTIVE PROVISIONS OF CONDUCT RULES**

### 5.1 Restriction on constitutional rights

5.1.1 Taking part in politics and elections (Rule-19)

5.1.2 Joining of and Forming Associations

5.1.3 Demonstrations and Strikes (Rule-4&5)

5.1.4 Connection with press and Radio, Criticism of Government (Rule-15&16)

5.1.5 Acquisition and Disposal of Property (Rule-9)

### 5.2 Restriction on personal Rights

5.2.1 Private Trade and Employment (Rule-10&12)

5.2.2 Investing, Lending and Borrowing (Rule-8)

5.2.3 Collection of Subscription (Rule-7)

5.2.4 Acceptance of Gifts (Rule-6)

5.2.5 Prohibition of sexual harassment of working women (3-C)

5.2.6 Vindication of Acts and Character (Rule-20)

5.2.7 Canvassing of outside influence (Rule - 24)

5.2.8 More than one marriage (Rule-25)

5.2.9 Consumption of Intoxication drinks (Rule-26)

5.3 The ultimate aim of such restrictions which forbid the Government servant to do certain acts is mainly intended to improve the tone of Public Service. The relationship between the Government and the Government servant is governed by the Law of Master and Servant relationship.

5.4 A Government servant is expected to maintain a reasonable and decent standard of conduct and not bring discredit to his service by his misdemeanor.

5.5 Thus neglect by a Government servant of his wife and his children in a manner unbecoming of a Government servant, may be regarded as a good and sufficient reason to justify action being taken against him.

5.6 If the Government were to sit back and permit its officials to commit any outrage in their private Life, provided it falls short of criminal offence, the

result may very well be catastrophic fall in the moral prestige of the Administration.

- 5.7 The State could demand a certain standard of conduct from the Government servant not only while performing their official duties but in their private life as well.
- 5.8 Arguments are often raised to the effect that in view of the complexities of modern life, the consideration of expediency should outweigh the considerations of Honesty. Consideration of expediency may be irresistible at times but their evils are merely to be put up with and not to be extolled or prescribed as standards of life and work.
- 5.9 A Public Officer is not at liberty to amass fortune by taking illegal gratification even though willingly given.

## **6.1 EVERY GOVERNMENT SERVANT SHOULD AT ALL TIMES:**

- 6.1.1 Maintain devotion to duty
- 6.1.2 Maintain absolute integrity, discipline, impartiality and a sense of propriety.
- 6.1.3 Do nothing which is unbecoming of such employee or derogatory to the prestige of Government.
- 6.1.4 Not act in a manner which will place his official position under any kind of embarrassment
- 6.1.5 Exercise his best judgment in the performance of his official duties except when he is acting under a direction from his official superior.
- 6.2 Integrity is uprightness, honesty or purity.
- 6.3 Devotion to duty is faithful service.
- 6.4. Unbecoming of a Government servant is unmannerly attitude, insubordination, lack of decorum, laziness, corrupt habits, shirking of responsibility and other things which are normally branded as unworthy of a Government servant.
- 6.5 The dictionary meaning of misconduct is given as bad management, mismanagement, culpable neglect of an official in regard to his office. It is a transgression of some established and definite law or a forbidden act. It implies a wrongful intention and not a mere error of judgment. Misconduct is something more than mere negligence. It is the intentional doing of something when the doer knows it to be wrong or which he does recklessly, not caring what the result may be. It is a sufficiently wide expression and covers any conduct which in any way renders a person unfit for his office or is likely to tamper or embarrass the administration. In this sense, grossly improper or unbecoming conduct in public life may also become misconduct and may

render an officer liable to disciplinary action.

- 6.6 Moral is concerned with right and wrong or duty which one owes to ones fellow beings or to the society in general.
- 6.7 Moral turpitude is a reprehensible act contrary to the accepted notions of right and customary rule or code of conduct accepted by the society. It would mean anything done contrary to justice, honesty, modesty or good morals.
7. No Government employee can associate himself with an association, the object or activities of which are prejudicial to the interests of the Sovereignty and Integrity of India or public Order.
8. He should not participate in strike or absent from duty or work without permission, or neglect his duties with the object of compelling any superior officer or Government to take or omit to take official action or indulge in demonstrative fast like hunger strike or refuse to receive his pay.
9. No gifts can be accepted the prominent exception being a gift of a value of less than rupees two hundred from personal friends on ceremonial occasions such as weddings.
10. Every Government employee (other than members of last grade service) should, on first appointment to the Government service, submit to Government a statement of all immovable properties, irrespective of its value and movable property whose value exceeds Rs. 1,00,000/- in the forms prescribed in Annexure-1 and 2 to Rule 9. (Sub Rule-7)
11. He should also submit before 15th January of every year, a declaration in the forms given in Annexure I and II of Rule 9 (7) of all immovable/movable property owned, acquired or inherited by him or held by him on lease/or on mortgage, either in his own name or in the name of any member of his family.
12. Every Government Servant shall intimate to the competent authority within 15 days from the date of receipt of foreign currency or foreign goods of the value exceeding Rs. 50,000/- from any Person by him or by any member of his family or by any person on their behalf.
13. No Government employee should except after previous intimation to the head of the Department acquire or dispose of or permit any of his family member to acquire or dispose of, any immovable property by exchange, purchase, sale, gift or otherwise either by himself or through others. If such a transaction is conducted from sanction of the Head of the Department Appointing authority/Regional Officer/District Collectors/Other District Officers, as the case may be, as specified in sub-rule (10) of rule 9 should be obtained. Same is the case with the movable property exceeding Rs.1, 00,000 in value.
14. The violation of above and or any of the following rule of conduct, would be treated as negligence/misconduct and is required to be dealt with under the

A.P. Civil Service (CCA) Rules 1991.

## **RULE NO. NATURE OF PROHIBITION IN THE CONDUCT RULES**

- 3 – B Adopt dilatory tactics or willfully cause delays
- 3 – C Indulge in sexual harassment with any working women
- 4 Strikes
- 5 Demonstrations
- 6 Acceptance of gifts, services, entertainments, address and other forms of felicitations.
- 7 Collection of subscriptions or other pecuniary assistance in pursuance of any object.
- 8 Lending, borrowing and insolvency
- 9 Acquiring or disposing of immovable or movable property.
- 10 Indulging in private trade, business and investment.
- 11 Promotion and management of companies in private capacity.
- 12 Private employment.
- 13 Publication of books.
- 14 Communication of official documents or information
- 15 Connection with press.
- 16 Participation in radio broadcast and contribution to newspapers and periodicals
- 17 Criticism of the policy or action of Government or any other State or Central Government.
- 18 Evidence before any committee, commission or other authority.
- 19 Taking part in politics and elections.
- 20 Vindication of acts and character of Government employee.
- 21 Working with or under relatives in Government service.
- 22 Employment of a member of the family in a private firm.
- 23 Government employee not to deal in his official capacity with matters concerning himself, his relatives or dependants.
- 24 Influencing authorities for furtherance of interests.
- 25 Bigamous marriages

- 26 Dowry
- 27 Consumption of Intoxicating substances.

## ANDHRA PRADESH CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES 1991

### **PART -1: GENERAL (RULES 1-3)**

1.1 The APCS (CCA) Rules 1991 (G.O.Ms. No. 487 GA(Scr. C)Dept, dt 14.9.92) were published in the A.P. Gazette on 1st July 1992. These rules came into force with effect from 1 October 1992. These rules are intended to be applicable to every Government servant who is a member of the Civil Service of the State, whether permanent or temporary, a Government Servant whose services are temporarily placed at the disposal of the Govt. of India, the Government of another state or a company, corporation or organization owned or controlled by Government, or a local or other authority and a Central Government employee, employee of other state Government and Employee of a Local Government of A.P. who is temporarily working with the State Government. These rules define Disciplinary Authority as one who is competent to impose any of the penalties specified in rule 9 or rule 10.

### **PART-II: CLASSIFICATION (RULES 5-7)**

2.1 The Civil services of the state are classified into:

- i) The State service-included in schedule I (Gazetted officers), and
- ii) The Subordinate services-included in schedule II (Non Gazetted employees).

### **PART-II: SUSPENSION (RULE-8)**

3.1 A member of the service may be placed under suspension from service:

3.1.1 Where a disciplinary proceedings against him is contemplated or is pending,  
or

3.1.2 Whether in the opinion of the competent authority, he has engaged himself in activities prejudicial to the interest of the security of the state, or

3.1.3 Where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

3.2 The authorities competent to suspend members of state and subordinate services are laid down in rules 12-15.



- 3.3 A Government servant shall be deemed to have been placed under suspension by an order of the authority competent to place him under suspension:
- 3.3.1 With effect from the date of his detention if he is detained in custody whether on a criminal charge or otherwise for a period exceeding forty-eight hours.
- 3.3.2 With effect from the date of his conviction if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not immediately dismissed or removed or compulsorily retired consequent to such conviction.
- 3.4 An order of suspension may at anytime, be modified or revoked by the authority which made the order or by any authority to which that authority is subordinate.
- 3.5 The State Government have prescribed proforma for issuing the orders of suspension in G.O. Ms. No. 411 GA (Ser. C) Dept. dt. 28.7.93 for the guidance of the competent authorities. Similar proforma for continuance under suspension after review, in intervals of six months has been prescribed in Govt., memo No. 904/Ser. C/67-1 GAD dt. 29-5-1967. The checklist prescribed in Govt. Circular Memo No. 561837 Ser-c/99 GAD dated 15-10-99. should be kept in view.
- 3.6 The object of placing an officer under suspension is generally to facilitate easy collection of evidence from witnesses who may hesitate to depose against an officer so long as he is in office, or to prevent an officer from tampering with witnesses or records. In many cases it is not quite necessary to keep the officers under suspension after a certain period.
- 3.7 The circumstances in which a disciplinary authority may consider it appropriate to place a Government servant under suspension as indicated by the Government are detailed below. These are only intended for guidance and shall not be taken as mandatory.
- 3.8 Cases where continuance in office of the Government servant will prejudice the investigation, trial or any inquiry (eg. Apprehended tampering with witness or documents).
- 3.9 Where the continuance in office of the Government servant is likely to seriously subvert discipline in the office in which the public servant is working.
- 3.10 Where the continuance in office of the Government servant will be against the wider public interest other than those covered by (1) and (2) above, such as, there is a public scandal and it is necessary to place the Government servant under suspension to demonstrate the policy of the Government to deal strictly with officers involved in such scandals particularly corruption.
- 3.11 Where allegations have been made against the Government servant and the

preliminary inquiry has revealed that a prima facie case is made out which would justify, his prosecution or his being proceeded against the departmental proceedings and where the proceedings are likely to end in his conviction and/ or dismissal, removal or compulsory retirement from service.

- 3.12 In the first three circumstances, the disciplinary authority may exercise his discretion to place a Government servant under suspension even when the case is under investigation and before a prima facie case has been established.
- 3.13 Certain types of misdemeanor or where suspension may be desirable in the four circumstances mentioned are indicated below:
- 3.14 Any offence or conduct involving moral turpitude.
- 3.15 Corruption, embezzlement or misappropriation of government money, possession of disproportionate assets, misuse of official powers for personal gain.
- 3.16 Serious negligence and dereliction of duty resulting in considerable loss to Government.
- 3.17 Desertion of duty
- 3.18 Refusal or deliberate failure to carry out written orders of superior officers.
- 3.20 In respect of the types of misdemeanor specified in (9) (10) & (11) above, discretion has to be exercised with care.
- 3.21 It should also be considered at an early stage whether sending the officer on leave (if he is willing to take it) will not be suitable step to take. This of course, will not apply in all serious cases where there is good prima facie case.
- 3.22 The authority competent to suspend the Government servant, while issuing the orders of suspension should invariably mention in the said order the subsistence allowance which should be paid to the Government servant concerned. The order of suspension cannot be given with retrospective effect. Every order, notice and the other process made or issued under these rules (Vide rule 42) should take effect only from the date of:
- 3.23 Service of that order on the delinquent by delivering or tendering it in person, if he is on duty.
- 3.24 Communication of that order to the delinquent by registered post to the address given by him, if any or of his usual place of residence.
- 3.25 Publication in the A.P. Gazette, if it cannot be so served or communicated.
- 3.26 Where a Government servant is suspended, he is free to go wherever he

likes, but he must leave address with the head of the office, or if he is himself the Head of the office, with his Immediate superior. He must also leave his address with the officer, if any, holding an inquiry into his conduct. He must obey all orders to attend any inquiry into his conduct and if he fails to do so, the inquiry can be held in his absence.

- 3.27 A member of a service who is deemed to have been suspended by an order of the competent authority if he is detained in custody on a criminal charge or otherwise, for a period exceeding forty- eight hours, and if such a Government servant is released on bail, the competent authority may revoke the orders of suspension and admit him to duty or grant him leave during the period, if applied for by him, if the said authority thinks fit to do so having regard to the nature of the charge and other circumstances of the case. The mere fact that the member of the service has been granted bail, does not give him a right to be restored to duty.
- 3.28 When a penalty of dismissal, removal or compulsory retirement imposed on a member of a service who has been placed under suspension is set aside in appeal or review or by a decision of a court of law and further inquiry or action is contemplated shall be deemed to have continued under suspension from the date of the original order of dismissal, removal or compulsory retirement until further orders.
- 4.1 The authorities which are empowered to suspend certain members of state services are specified in rule 13. Where no such specific provision is made the concerned regional authority if any is competent to suspend members holding initial Gazetted Posts. The Head of the Department is competent to suspend members holding second level Gazetted posts. If there is no Regional authority, the Head of the Department can exercise his power in respect of both the initial and second level Gazetted Officers. In the absence of specific provision, the immediate superior Gazetted officer vide 14 (1) (a) or higher authority including appointing authority or any highest authority (including Government) is competent to exercise this power of suspension in respect of subordinate services.
- 4.2 In trap cases, the Government servant should be suspended immediately after the trap basing on the preliminary report of the Anti Corruption Bureau. If there is likely to be any interregnum between the trap and the actual relief of the trapped officer after being placed under suspension, the competent authorities should consider whether the officer could be transferred immediately so that material evidence is not destroyed and the arrangements should be made to relieve trapped officer forth with.
- 4.3 In disproportionate assets cases, the accused officer need not be suspended immediately following the registration of the cases. But he may be transferred to a far off non-local post to avoid likelihood of his tampering with the records and influencing the witness.

- 4.4 If, however, the Anti Corruption Bureau finds during investigation that there is reasonable ground for believing the accused officer has deliberately failed to co-operate with the investigating agency or that he is trying to tamper with the official records or influencing the witnesses or bringing pressure on the investigating officers, it is open to the disciplinary authority to place the accused officer under suspension, at that stage, based on the recommendation of the Anti Corruption Bureau to that effect.
- 4.5 In cases other than those mentioned above, the disciplinary authority should consider and decide the desirability of placing the accused officer under suspension, if he is not already under suspension as and when charge sheet is filed against him in the court or where after investigation, it is decided to initiate regular departmental action for imposing any of the major penalties and a charge memorandum is served in this regard.
- 4.6 The cases of loss and fraud are usually reported to the police and officials involved who are placed under suspension continue to be under suspension till they surrender or are apprehended by the police and prosecuted, resulting in either the case dragging on for a long time or if and when the absconding officials are apprehended and proceeded against, they are required to be paid the subsistence allowance, if they produce a certificate of non-employment.
- 4.7 In such cases, the disciplinary authorities shall take the following action.
- 4.7.1 A certificate should be obtained from the local police authorities to the effect that whereabouts of the officials concerned are not known. This certificate should be placed on record in the connected file.
- 4.7.2 A brief statement of the allegations should be prepared and kept on the file.
- 4.7.3 The disciplinary authority should himself record on the file the fact that the whereabouts of the officials concerned are not known and that the police authorities have also certified to that effect and, therefore, it is not reasonably practicable to hold the inquiry contemplated under Rule 20. The disciplinary authority can then take recourse to rule 25 where there is provision to dispense with the enquiry. Reasons for not holding inquiry should then be recorded in writing and the disciplinary authority issue orders imposing such penalty, as it deems fit. The allegations and charges have to be briefly discussed in the punishment orders. Normally in such cases, the punishment that could be meted out would be either removal or dismissal from service.
- 4.8 A reference to the report/recommendation made by the higher authority, Anti Corruption Bureau and Vigilance & Enforcement dept. should be avoided in the orders of suspension issued by the competent authority in order to establish that the competent authority has exercised his power independently.
- 4.9 Where the work and conduct of an emergency employee are not satisfactory he should not be placed under suspension pending inquiry as it involves

financial loss to Government nor should disciplinary action be initiated against them but he should be discharged from service in terms of his appointment by an innocuous order so far to avoid complication.

- 5.1 Review of the orders of suspension after a period of every six months should be undertaken as specified below:
  - 5.1.1 In the case of Gazetted officers, if the suspension order is issued by the Regional authority the first review after six months will be done by him only. The second and subsequent reviews will be done by the Head of the Department at six monthly intervals. When no Regional authority exists and the Head of the department ordered suspension of first and second level Gazetted officers such order shall be reviewed every six months by him only.
  - 5.1.2 If the original order of suspension is issued by Government all reviews including first review shall be done as ordered above except that prior approval of the Government to the result of the review shall be obtained when the review leads to reinstatement before reinstatement orders are issued.
  - 5.1.3 In respect of third level and above Gazetted categories of officers, the review of order of suspension, at an interval of every six months shall be done by Government only.
- 5.2 In respect of members of the subordinate service the first review of the order of suspension after six months from the date of issue of orders shall be by the appointing authority. The 2nd and subsequent reviews of the order of suspension shall be by the Head of the department at an interval of every six months. Where the appointing authority is Head of the department itself, the review of the order of suspension at an interval of every six months shall be by the Head of the department only. Even if suspension is ordered by the higher authority the review shall be done as ordered above, except that the report on the result of review shall be sent to higher authority for information & record.
- 5.3 It may not be desirable to place an officer under suspension for a long period or indefinitely. Therefore, in all cases where a member of service is placed under suspension, action regarding investigation or inquiry as the case may be, should be undertaken on priority basis with utmost speed at all levels keeping in view the limits fixed for the inquiries at all stages and disciplinary proceedings should be finalised and orders issued as early as possible. Even in respect of criminal cases filed in the special courts for SPE and ACB cases, efforts should be made by authorities concerned that the trial is completed at the earliest possible period so that the member of service is not continued under suspension for longer period.
- 5.4 However an outer limit of two years has been prescribed from the date of suspension, failing which the Govt. servant may be reinstated without prejudice to the proceedings being pursued. In exceptional cases, especially

where there is deliberate delay caused due to non co-operation of the employee concerned suspension beyond two years can be continued.

- 5.5 Payment of subsistence allowance should not be withheld pending review of suspension.

#### **PART-IV: CONTROL (RULES 9-10)**

- 6.1 Control is sought to be achieved by providing for the imposition of the following penalties on Government servants for their acts of negligence and misconduct. These penalties may be imposed on members of the state and subordinate services for good and sufficient reasons.

#### **MINOR PENALTIES**

- i) Censure
- ii) Withholding of promotion
- iii) Omitted by G.O. Ms.No.335 GAD dt. 4.8.2005)
- iv) Withholding of increments without cumulative effect.
- v)
  - (a) Suspension (as a specific penalty) where a person has already been suspended under rule 8, to the extent considered necessary.
  - (b) Reduction to a lower stage in the time scale of pay for a period not exceeding three years without cumulative effect and not adversely affecting his pension.

#### **MAJOR PENALTIES**

- vi) With holding of increments with cumulative effect
- vii)
  - (a) Same as provided for in clause (v)
  - (b) reduction to a lower stage in the time scale of pay for a specific period, with further directions as to whether or not the Government Servant will earn increments of pay during the period of such reduction and whether on the expiry of such period. The reduction will or will not have the effect of postponing the future increments at his pay.
  - (c) reduction to lower time scale of pay grade, post or service which shall ordinarily be a bar to the promotion of the Government Servant to the time-scale of pay, grade, post or service from which he was reduced, with or without further directions, regarding conditions of restoration to the grade or post or service from which the Government Servant was reduced and his seniority and pay on such restoration to that grade, post or service (By G. O. Ms. No. 373 GAD, Dt. 6.12.2003)
- viii) Compulsory retirement

- ix) Removal
  - x) Dismissal
- 6.2 It is misnomer to consider the minor penalty as of little or no significance. According to G.O.Ms. No. 342 GAD (Ser) dt. 4-8-97, any minor penalty debars promotion for a minimum period of one year. Withholding of increments with cumulative effect bars promotion for twice the period of stoppage.
  - 6.3 The penalty of fine vide rule 10 (i) may be imposed only on a member of last grade service and holders of other posts specified in Appendix 1 to the rules.
  - 6.4 The penalty of suspension for a period not exceeding 15 days may be imposed on Forest guards, directly recruited members of A.P. Police Subordinate Service, A.P. Special Armed Police service and certain categories of A.P. Fire Subordinate Service, vide rule 10 (ii).
  - 6.5 "Censure" is a formal penalty which in the form of reprimand imposed on a person who is guilty of a blame worthy act of omission or negligence.
  - 6.6 Removal of a person does not disqualify him from future employment but dismissal shall ordinarily disqualify him from future employment.
  - 6.7 In every case in which the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing of forbearing to do any official act, is established, the penalty of removal or dismissal shall be imposed.
  - 6.8 To improve the tone of administration, the Government have since ordered that in all proved cases of misappropriation, forgery, outraging modesty of women, bribery and moral turpitude penalty of dismissal shall be imposed.

## **AUTHORITIES COMPETENT TO IMPOSE PENALTIES ON GAZETTED OFFICERS**

The authorities which are competent to impose certain penalties on some members of the state service are given in rule 11. In the absence of such specific provision in rule 11, the general rule is that every Head of the Department declared to be the appointing authority may impose on any member of the state service holding an initial or second level gazetted post under his control, any of the penalties specified in clauses i to viii of rule 9 (G.O. Ms.No. 428 GA (Ser.C) Dept., dt. 13.10.99. Government alone have the power to remove or dismiss Gazetted officers. Government being a higher authority to the Head of the department can impose any penalty on Gazetted officers after consultation with the APPSC wherever necessary.

## **COMPETENT AUTHORITIES TO IMPOSE PENALTIES ON**

## **SUBORDINATE SERVICES (RULE 14)**

- 7.2 The authorities competent to impose certain penalties on members of some subordinate services (Non-Gazetted) are specified in rule 14 and in appendices, II, III & IV. In the absence of such specific provision the general rule is that the penalties of (i) Censure (ii) Fine (Clause (i) of rule (10) (iii) withholding of increments (Clauses (i) and (iv) or rule 9) can be imposed on a Government servant by his immediate superior gazetted officer or where the appointing authority for such member is a non gazetted officer, such officer or any higher authority. The officer next above the immediate superior Gazetted officer or appointing authority or any higher officer may impose the penalty.
- 7.3 The appointing authority or any higher authority may impose on a member of the subordinate service the penalties of withholding of promotion for any specific fault or misconduct, suspension to the extent considered necessary, reduction, compulsory retirement, removal and dismissal.
- 7.4 Where in any case a higher authority has imposed or declined to impose a penalty, a lower authority shall have no jurisdiction and where in any case a lower authority has imposed penalty or exonerated a member, it shall not debar a higher authority from exercising his powers. His order shall supersede any order passed by a lower authority (Rule 18).
- 7.5 PERSONS LENT : where the service of a person is lent by one department to another or to Govt. of India the instructions in rules 30 and 31, as amended in G.O. Ms. No. 20 Gl.Adm. (Ser-c) Dept. dt. 20-1-2000 shall be followed.

## **PART-V: PROCEDURE FOR IMPOSING PENALTIES (RULES 20, 21, 22 & 23) MINOR PENALTIES (RULE 22)**

- 8.1 No order imposing the penalties I to V of rule 9 or 10 shall be passed by the authority competent to impose the penalty except after the member of the service is informed in writing of the imputations of misconduct or misbehavior and the proposal to take action against him and given an opportunity to make representation in the standard form VI or VII prescribed in G. O. Ms. No. 82 GAD (Ser-C) dt. 1-3-96, depending on the gravity of the charge(s). Representation, if any, is taken into consideration and examined. When an inquiry is conducted under Rule 20, there is no need to give further opportunity to the charged officer and a minor penalty may be imposed on the basis of evidence adduced during the inquiry.
- 8.2 The record of proceedings in such cases of minor penalty should contain:
- 8.2.1 A copy of the intimation to the Government servant of the proposal to take action against him.
- 8.2.2 A copy of the statement of imputations of misconduct or misbehaviour delivered to him.



- 8.2.3 His representation, if any.
- 8.2.4 The evidence produced during the inquiry, if any.
- 8.2.5 The advice of the APPSC, if any.
- 8.2.6 The findings on each imputation of misconduct or misbehaviour.
- 8.2.7 The orders on the case together with the reason there for.
- 8.3 A disciplinary authority competent to impose any of the penalties specified in clauses (i) to (v) of rule 9 or in rule 10, may institute disciplinary proceedings against any Government servant for the imposition of any of the penalties specified in clauses (vi) to (ix) of rule 9, notwithstanding that such disciplinary authority is not competent to impose any of the latter penalties.

## **MAJOR PENALTIES (RULE 20)**

- 9.1 An elaborate procedure is prescribed in Rule 20 for imposing major penalties. Under Art.311 of the constitution no civil servant can be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges and given a reasonable opportunity of being heard in respect of those charges.
  - 9.1.1 Under clause (4) of rule 20, it is the responsibility of the disciplinary authority to under take the work of framing charges and to deliver or cause to be delivered to the Government servant a copy of the articles of charge, the statement of imputations of misconduct or misbehavior and a list of documents and witnesses by which each articles of charge is proposed to be sustained and shall require the Government servant to submit, within such time as may be specified, a written statement of his defense and to state whether he desires to be heard in person. (The format No.II prescribed should be used).
  - 9.1.2 On receipt of the written statement of defense, or if no written statement of defence is submitted by the Government servant, further inquiry needs to be conducted in respect of charges not admitted in the former case and Ex-parte inquiry in the later case.
  - 9.1.3 The disciplinary authority shall necessarily appoint an Inquiry Officer when he proposes to conduct detailed inquiry in cases where, in his opinion, the charge if proved, warrants imposition of major penalty, instead of itself taking up the inquiry, unless the appointment of Inquiry Officer becomes impossible in view of the non-availability of the Officer in the Department (Govt. Memo. No. 46733 Gl. Adm. (Ser-C) Dept., dt. 22-10-1999).
  - 9.1.4 The government servant may either appear himself in person before the Inquiring authority or may take the assistance of any other Government servant or retired Govt. servant to present the case on his behalf subject to

the conditions laid down in clause (8) of rule 20.

- 9.2 The manner in which such an inquiry officer has to conduct the inquiry and submit his report to the competent authority is dealt within rule 20 (23). A format is prescribed for submission of Enquiry Officer's report in Govt. Circular Memo No. 56183/ Ser-C 799 GAD, Dt. 15-10-1999.
- 10.1 On receipt of inquiry report, disciplinary authority shall first see whether it conforms to the check list prescribed in Govt. Circular Memo No. 209227 Ser-C/99 GAD Dt. 28-9-99, and take action as per rule 21, and instruction in Govt. U.O.Note No. 11107/Ser-C/99 GAD, Dt. 1-3-99.
- 10.1 (a) When it is proposed to award a major penalty he shall furnish a copy of inquiry officers report to the person charged and allow a reasonable time not exceeding one month to submit his further representation, if any, on inquiry officers report, vide rule 21 (4). However if the gravity of the charges held proved warrants only minor Penalty, it may be awarded straightaway.
- 10.2 There is no need to give any opportunity to the charged officer to make a representation against the penalty proposed to be imposed, in view of Art.311 (2) of the Constitution as amended by the 42nd amendment Act 1976 to the Constitution of India.
- 10.3 Where the authority to impose the punishment is the State Government, it is necessary, before passing an order, to consult the A.P. Public Service Commission, in the cases mentioned in Govt. Memo No. 32667/98-99 dt. 3.5.99. With a view to hastening the process of finalization of cases, Government ordered that the department should forward the proposals to the APPSC in complete shape including information on all the items referred to in the check-list appended to Govt. Memo No. 655/Ser.C/99-1 GAD dt. 17.8.90. A copy of the letter of the Public Service Commission containing its advice, may, if applied, be supplied to the accused Government Servant. Where such advice has not been accepted, a brief statement or the reasons for such non-acceptance shall be furnished to the Government servant concerned along with a copy of the case, vide rule 44. As instructed in Govt. U.O. Note No. 43946/Ser-C/2000-3 GAD, Dt. 12-10-2000 consultation with APPSC, is not necessary before a major penalty is imposed on those who are convicted in a Court of Law or Special Courts for Special Police Establishment and ACB Cases.
- 10.4 The final order containing the decision of the authority competent to impose the penalty, should be a self contained speaking order. Even where the order is passed by the Government, the order should set out briefly the relevant facts, findings, advice of the Commission and Government's decision thereon. It should be signed by an officer authorized to sign orders on behalf of the Government. Such an order should be communicated to the accused Government servant and his acknowledgement in token of having received it

should be obtained and kept on record.

- 10.5 The following types of cases may merit action for imposing one of the major penalties. These are meant for guidance and not to be treated as yardstick for imposing a major penalty.
  - 10.5.1 Cases in which there is a reasonable ground to believe that a penal offence has been committed by a Government servant but the evidence forthcoming is not sufficient for prosecution in a court of law eg.
  - 10.5.2 Possession of Disproportionate assets.
  - 10.5.3 Obtaining or attempting to obtain illegal gratification.
  - 10.5.4 Misappropriation of Government property, money, stores.
  - 10.5.5 Obtaining or attempting to obtain any valuable thing or pecuniary advantage without consideration or for a consideration which is not adequate.
  - 10.5.6 Falsification of Governments records.
  - 10.5.7 Gross irregularity or negligence in the discharge of official duties with a dishonest motive.
  - 10.5.8 Misuse of official position or power for personal gain.
  - 10.5.9 Disclosure of secret or confidential information even though it does not fall strictly within the scope of Official Secrets Act.
  - 10.5.10 False claim on the Government like T.A. claims, reimbursement claims etc.
  - 10.5.11 To ensure clean and efficient administration it was directed in G.O.Ms. No.2 Gl.Adm. (Ser-C) Dept., dt. 4-1-1999 that in all proved cases of misappropriation, bribery, bigamy, corruption, moral turpitude, forgery and outraging the modesty of women, the penalty of dismissal from service shall be imposed, as already mentioned in para 6.8 ante.
- 11.1 The procedure laid down in Rule 20 of the AP Civil Service (CCA) Rules in regard to the imposition of major penalties, need not be followed in certain exceptional cases, as mentioned in rule 25, viz.
  - 11.1.2 Where an authority competent to impose penalty is satisfied that for some reason to be recorded by that authority in writing, it is not reasonably practicable to give to that person an opportunity of showing cause.
  - 11.1.3 Where the Governor is satisfied that in the interest of security of the state it is not expedient to give to that person such an opportunity or to hold such inquiry.
  - 11.1.4 Where it is proposed to impose any of the penalties specified, on the basis of the report of the Lokayukta or Upalokayukta, the disciplinary authority

shall take action on the basis of the recommendation contained in that report (rule 27).

## **COMMON PROCEEDING (RULE 24)**

- 12.1 According to rule 24 where two or more members of the same service or different services are concerned in any case, the Government or any other authority competent to impose the penalty of dismissal from service on all such members may make an order directing that disciplinary action against all of them may be taken in a common proceeding. If the authorities competent to impose the penalty of dismissal on such members are different, such authorities not being the Government, an order for holding such inquiry in a common proceeding may be made by the highest of such authorities with the consent of the other authorities competent to impose the said penalty on others.
- 12.2 It is for the highest authority who orders joint inquiry to see that the penalty imposed is proportionate to the seriousness of the charges held proved, keeping in view their degree of culpability/ seriousness of lapses held proved, while imposing the penalty in such cases.
- 12.3 When two or more persons are involved in one case, the magnitude of involvement of all the delinquent officers may not be the same and the degree of culpability may also vary from person to person. As such it may not be possible to impose the same penalty uniformly on all the charged officers, irrespective of the degree of their involvement. If the same penalty is imposed on all such delinquent and maligned officers involved in a case, ignoring their degree of culpability and involvement, such action is liable to be questioned. As such, it may not be legally valid to prescribe any guidelines or yardsticks for imposing penalty in such cases. The competent authority who orders such a joint inquiry should ensure that the members of service involved in disciplinary cases are imposed the penalties keeping in view their degree of culpability/seriousness of lapses/charges held proved.
- 12.4 The disciplinary authority should take a comprehensive view by taking into account the totality of the circumstances and the extent of involvement of each of delinquent officers while inflicting the punishment.

## **ACQUITTAL BY COURTS**

- 13.1 The Supreme Court of India in Corporation of Nagpur Vs Ramachandra (1981) (2Sec714-AIR 1984 SC.626) has made the following observations:
- 13.1.1 "The other question that remains is if the respondents are acquitted in the criminal cases whether or not, the departmental inquiry pending against the respondents would have to continue. This is a matter which is to be decided by the Department after considering the nature of the findings given by the criminal court. Normally where the accused is acquitted honorably and

completely it would not be expedient to continue a departmental inquiry on the very same charges or grounds or evidence, but the fact remains, however, that merely because the accused is acquitted, the power of the authority concerned to continue the departmental inquiry is not taken away or its discretion in any way fettered. However, as quite some time has elapsed since the departmental inquiry has started, the authority concerned will take into consideration this factor in coming to the conclusion if it is really worthwhile to continue the departmental inquiry in the event of the acquittal of the respondents. If, however, the authority feels that there is sufficient evidence and good grounds to proceed with the inquiry, it can certainly do so”.

13.1.2 In the light of the above judgment of the supreme Court of India it is clear that the acquittal of the accused officer by the competent court, is no bar to initiate departmental inquiry against the delinquent officer.

13.1.3 The disciplinary authority may, if it comes to the conclusion that an order imposing a penalty on a Government servant on the ground of conduct which had led to his conviction on a criminal charge should be issued pass such an order without waiting for the period of filing an appeal, or if an appeal, has been filed, without waiting for the decision in the first court of appeal. Standard form for such an order is annexed to Government Memo No. 169/Ser.C/77-8 GAD dt. 10.2.78.

13.1.4 Whether, despite the acquittal, the facts and the circumstances of the case are such as to call for a departmental action against the Government servant on the basis of the misconduct on which he was previously convicted, departmental inquiry may be ordered, in standard form No. II annexed to the Government memo.

13.1.5 In case where Government employee is removed or dismissed or reduced in rank after complying with the requirement of article 311 (2) of the Constitution of India or of the provisions of rule 20 of the A.P. Civil Service (Classification, Control and Appeal) Rules, then the order of removal, dismissal or reduction in rank, is not affected by his acquittal in a criminal court, if he is prosecuted in addition to the departmental action taken against him. If however, a Government employee is removed or dismissed or reduced in rank, solely on the ground of conduct which led to his conviction on a criminal charge, without complying with the requirements of the aforesaid article or rule and if his conviction is eventually set aside by the appellate court, or by the High Court, in revision, then the order of removal, dismissal, or reduction in rank, as the case may be cannot stand, and that order will have to be reviewed.

## **UNAUTHORIZED ABSENCE - WILFUL AND PROLONGED ABSENCE FROM DUTY WITHOUT PROPER LEAVE**

- 14.1 In circular Memo No. 4481/A/128/FR.1/88, Fin& Pig. (Fin. Wing F.R.I) Dept., dt. 7.7.88 Government have issued instructions ordering concerned departmental authorities to initiate disciplinary action against those employees who remained absent from duty without proper leave and pass appropriate orders on the basis of the disciplinary proceedings by following the procedure laid down in APCS (CCA) Rules. In spite of these instructions the following questions arise for consideration:
- 14.1.1 Whether a member of service who remained absent from duty without proper leave can be permitted to join duty if he gives joining report pending further action to determine or regulate the period of absence by taking disciplinary action or otherwise.
- 14.2 According to FR 18 and rule 5-A of the A.P. Leave Rules, 1993 and the Note-1 there under, no Government servant should be granted leave of any kind for a period exceeding five years and that willful absence from duty not covered by grant of any leave shall be treated as "dies-non" for all purposes viz, increments, leave and pension.
- 14.3 Neither F.R 18 and rule 5-A of the A.P. Leave Rules, can be construed to mean:
- 14.3.1 That the member of service who remains absent from duty without proper leave can not be permitted to join duty if he gives a joining report, or
- 14.3.2 That such member of service ceases to be in service by such absence so as to discharge him from service in terms of FR.18.
- 14.4 What therefore follows from this is that if a member of service who remains absent without any leave gives a joining report it should be ensured by the competent authority that he is permitted to join immediately pending initiation of the disciplinary action for unauthorized absence, in case such action has already not been initiated against him and in all such cases the period of unauthorized absence has to be treated as dies-non in accordance with the Note-I under FR 18 and Rule 5-A aforesaid. This treatment of unauthorized absence as dies-non is distinct from disciplinary action taken or to be taken against the employee concerned.
- 14.5 What F.R 18 and rule 5-A of the A.P. Leave Rules mandates is that no member of service shall be granted leave of any kind for continuous period exceeding five years without the specific approval of Government. No inference can be drawn from these rules that disciplinary action against a member of service can not be taken unless he is continuously absent for more than five years without any leave. It is not at all necessary for the authority competent to wait for a period of five years to initiate disciplinary action against the member of service for his absence from duty willfully or unauthorisedly. In all such cases the disciplinary proceedings can be initiated against such member of service who remained absent without any leave

straight way by following the procedure laid down in Rule 20 of the APCS (CCA) Rules, 1991 for unauthorized absence without leave which constitutes good and sufficient reasons for initiating disciplinary action under the said rules and such other misconduct as having secured gainful employment elsewhere during his absence from duty without leave. In all such cases the inquiry officer has to be directed to complete the inquiry within a fixed time say within a period of 2 months. The charges framed against the employee concerned should be communicated by Registered Post with acknowledgement due. If however the employee is not available at the last address given by him the charge memo should be got published in the A.P. Gazette and inquiry should be conducted ex-parte for taking necessary action against him. Even in such cases where an employee reports back to duty, he should be permitted to join duty without prejudice to the action contemplated or pending against him. If employee applies for leave on medical grounds along with the joining report and extends leave on the same grounds beyond three months he should be referred to Medical board for examination and necessary action may be taken against him on the basis of the medical report.

- 14.6 According to the note under Rule 6-A of A.P. Leave Rules read with proviso to FR 73, a temporary Government servant working under emergency provisions, who remains absent from duty after applying for leave or extension of leave to which he is not entitled to under the Rules shall be deemed to have been discharged from duty with effect from the date from which he is not entitled to any leave unless the leave applied for is granted in relaxation of relevant rules. Where such a temporary employee absents himself unauthorisedly or without sufficient justification, action should be taken immediately for discharging him from service invoking this rule, by issuing an innocuous order indicating the provisions under which the employee stands discharged.

## **REQUEST FOR “RESIGNATION” WHILE ABSENT**

- 14.7.1 Resignation by a member of a service, who is placed under suspension from service pending investigation or inquiry into grave charges or who is deemed to have been suspended under rule 8 of the A.P.C.S. (Classification, Control and Appeal) Rules 1991 shall not be accepted during the period of suspension.
- 14.7.2 The consequence of the resignation as laid down in General rule 30 is that not only the service rendered by the member of service in a particular post held by him at the time of resignation but also all his previous service under the Government will stand forfeited. In view of this consequence the regulation of the period of unauthorized absence would be of no consequence and the acceptance of such resignation tendered by the member of service who remained absent from duty without leave need not wait the determination of unauthorized absence.

- 14.8 Where Government servants, while being unauthorisedly absent or where their leave was refused, have sought for voluntary retirement on completion of 20/33 years of qualifying service in accordance with Rules 43 and 44 Revised Pension Rules, 1980, respectively, the competent authorities concerned have failed to take action to accept them promptly, resulting in unintended benefit to the employees concerned. In case of retirement on completion of 20 years of qualifying service as provided under Rule 43 of Revised Pension Rules 1980, a Government servant who gives a notice in writing of his intention to retire voluntarily shall not retire unless the notice given by him is accepted by the competent authority, provided that the competent authority shall issue an order before the expiry of the notice period accepting or rejecting the notice. In case of voluntary retirement on completion of 33 years of qualifying service as provided under Rule 44 of Revised Pension Rules 1980, the appointing authority has to issue orders permitting the Government servant to retire from service. In normal course, in either case, the voluntary retirement can be accepted/permitted as the case may be pending determination of the period of unauthorized absence. In cases where it is contemplated to take disciplinary action against the employee concerned, it would be appropriate to frame charges against him before he retires from service so that further action may be pursued in accordance with Rule 9 of Revised Pension Rules unless the charges are grave and acceptance of such notice would not be in public interest. As such, acceptance of notice of voluntary retirement need not await the determination of the period of absence, provided the Government servant concerned has rendered 20/33 years of qualifying service. Even in cases where an employee is permitted to retire voluntarily departmental proceedings can be instituted with the sanction of government in respect of a cause of action which arose or an event which took place not more than four years before such institution, in terms of Rule 9 of Revised Pension Rules.
- 14.9 Whenever official continues to remain absent from duty or overstays leave without permission and his whereabouts are not known, or fails to reply to official communications, the disciplinary authority may initiate action under Rule 20 of CCA. Rules. In all such cases, the competent authority should by a registered acknowledgment due letter addressed to the official at his last known address, issue a charge-sheet in the form prescribed for the purpose and call upon the official to submit a written statement of defence within a reasonable period to be specified by that authority. If the letter is received undelivered or if the letter having been delivered, the official does not submit a written statement of defence on or before the specified date or at a subsequent stage does not appear in person before the inquiry officer, or otherwise fails or refuses to comply with the provisions of APCS (CCA) Rules, the inquiring authority may hold an exparte inquiry. The notices of all hearings should be served on the accused or communicated to him unless the first notice says that the inquiry will continue from day to day.

## **PART-VI: APPEALS (RULE 32-39)**



- 15.1 No appeal lies against any order passed by the Governor under clause (iii) of rule 25, any order of an inter locutory nature in and of the final disposal of a disciplinary proceedings and any order passed by an inquiring authority in the course of an inquiry under rule 20, vide rule 32.
- 15.2 A Government servant may prefer an appeal against the order of suspension made under rule 8, an order imposing any of the penalties specified in rule 9 or rule 10 by the disciplinary authority, or appellate or revising authority, an order enhancing the penalty imposed under rule 9 or rule 10, an order of discharge for a contract appointment exceeding a period of five years and an order reducing or with holding pension, vide rule 33.
- 15.3 An appeal from an order of High Court shall lie to the Governor and from any other authority including Heads of departments shall lie to the Government and an appeal from an order passed by a lower authority shall lie to the Head of department.
- 15.4 No appeal shall be entertained unless it is preferred within 3 months of receipt of the order by the appellant. The appellate authority, if satisfied, may entertain an appeal after expiry of the above period (Rule 35 & 43). Every appeal shall be complete in itself and presented to the appellate authority. A copy thereof shall be sent to the authority, which made the order appealed against who shall offer his comments and furnish relevant records to the appellate authority (Rule 36).
- 15.5 A member of a subordinate service shall be entitled to appeal from an order passed by an authority, imposing on him any of the penalties, to next higher authority vide Rule 34 (1) (iii).
- 15.6 The appellate authority is under obligation to consider (i) Whether the procedure has been complied with and if not whether such noncompliance has resulted in violation of any Constitutional provision or in the failure of justice; (ii) whether the findings are warranted by the evidence on record; and (iii) whether the penalty is adequate, inadequate or severe. He can confirm, enhance or reduce or set aside the penalty or remit the case with any direction he deems fit.
- 15.7 The appellate authority, thus, has power to enhance the penalty in an appeal submitted by the affected employee for relief. While enhancing the penalty, the appellant should be given opportunity to make a representation against such enhancement and in case of enhancement to a major penalty, an inquiry should be conducted if not already held, vide rule 37.
- 15.8 The power of Revision/Review vesting in certain specified authorities under rules 40 & 41 can be exercised broadly, in the same manner as in an appeal. Here the power can be exercised suo moto also. A time limit of six months is laid down for this purpose in clause (iii) of rule 45 (1) unless this time limit is relaxed under rule 43.



## A.P.STATE AND SUBORDINATE SERVICE RULES

### 1. SCOPE OF THE RULES (Rule 1)

- i. The A.P. State and Subordinate Service Rules, 1996 were issued by the Governor of A.P. in exercise of the powers conferred on him in proviso to art.309 of the Constitution of India (G.O.Ms.No.436 GAD (Ser.D) dt.15.10.1996). These rules are known as GENERAL RULES. They govern the Gazetted and Non-Gazetted posts under the State Government constituted into State and Subordinate Services, along with the special rules or adhoc rules issued by the Government with regard to each category or class of service whether temporary or permanent.
- ii. If any of the provisions in these rules are contrary to any provisions in the special rules applicable to any service concerning any specific matter, then the provision in the special rules will prevail over these rules.

### 2. METHOD OF APPOINTMENT (Rule 4)

- i. By any one or more of the following methods, as specified in the Special Rules of the concerned service.  

(a) Direct recruitment, (b) Promotion, and (c) By transfer (There can be appointment by contract, agreement, on compassionate grounds or re-employment also)
- ii. If the Special Rules indicate more than one method of appointment the cycle or order in which the vacancies shall be filled by different methods should be indicated.
- iii. Direct recruitment shall be made against substantiate vacancies, which mean all vacancies in permanent cadre and all vacancies, in the posts which have been in existence for more than five years. The percentage earmarked for direct recruitment should not be less than 33 1/3% in respect of posts in state services and 30% in respect of posts in subordinate service (G.O.MS.NO 142, GA (Ser.A) Department, dt.13.3.2008.
- iv. The posts earmarked for direct recruitment in the Special/ Adhoc Rules should be filled by direct recruits strictly and not by any other method.

### **3. QUALIFICATIONS FOR DIRECT RECRUITMENT (Rule 12)**

- i. Academic qualification fixed for the post in the Special/Adhoc Rules.
- ii.
  - a. Sound health and active habits and free from any bodily defects or infirmity.
  - b. Character and antecedents satisfactory.
- iii. Minimum age of 18 years. Maximum age mentioned in the Special Rules, if so mentioned if not 34 years, which is relaxed up to 5 years for SCs, STs and BCs and up to 10 years for physically handicapped. Relaxed up to 5 years of regular service in the case of those in State Government Service and the Persons who worked in armed forces are allowed to deduct 3 years in addition to the entire service in the armed forces, for SCs and STs when limited recruitment is made relaxation up to 10 years is allowed. Maximum age limit raised by 6 years in GOMs No. 561, GAD (Ser. A) Dt. 11.10.1988 except to the posts of executive nature in Police, Excise, forest and Fire Services. In no case it should exceed 45 years with regard to SCs and STs and 40 years for BCs.
- iv. Disqualifications are: Canvassing or bringing influence, plural marriage not permissible under the personal law applicable to the candidate, dismissal from service previously and conviction in a criminal court. (Persons involved in subversive activities also are not fit for Government service.)

### **4. ELIGIBILITY FOR PROMOTION/APPOINTMENT BY TRANSFER (Rule - 8) and Rule 12(3) (B)**

Satisfactory completion of probation in the category in which he is serving and acquisition of requisite qualifications prescribed in the special rules by the prescribed date.

### **5. SELECTION AND NON SELECTION POSTS (Rule 5)**

- i. All first appointments/ promotions/ appointments by transfer to State Service (Selection posts) shall be made on grounds of merit and ability, seniority being considered only when merit and ability are considered approximately equal. Panels have to be prepared by the appointing authority or any other authority empowered in this behalf.
- ii. Promotion/appointment by transfer to non-gazetted posts (non selection posts) shall be made in accordance with seniority-cum-fitness unless such a member of a service is given promotion or appointment by transfer has been withheld as a penalty.
- iii. List of eligible employees has to be prepared every year (1st September to 31 August of the succeeding year) by the appointing

authority for non selection category posts considering the record sheet and qualification prescribed for promotion and by transfer.(rule.6(i)).

- iv. Departmental Promotion Committees have been constituted by Government for promotion to gazetted categories except to the 3rd level gazetted posts, which are within the purview of the APPSC for which a screening committee has been constituted by the government (items 12 and 12-A of rule 2)

## **6. PREPARATION OF PANELS (Rule 6)**

- i. The panel of approved candidates as referred to in item 5 (i) above, shall be prepared by the competent authority in consultation with the Departmental Promotion Committee (DPC) or APPSC as the case may be. The appointing authority shall make appointments from such panels in the order in which the candidates in such panel are arranged, in the order of their preference.
- ii. Panel of candidates for appointment by promotion and by transfer prepared by the DPC concerned shall be prepared ordinarily in the months of September of every year on the basis of estimate of vacancies made reckoning 1st September to 31st August of the succeeding year as the panel year and 1st September as the qualifying date. For preparation of panel the zone of consideration will be 1:3.

### **AMENDMENTS:**

In the said rules:-

- (1) In rule 6(b), the following shall be inserted as first proviso namely.

"Provided that for promotion in respect of Scheduled Caste and Scheduled Tribe candidates only, the zone of consideration in the ratio of 1:3, shall not be applicable in respect of posts whose total care strength is more than five"
- (2) After inserting the above proviso:
  - (a) In the second proviso, for the words "provided that" shall be instituted.
  - (b) In the third proviso, for the words "provided also that" shall be substituted. C.G.O. MS. No.123 GA (Ser.D) dept-dt.19.4.2003
- iii. The validity of the panel is from 1st September of the year to 31st August of the succeeding year and the vacancies estimated to arise during that period only are to be considered for promotion of the eligible candidates. However, only for those vacancies which arose during the panel year, if there has been delay in issuing orders of appointment / promotions for any administrative reasons, orders of

Promotion can be issued up to 31st of December of the year to the candidates from out of the panel already approved and not for the vacancies that arose after 31st August of the said year. (Govt. Memo. No. 11305/Ser-D/2000 GAD dt.3.3.2000)

- iv. Panels need not be prepared if vacancies are not available for that particular year or where the appointing authority does not consider it necessary.
- v. In the exigencies of administration the Government may however order preparation of panels as frequently as may be necessary.
- vi. Approved panels may also be reviewed by the appointing authority for purposes of inclusion of such of those candidates whose cases were deferred previously for being under suspension or due to pendency of disciplinary proceedings or criminal proceedings but subsequently exonerated, if found fit by DPC/APPSC concerned and for deletion of those who were subsequently placed under suspension or whose work and conduct has come up for adverse notice after their inclusion in the Panel.
- vii. DPCs may undertake review when cases of the followings nature are placed before them:
  - a. When eligible persons were omitted to be considered or ineligible persons were considered by mistake.
  - b. When a person's seniority was revised with retrospective effect.
  - c. When procedural irregularity was committed by DPC, and
  - d. When adverse remarks against a person have been subsequently toned down.
- viii. In cases where it is necessary to consult APPSC, (on the recommendation of screening committee) the panels have to be prepared similarly as above.
- ix. Inclusion of a candidate's name in any panel shall not confer on him any right for appointment. (Rule .6(b))
- x. Persons whose names have been included in the panel but who could not commence probation-their cases have to be considered afresh for the next year's panel along with other qualified candidates having regard to their relative merit and ability.

## **7. PROMOTION OR APPOINTMENT BY TRANSFER CERTAIN INSTRUCTIONS ISSUED BY THE GOVERNMENT**

- i. Employees whose increments were withheld shall not be recommenced 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. (Circular Memo.No.34633/ser.C/99 – dt.4-11-1999)
- ii. 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 (GO.Ms.No.342 Gad (Ser.C) dt.4.8.97.
- iii. 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 G.A (Ser.C) dt. 10-6-1999)
- iv. 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 substituting as on the date of meeting of DPC / Screening committee or on the qualifying date for preparation panel. (Go.Ms No. 203 G.A (Ser - C) dt. 5-5-1999)
- v.
  - (a) 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.
  - (b) Similarly, in case of ACB is completed and it is at the stage of preliminary enquiry the eligibility of a candidate for promotion may be determined without reference to such enquiry.
  - (c) Where inquiry by the ACB is completed and it is proposed to hold regular enquiry the case may be deferred. (Go Ms. No.187 GAD (Ser.B) dt. 25-4-1985)

## **CONFIDENTIAL REPORTS TO BE CONSIDERED**

- i. The DPC should assess on its own the suitability of officers on the basis of their service record, considering the confidential reports for equal number of years in respect of the officers considered, particularly for the last five years out the preceding eight years. Where one or more CRs have not been written

during the relevant period the DPC should consider the CRs for the proceeding periods in question.

- ii. In case of direct recruit having less than 5 years of service, CRs for not less than three years should be taken into account.
- iii. If an officer is working in a next higher grade earned, the CRs in that grade may be considered but no extra weightage may be given merely on the ground that he has been officiating in the higher grade (Go Ms. No.291 GAD dt.3-4-90)
- iv. Adverse remarks in CRs not communicated to the person concerned should not be taken into consideration.
- v. Where adverse remarks the CRs are toned down or expunged subsequent to consideration by the DPC, the case of such person would be brought before the same DPC for review.
- vi. The DPC should not be guided merely by the overall grading, if any, that may be recorded in the CRs but should make its own assessment on the basis of the entries in the CRs.

## **8. APPEAL, REVISION AND REVIEW (Rules 23, 24 and 25)**

- i. Appeal, against an order of promotion can be made within 6 months from the date of such order to an authority which can entertain appeal against dismissal.
- ii. Member of service may submit a revision petition against the order of the Appellate Authority within 3 months of the order passed by the Appellate Authority to the Govt.
- iii. The power of revision can be exercised by the Government or by the Head of the department on their own motion at any time or application by the aggrieved person within a period of 6 months from of his junior. Persons affected by such revision shall be given an opportunity of making representation against the proposed revision before an order of revision is passed.
- iv. The government may on their own motion or otherwise review any original order passed by them, if it was passed under any mistake of fact or for any other sufficient reasons. The persons who will be affected by such review should be given an opportunity before an order is passed.



## **9. TEMPORARY APPOINTMENT (Rule.10) (INCLUDING DIRECT RECRUITMENT, PROMOTION AND APPOINTMENT BY TRANSFER)**

- i. When it is necessary to fill up a vacancy emergently in public interest in a post borne in any cadre of service and if filling up of such vacancy in accordance with the rules is likely to cause undue delay the Appointing Authority may appoint a person temporarily otherwise than in accordance with the rules, either by direct recruitment or by promotion or appointment by transfer as may be specified as the method in respect of that post in the special rules. (Formats to be adopted for temporary appointment by transfer were prescribed in Govt. Memo No. 1054/SER.A/85-2, GAD dt.6.3.1986).
- ii. Only the persons having the qualifications can be so appointed. When qualified persons are not available, unqualified persons can be appointed on temporary basis, and being replaced by qualified persons as soon as possible when such qualified persons are available.
- iii. A person so appointed has no preferential claim to the post in future. He shall not be regarded as probationer.
- iv. The appointing authority can terminate the service of the person appointed temporarily at any time without notice and without assigning any reasons, if appointed by direct recruitment or revert him to a lower post if promoted / appointed by transfer.
- v. The practice of making in charge arrangements on own scale of pay of the incumbent is discouraged. Whenever filling up of vacant post is considered expedient in the exigencies of administration, action has to be taken by the concerned appointing authority to fill up the post following the relevant special/ adhoc rules duly placing proposals before the DPC/ APPSC as the case may be or by making full additional charge arrangements provided for in the FRs.
- vi. Person appointed temporarily is not eligible for an increment in the time scale of pay applicable unless he passes the test, or completes the training or acquires the qualifications prescribed in the special rules, as a condition for grant of increment.

## **10. TIME LIMIT FOR JOINING POSTS (Rule 11)**

- i. Direct recruitment: 30 days from the date of dispatch of the order of appointment by registered post with acknowledgement due. If he fails to join within the stipulated period of 30 days, the offer of appointment shall be treated to have been cancelled and the name of the candidate shall be deemed to have been omitted from the list of approved candidates.
- ii. Otherwise than by direct recruitment: 15 days from the date of receipt of the order of appointment sent by R.P. Acknowledgement due or by other means.

If he fails to join within the stipulated period of 15 days or evades joining the new post by proceeding on leave, he shall lose his promotion right offer for the current panel year and the name of the candidate shall be placed before the next DPC for consideration in the next panel year.

In the case of non-selection posts, the name of the candidates who does not join within the stipulated time in the promotion posts shall be considered for promotion again after a period of one year from the date of offer of appointment subject to availability of vacancy (G.O.Ms. No. 145 GA (Ser. D) dt. 15-6-2004)

## **11. SPECIAL REPRESENTATION (RESERVATION) (Rule 22)**

- i. A feature of direct recruitment to any service is giving special representation in services to the socially backward class of citizens. This is a measure of social justice backed by certain important constitutional provisions viz Art. 15(3) and (4), 16(4) and 335 of the constitution of India.
- ii. The benefit of reservation is available in A.P. State in favour of scheduled castes, scheduled tribes, backward classes, women, physically handicapped, ex-servicemen, meritorious sportsmen and such other categories as may be prescribed by the Government from time to time and the manner specified in the General Rules or special rules. Communities belonging to SCs and STs and BCs already notified, can be seen in schedule-I appended to the rules.
- iii. The principle of reservation shall apply in all appointments to a service class or category:
  - a) By direct recruitment, except when the Government by a general or special order made in this behalf, exempt such service, class or category.
  - b) Otherwise than by direct recruitment, the principle of reservation in the matter of promotion and appointment by transfer involving promotion in so far it relates to S.Cs and S.Ts only shall to such services, class or category whose total strength of the post is more than five (G.O.Ms.No.123 GA (Ser-D) dt. 19-4-2003)

[Substituted in G.O.Ms.No.123, G.A. (ser.D) Dept., dt.19.04.2003]

- 2.(a) The unit of appointments for the purpose of direct recruitment shall be hundred vacancies, of which fifteen shall be reserved for Scheduled Castes, Six shall be reserved for Scheduled Tribes, Twenty five shall be reserved for the basis of open competition and subject to rule 22-A of these rules.
- 2.(a)(i) The unit of appointment for the purpose of reservation in the matter of promotion and appointment by transfer involving promotion shall be hundred vacancies of which fifteen shall be reserved for Scheduled Castes and six for Scheduled Tribe employee as per the roster points in sub –rule 2(e).

- A. in the case of appointments / promotions to the posts referred to in clause 2(a)(i) above, the panels of eligible candidates for promotions, the names of eligible Scheduled Caste and Scheduled Tribe employees from the feeder Category have to be shown against the roster points earmarked for them irrespective of their seniority position in the feeder category.
- B. If a Scheduled Caste and Scheduled Tribe employee gets a higher place in the eligible candidates list by virtue of his seniority in the feeder category he need not be adjusted in a lower position which is earmarked for and Scheduled Caste and Scheduled Tribes employees as per roster system. Such roster point has to be filled up by moving up an Scheduled Caste and Scheduled Tribe employees who is below in the seniority list in the feeder category.
- C. Filling up the roster points shall continue till the required percentage of Scheduled Caste and Scheduled Tribe candidates is obtained. Once the required percentage is obtained by taking into account both the Scheduled Caste and Scheduled Tribe candidates who are found in the lists of candidates for promotion on account of their seniority in the feeder category and those who are moved up to fill up the required roster point, further adjustment of Scheduled Tribe employees against roster point has to be stopped.
- D. Unutilised roster points after the required Scheduled Caste and Scheduled Tribes percentage is met, shall lapse.
- E. If required number of Scheduled Caste and Scheduled Tribe employees are not available in the feeder category to obtain the required representation in the promotion category. The vacancies earmarked for Scheduled Caste and Scheduled Tribe employees according to the roster points will be carried forward.

[2(a) to 2(a)(i)E- Substituted in G.O.Ms.No. 123, GA (Ser.D) Department, dt.19.04.2003]

1. See G.O.Ms.No.5, SW (SW.ROR.I) Dept., dt.14.02.2003 and

2. G.O.Ms.NO. 21, SW (ROR.I) Dept., dt. 18.03.2003)

iv.a) In a unit of 100 vacancies the present policy of reservation in appointments for various categories is as follows:

SCs ..15, STS..6, BCs..25 -Total46

(Among BCs:BC(A)...7, BC(B)...10, BC(C)... 1,BC(D)...7 Total.... 25)

b) Out of the remaining 54 vacancies to be filled by open competition, if the Special Rules provide for appointment for Physically handicapped...3, Ex. servicemen-2, and Meritorious sportsmen one percent, respectively.

- v. These appointments which are to be made in the order of rotation in a unit of 100 vacancies are watched through the rosters prescribed. Rosters should be maintained for each category, class, category of service, whether regular or temporary. As per the existing policy, the points reserved for various categories in the roster are as follows:

STs	8, 25, 33, 58, 75, 83	(6)
SCs	2,7,16,22,27,41,47,52,62,66,72,77,87,91,97	(15)
BCs:		
BC(A)	4,20,29,45,54,70,79	(7)
BC(B)	10,24,35,49,60,74,81,85,95,99	(10)
BC(C)	...14	(1)
BC(D)	18,39,43,64,68,89,93	(7)
	Total	(46)

Out of the balance of 54 (to be filled by open competition):

- (i). PHYSICALLY HANDICAPPED: 6, 31, 56 (3)  
(6-Visually; 31 Hearing, 56- Orthopedically handicapped)
- (ii). EX. SERVICEMEN: 12,37 (2)
- (iii). MERITORIOUS SPORTSMEN: No particular point reserved for one percent. To be filled against next available OC vacancy (O.C vacancies are to be filled on the basis of merit).
- (iv).a If in any recruitment, qualified candidates belonging to SCs STs, BCs (all 4 groups) including women in these categories are not available for appointment to any or all the vacancies reserved for them, a limited recruitment confined to candidates belonging to that category shall be made immediately after general recruitment to select and appoint qualified candidates from among the persons belonging to these categories to fill such reserved vacancies.
- b) Even after conducting limited recruitment, any of the vacancies reserved for S.C.s, S.T.s, B.C.s, (all 4 groups) and women still remain unfilled for want of qualified candidates, such vacancies/ vacancy may be allotted to open competition only after obtaining orders of the Government.
- c) Equal number of vacancies if so filled up by OC shall be carried forward for three consecutive years. Such vacancies form additional vacancies in addition to the vacancies which arise for such persons during those years and they have to be filled up first.

d) During the 3rd succeeding year S.C. vacancies by STs. and ST. vacancies by S.C.s can be filled, if qualified candidates in the respective groups are not available.

e) Similarly in B.C if qualified candidate of a particular group is not available, vacancy will accrue to the next group (G.O.Ms.No.65, GA (Ser.D) dt.15-2-97).

(The principle of carry forward in respect of vacancies for BCs (all 4 groups) shall be w.e.f 18-3-1996 and in respect of women shall be w.e.f 28-10-96)

vii. Persons belonging to SC,ST,BC, Women, PH and Ex. Servicemen shall be considered for open competition vacancies on the basis of merit and the number of appointments reserved for those categories shall not be affected when they are so selected to OC vacancies.

viii. At no selection for recruitment other than any limited recruitment made, the No. of reserved vacancies including additional vacancies reserved shall exceed 52% of the total No. of vacancies for selection and all vacancies in excess of 52% of the total No. of vacancies for which recruitment is made on any particular occasion shall be treated as unreserved.

Provided further that the carry forward vacancies and current reserved vacancies in a recruitment shall be available for utilization even where the total No. of such reserved vacancies exceed 52% of the vacancies filled in the recruitment, in case the overall representation of SCs and STs BCs (all 4 groups) and women in the total strength of the concerned grade or cadre, has not reached and the prescribed percentage of reservation of 15% for SCs and 6% for STs, 7% for BC(A), 10% for BC(B), 1% for BC(C) and 7% for BC(D), respectively (rule 22 (i)).

ix. Where there is only a single solitary post borne in the class or category of service, the rule of special representation shall not apply for appointment to such post (rule 22(j)).

x. In respect of appointments by promotion or recruitment by transfer from subordinate service in state service, where such appointments or recruitment by transfer is made on the principle of merit and ability seniority being considered only when merit and ability are approximately equal, the claims of any member of the SCs and STs shall be considered for such appointment on the basis of seniority subject to fitness. However, a member of the SC or ST possesses superior merit and ability he shall be allowed to supercede not only others but also the members of SCs and STs as the case may be (Rule 22(k)).

## **RESERVATION FOR WOMEN (Rule 22-A)**

33.1/3% reservation in all categories of posts in O.C, SC, ST, BC (all 4 groups), PH and meritorius sportsmen quota where men and women are

equally suitable. The posts for which they are better suited than men, preference shall be given to them. Posts which are exclusively reserved for being filled by women they shall be filled by women only.

**Roster points fixed for Women in each category against the points shown above:**

- a. SC 2, 22, 47, 66, 87
- b. ST 8, 58
- c. BC (A) 4, 45, BC (B) 10, 49, 81, 99; BC(C) 14 in every third 100 points roster and BC(D)...18, 64

- d. Physically Handicapped:

6th point for visually handicapped women in the 1st 100 points roster cycle.

31st Point for hearing handicapped women in the second 100 points roster cycle.

56th point for orthopedically handicapped women in 3rd 100 points roster cycle.

(GO.Ms. No. 72 Women Development and Child Welfare (W.H.Desk) Department, dt. 5-8-97.)

- e. OC 1, 6, 12, 17, 23, 30, 34, 38, 44, 50, 55, 59, 65, 71, 78, 84, 90, 96

- xi. The appointing authorities are responsible for proper implementations of the reservation policy and any violations will be viewed seriously by the Government, resulting in severe disciplinary action.

## **EXTENSION OF RESERVATION POLICY**

Other than Government departments the rule of reservation has to be followed in the following organizations:

- a. All companies and corporations under the control of the Industries and Commerce Department of the government.
- b. All subsidiaries of the Government and Government undertakings.
- c. All joint venture undertakings where government or government undertakings have 31% or more of the share holding.
- d. Joint ventures where the government undertakings have 26% or more of share holding, but do not have majority in shares are advised to follow the rule as far as possible.
- e. Also local bodies and universities, voluntary organisations receiving grant in aid from Government and private educational institutions.

- f. Village officers.
- g. Appointments of work charged and contingent staff except those required for emergencies like accidents, flood relief, restoration and relief etc.

**xii. ENFORCEMENT MACHINERY:**

The government appointed inspecting Asst. Commers; in the social welfare department with supporting staff to ensure scrupulous implementation of the reservation policy and other concessions provided for SCs/ STs/BCs. They are empowered to inspect all government offices, local bodies, statutory corporations, PSUs Cooperative institutions, marketing committees etc., for verifying the implementation of the rule of reservation and submit detailed reports as to how it is being implemented pinpointing the lapses if any, on the part of the appointing authorities. The Employment exchanges are also inspected to see while sponsoring candidates, whether the interests of SC, ST, BCs are protected. Severe Disciplinary action will be taken against the appointing authorities for the lapses, if any, viewing the matter very seriously.

**12. PROBATION (Rule16)**

- i. Probation means the period during which a fresh entrant to a service or a person appointed to a higher post for the first time either by promotion or by transfer from another service is put on test for determining his fitness to hold the post in a service, class or category. Probationer means a member of a service, class or category who is on probation and yet to complete it. Approved probationer is one who has satisfactorily completed his probation in a service, class or category (rule.2)

**ii. COMMENCEMENT OF PROBATION (Rule 16-a)**

- a. If appointed regularly in accordance with rules of the service from the date of joining duty or such other date as may be specified by the appointing authority.
- b. If appointed temporarily under rule 10 ie., otherwise than according to rules and subsequently appointed to the same post in accordance with rules-from the date of his subsequent appointment or from an earlier date as the appointing authority may determine, subject to the condition that his commencement of probation from an earlier date shall not adversely affect any person who has been appointed earlier or simultaneously, to the same service, class or category in the same unit.
- c. A person appointed to a service otherwise than by direct recruitment, shall be deemed to have commenced probation from the date from which he has been continuously on duty in such service for a period of not less than 60 days from the date of joining duty having been appointed on regular basis in accordance with the rules.

This rule will not apply to those who are appointed in consultation with the APPSC or DPC or any other agency for recruitment specified by Government (rule 16-b)

### **iii. PERIOD OF PROBATION**

- a. Every person appointed by direct recruitment to any post shall be on probation, from the date on which he commences probation, for a period of two years within a continuous period of three years.
- b. Every person appointed to any post by promotion or by transfer shall be on probation from the date on which he commences probation, for a period of one year within a continuous period of two years (rule. 16 (c))
- c. Whenever a continuous period of duty is prescribed as probation in the service rules, leave taken by a probationer constitutes a break in the continuity of probation (Annexure XII to FRs)

### **IV. PERIOD WHICH COUNTS TOWARDS PROBATION**

- a. Entire service put in that category of service.
- b. Service in a higher category of the same service or class or in any other service (State or Subordinate) to the extent of the period of duty performed by him in the latter service, during which he would have held the post in the former service but for such appointment in the latter service.

### **V. PASSING OF TESTS DURING PROBATION (Rule 16-e&f)**

- a. If a person is required to pass the prescribed tests or acquire any qualification as prescribed in the special rules, within the period of probation he should do so, failing which the appointing authority may either extend the probation or discharge him from service.
- b. If the results of the tests to be passed, which the probationer has appeared, are not known before the expiry of the prescribed period of probation or extended period of probation he shall continue to be on probation until the results of such tests or examinations are published.
- c. Any delay in the issue of an order discharging a probationer shall not entitle him to be deemed to have satisfactorily completed his probation.

### **VI. CHANGE IN THE DATE OF COMMENCEMENT OF PROBATION**

A probationer who fails to pass the prescribed tests or acquire the special qualifications prescribed within the period of probation or within the extended period of probation and whose probation is further extended by Government till the date of his passing such tests or acquiring such qualifications, shall be deemed to have commenced probation w.r.t. the date to be fixed by the Government which would be anterior to the date of his passing the tests or



acquiring such special qualifications. However, that the interval between the two dates shall be equivalent to the prescribed period of probation whether on duty or otherwise and seniority of such probationer shall be determined w.e.f. the date so fixed. This sub rule shall not apply in the cases of persons appointed to a class or category or grade in a service prior to 9-3-81 and whose seniority in the said class, category or grade was fixed under the then sub rule(b) of rule 33 prior to the said date (rule 16.h)

**vii. SUSPENSION, TERMINATION AND EXTENSION OF PROBATION (Rule 17)**

- a. If the probationer fails to pass the prescribed tests or acquire the prescribed qualifications the appointing authority may extend his probation to enable him to pass the tests or acquire special qualifications prescribed, as the case may be not exceeding one year whether on duty or otherwise in such service, class or category, in which case his increment is postponed until he completes his probation. Such postponement of increment is not a penalty and shall not affect future increments after he completes probations.
- b. At any time, before or after the expiry of the period of probation the appointing authority may extend the probation by not more than one year in case it is not extended as stated above (for not passing of tests etc.) or terminate the probation and discharge the probationer from service, after giving him one month's notice or one month pay in lieu thereof of such notice, on account of unsatisfactory performance of duties or unsatisfactory conduct or for any other sufficient reason to be recorded in writing.(Termination of probation is not considered as a penalty)
- c. At any time before the expiry of the prescribed period of probation, the appointing authority may suspend the probation of the probationer and discharge him for want of vacancy.
- d. If the special rules prescribe postponement of increments as a penalty for failure to pass a special test or acquire a special qualification and if the person concerned has reached the maximum of the time scale of pay applicable to him, it will render him liable to the penalty of reduction to the next lower stage in the time scale of pay.
- e. **APPEAL AGAINST DISCHARGE OF PROBATIONER UNDER SUB ITEM (v)(a)** above can be made within 30 days from the date of receipt of the order of discharge, to the authority to which an appeal would be against an order of dismissal passed by the competent authority. Such an authority, either on its own motion or otherwise revise any order discharging the probation within one year of the date of such order.
- f. When probationer is restored to service on appeal, the period on and from the date of discharge to the date of restoration, shall be treated as laid down in rule 17 (e) (iii) and (iv).

**viii. DECLARATION OF PROBATION (Rule 18)**

- a. At the end of the prescribed period of probation the appointing authority shall consider the probationer's suitability for satisfactory declaration of probation and issue an order to that effect if the service is satisfactory during the period of probation. The decision to declare the satisfactory completion of period of probation or to extend or discharge him should be taken within a period of 8 weeks of the expiry of prescribed period of probation. The appointing or higher authority should communicate the lapses on the part of the probationer well in advance to the probationer so that he may rectify such lapses, (rule 18(b)(i)).
- b. If the probationer fails to give satisfaction to appointing authority which should be based on work and conduct or if he has not made use of the opportunities given to him, the appointing authority can discharge the probationer after giving one month's notice, as already mentioned above.
- c. The competent authority shall assess the outlook, character, ability, and aptitude for the work of the probationer before the probation is declared. If no order of satisfactory declaration of probation is issued (when all satisfied) even after one year of completion of probation or extended period of probation, the probationer shall be deemed to have satisfactorily completed his probation with retrospective effect from the date of expiry of the prescribed or extended period of probation and a formal order to that effect may be issued for purpose of record.

However, this deeming provision will not apply if charges have been communicated to the probationer during the period of probation or the extended period of probation or for failure to pass the prescribed tests or to acquire the qualification within the period of probation (rule 18(b) (ii)).

- ix. The power exercisable by the appointing authority, other than State Government can be exercised by any higher authority to whom such authority is administratively subordinate whether directly or indirectly (rule 20).

**13. CONFIRMATION (Rule 21)**

- i. Soon after a person is declared or deemed to have satisfactorily completed his probation, he shall be confirmed as a member of that service to which he was initially appointed i.e., for the first time, by the appointing authority.

There is no need to have vacancy in a permanent post.

- ii. During his entire service, a person shall be confirmed only once, i.e. in the initially recruited service irrespective of the fact whether he is promoted within the same service or appointed by transfer to any other service, from time to time.

**14. SENIORITY (Rule 33)**

- i. The seniority of a person in a service, class or category or grade is determined by the date of his first such appointment to service, class or category or grade (rule 33 (a)).
- ii. At the time of passing an order appointing two or more persons simultaneously to a service, the appointing authority may fix either for the purpose of rule of reservation in appointment or for any other reason the order of preference among them. When such an order has been fixed seniority among them shall be determined accordingly (rule 33b)
- iii. Whenever a 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).
- iv. Where a member of a service, class or category is reduced to a lower service, class or category for a specific period.
  - a. If such reduction does not operate to postpone future increments, the seniority of such a person, on re-promotion shall, unless the term of the order of punishment provides otherwise, be fixed in the higher service, class or category at which it would have been fixed but for his reduction.
  - b. If the reduction operates to postpone future increments, the seniority of such a person on re-promotion shall, unless the terms of the order of punishment provide otherwise, be fixed giving credit for the period of such service earlier rendered by him in the higher service, class or category (Rule 33-e).
- v. The seniority of a retrenched employee on reappointment shall be determined in accordance with the date of reappointment (Rule 33-f).
- vi.a. The seniority of person transferred on his own request from one unit of appointment to another unit of appointment on administrative grounds, shall be determined w.r.t. the date of his seniority in the former unit (Rule 35-a).
- b. The seniority of a person who is a transferred on his own request from one unit of appointment to another unit of appointment, shall be fixed w.r.t the date of his joining duty in the later unit of appointment (Rule 35-b).
- vii.a. The seniority of the persons selected by the APPSC or other selection authorities, by direct recruitment, shall be w.r.t their ranking assigned irrespective of their date of commencement of probation in that category (Rule 36-i)
- b. The seniority of the person promoted or appointed by transfer including probationer shall be w.r.t the dates from which they were placed on probation and if the dates of commencement of the probation is the same, whoever is aged shall be senior (Rule 36(ii) and (iii)).

- c. In respect of persons appointed by transfer on administrative grounds seniority shall be determined from the date on which he was placed on probation in the original department (rule 36(iv)) and in respect of persons on request transfer seniority shall be determined from the date of his joining in the new department / unit(Rule 36(v)).
- viii. Appeal against seniority has to be made within 90 days from the date on which junior was promoted and as regulated by Rule 26.
- ix. The candidates recruited directly by the APPSC who are re-allotted from one unit to another unit in accordance with rule 4(c) (see item no. 19) shall be assigned seniority below the 1st regular candidate in the concerned class or category in the unit to which he is re-allotted (Rule 37).
- x. Seniority once fixed cannot be altered subsequently without notifying to the affected person and giving an opportunity to him to represent against the proposed action.
- xi. Interse seniority between direct recruits and promoters to a category of service has to be regulated as per the instructions in Para 14 of circular Memo. No. 16 ser.A 98-99 GAD dt. 21-4-1999.

## **15. POSTINGS AND TRANSFERS (Rule 38)**

- i. Transfer is an incidence of service and the power to transfer need not be traced to any rules. It is also an implied condition of service and the appointing authority has a wide discretion in the matter. Government is the best judge to decide and to distribute and utilize the services of its employees.
- ii. Postings and transfers may be made to any post borne on the cadre of such service, subject to the provisions of the Presidential Order, as the case may be.
  - a. If he is of a subordinate service within the unit of appointment, and
  - b. If he is of state service any where in the State (limited to territorial jurisdiction of the local cadres)
- iii. Transfers and postings shall be made by the appointing authority or such other authority subordinate to the appointing authority to whom such power had been delegated, within their respective jurisdiction, subject to units of appointment under the Presidential Order.
- iv. The Head of the Department may transfer a member of a service from unit of appointment to another unit appointment where the presidential Order is not applicable.
- v. In respect of members of the State service where Government are the appointing authority and the Head of the department is competent to grant

leave shall also be competent to issue reposting orders such person on return from leave.

- vi. The State Government on its own motion or on a proposal made by the Head of the department, order for sufficient reasons, the transfer of members of State or subordinate service from the local cadres organized under the Presidential order, to office of the concerned Head of the department and offices notified under the said order as state level offices or special offices or major development projects and vice versa.
- vii. The appointing authority or any other authority superior to such appointing authority, require a member of the state or subordinate service in any post borne on the cadre of any body wholly or substantially owned or controlled by Government.
- viii. Some guidelines issued by Government with regard to postings and transfers:
  - a. No Government employee may be transferred from one place to another before he serves there for a period of three or two years, as the case may be, except on grounds of promotion or as a measure of penalty or at his own request in very special cases.
  - b. Where any deviation from the guidelines has to be made, prior sanctions of the superior authority should be obtained before such transfer is affected. A monthly periodical report should be submitted by the competent authority to the Head of the department/ Government. Deviations of these instructions result in disciplinary action (Govt. Memo. No.864/Ser.A/85-1 GAD dt 3-7-85)
  - c. With regard to posts identified as focal points employees should not be allowed to continue indefinitely in such posts in order to prevent malpractice and corruption.
  - d. Posts shall be classified as highly preferred, preferred and normal, depending on the location of the posts in the office situated in capital city/ District head quarters/ other places, respectively and employees shall be given postings to these places on rotation. 9G.o.Ms.No.531, GAD (Ser.A) dept, dt. 23-9-1989)
  - e. If there is a grievance against a transfer order, an appeal can be made to the next higher authority (Govt. Memo No. 116 GAD (Ser.A) dt.21-2-90)
  - f. Requests for transfer on medical grounds for self or spouse for cancer, heart operation, neuro surgery, bone T.B. kidney transplantation treatment, have to be considered on selective basis for treatment to places where such medical facilities are available and not to be accepted as a matter of course. It should not be for focal posts (GP.Ms.236, GAD (Ser.A) dt.27-5-96).
  - g. Employees who retire within one year may not be transferred from their places of working except on promotion or on own request or as a measure of penalty. (GO.Ms.379 GAD (Ser.A) dt.29-8-96).

- h. First level gazette officers, except those belonging to Police Dpt. may be allowed to be posted to their native districts but not to local jurisdiction comprising their native Mandal Division (G.O. Ms. No. 418 G.A. (Ser.A) Dt. 24.6.1991).

## **16. RESIGNATION (Rule 30)**

- i. An employee can resign his appointment and this resignation shall take effect from the date of relief if he is on duty, after the acceptance of resignation of the competent authority.
- ii. If on leave, from the date of communication of order of acceptance or on the expiry of leave as decided by the appointing authority.
- iii. In other cases from the date of communication of orders of acceptance or resignations.
- iv. The resignation of the member of a service shall not be accepted against whom disciplinary proceedings are instituted under the C.C.A rules or investigation, enquiry or trial is initiated.
- v. Withdrawal of resignation after acceptance by the appointing authority is not permissible without the orders of Government.
- vi. An employee who resigns his appointment shall forfeit all his previous service under the Government.
- vii. The person reappointed with the approval of the Government shall be treated as fresh entrant to Government service and the past service shall not be counted for any benefit or concession under any rule or order.
- viii. Where a member is selected by direct recruitment to another post, his lien or probationary rights in the original post shall be retained for a period of 3 years or until his probation is declared in that post. If he does not return to original post within 3 years, he shall be deemed to have resigned that post but however he is eligible for the benefits accrued to him for the past service.

## **17. RELINQUISHMENT OF RIGHTS (Rule 28)**

Any member of a service may relinquish any right or privilege to which he is entitled to, if in the opinion of the appointing authority such relinquishment is not opposed to public interest. Such relinquishment once made shall be final and irrevocable. However, conditional relinquishment of right for a temporary period is not permitted.

## **18. RELAXATION OF RULES (Rule 31)**

- i. Under rule 31, the Governor has the power to relax the rules or special rules in favour of any person or class of persons, in such a manner as may appear

to be just and equitable to him where such relaxation is considered necessary in public interest or where the application of rule or rules is likely to cause undue hardship to the person concerned (rule 31)

- ii. The Head of the Department also has the power to relax any rule or rules in favour of any person or class or category of persons whose post or posts carry a scale of pay less than that of the junior assistant in his department in so far as it relates to transfer, promotion or the service conditions, in such a manner as may appear to be just and equitable of such rule or rules would cause undue hardship to the person or persons concerned. However, such relaxation cannot be granted in regard for appointment by transfer of a person who is not qualified for appointment to the post of junior assistant or equivalent post (rule 32).
- iii. The State Government may on their own motion or otherwise review the orders of relaxation issued or cancel such order within a period of six months from the date of such relaxation order, if it is found that the said order was passed under mistake of fact or law or in ignorance of any material or for any sufficient cause to be recorded in writing. Order cancelling the relaxation should not be issued without giving an opportunity to the person concerned of making representation against the proposed action (rule 32-b)

## **19. REALLOTMENT OF CANDIDATES SELECTED BY APPSC**

Should be with mutual consent of the appointing authorities concerned and with the consent of the APPSC. Such reallocation shall be strictly in conformity with the provisions of the A.P. Public Employment Organizations Of Local Cadres and Regulations of Direct Recruitment Order, 1975 (rule 4 - c)

## **20. LANGUAGE TEST IN TELUGU (Rules 13&14)**

- i. Every person appointed to a service shall, within the period of probation pass the language test in Telugu, failing which his probation shall be extended and increments in the time scale of pay shall be postponed without cumulative effect till he passes the test. Person who has not passed the test shall be allowed time till the expiry of a total three years period from the date of appointment by extending probation.

A Person who was appointed to a service but who has not passed the Language Test in Telugu is allowed time up to 30-6-2001 for passing the test, with no further extension of time. Those who are appointed on or after 1-11-1956 should pass the test by 1st July 2001, subject to those who are in service and not completed 45 years of age by that date shall be discharged from service w.e.f 1st July 2001, if they fail to pass the said test by that time.

- ii. A person who has passed the SSC or its equivalent examination or any order higher examination with Telugu as the medium of instruction and examination

or with Telugu as one of the subjects shall be exempted from passing the test. A person who crossed the age of 45 years is also exempted.

## **21. DEPARTMENTAL TESTS**

There is some misconception regarding exemption from passing the departmental tests to those who have completed 45 years of age. This has been clarified in the following adhoc rule issued in G.O.Ms. No. 225 GA (Ser-C) Department, dt. 18-5-1999:

"Notwithstanding anything contained in the Andhra Pradesh State and subordinate Service Rules or in the Special Rules or in adhoc rules, the government employees who have crossed 45 (forty five) years of age shall be exempted from passing the departmental tests prescribed in the Special Rules or adhoc rules for the purpose of promotion to the next higher category i.e. Promotion or appointment by transfer involving promotion to a post above the one held by him or her if they could not get even one promotion after their initial appointment.

Provided that the Person who already got a promotion once when no tests are prescribed for the higher post, the exemption is not applicable to him or her if he or she is to be considered for further promotion to next higher category where tests are prescribed. (This adhoc rule is applicable from the Panel year 1997-98)

Provided further that the exemption is applicable in case of departmental tests or special tests only, where they are Prescribed as a pre requisite for Promotion and this exemption shall not be applicable where like technical or academic qualifications are prescribed for promotion to the next higher category of posts.

Provided also that the exemption shall not be applicable for declaration of Probation, where passing of departmental tests or special tests is a precondition for declaration of Probation.



## FUNDAMENTAL RULES AND SUBSIDIARY RULES OF A.P. GOVERNMENT

### INTRODUCTION

- 1.1 The Fundamental Rules apply to all Government Servants paid from the consolidated fund of the State. They deal with service aspects relating to Government Servants such as the General Conditions of Service, Pay, Pay Fixations, Increments, Additions to Pay, Combination of Appointment, Dismissal, Removal and Suspension, Retirement, Leave, Joining Time and Foreign Service etc. The power of interpreting these rules is reserved to the Government.
- 1.1.1 Government may relax any of the provisions in just and equitable circumstances.
- 1.1.2 The power of interpretation of these rules is reserved to the Government.

### DEFINITIONS

- 1.2 Some of the important definitions in these Rules are, as follows (FR. 9):

**Duty:** Service in a post, joining time, authorised course of training, compulsory wait treated as such by competent authority, periods of enforced halts enroute on tour, CL etc., are treated as duty.

There are some more instances detailed in FR 9 like period spent by employees in attending to Conferences/Seminars/ Exhibitions/Examiner, being treated as Duty. During given circumstances in respect of compulsory wait for posting, to treat such periods as Duty, detailed procedure given in FR 9 should be followed to enable Government to pass orders in each case as Duty.

**Pay:** (i) Basic Pay, (ii) Special Pay, (iii) Personal Pay, (iv) Additions to Pay granted under FR 49.

**Foreign Service:** Means service in a post where the Government Servant draws his pay from a source other than the consolidated fund of the State.

**Personal Pay:** means additional pay granted to save the employees from loss in substantiate pay or on personal grounds like family planning incentive increment.

- 1.3 The whole time of a Government Servant is at the disposal of government and

he may be employed in any manner required by proper authority without claim for additional remuneration (FR. 11).

- 1.4 **Lien:** The concept of confirmation has been amended in GO Ms. No. 633, G.A (Services) Department, dt. 8.11.1989. Confirmation is delinked from availability of permanent post. Confirmation can be done against a temporary post in the initial post after satisfactory completion of probation.

**Suspension of Lien:** FR 14 (g) the lien of (i) a Government employee appointed outside the regular line from the date of relief; (ii) a Government employee who resigned/relieved from a post to join in a different post to which he is selected by direct recruitment from the date of his resignation/relief from the old post and (iii) a Government employee who is transferred from one department to another on request or otherwise by departmental transfers from the date of his relief shall stand automatically suspended even if it is not mentioned in such orders and such Government employee shall automatically acquire provisional lien in the new department in which they join.

The lien of a Government Servant which was automatically suspended under Clause (g) under FR 14, shall automatically get terminated in the parent department on the date on which his probation is declared in the new department or on the date on which his probation is deemed to have been declared in the new department whichever is later subject to a maximum of three years.

The existing employees who are working in the departments other than parent department, have to exercise option within two months (from 19.5.2009) to continue in other services, Maximum time of six (6) months from the date is allowed to get relief from other Departments and to join parent department (in the event they opt to get back to parent department). GO Ms. No.144, Finance Department, dt. 19.5.2009.

**MEDICAL CERTIFICATE:** No person can be appointed regularly without a Medical Certificate of Health as provided under FR.10.

- 1.5 Government may transfer a Government Servant from one post to another. The Head of Department may allow Telegraphic Transfer of Charge (FR 17) in peculiar cases.
- 1.6 A Government Servant may be required to subscribe to a provident fund or similar funds (FR 16).
- 1.7 No Government Servant shall be granted leave of any kind for a continuous period exceeding five years. Willful absence from duty not covered by grant of any leave will be treated as 'Diesnon' for all purposes viz., increment, leave and pension. Proper notice and consideration of explanation should precede the decision.

A Government Servant who has un-authorizedly absented from duty for a

period exceeding one year should be removed from service after following procedure (GO Ms. No. 8, Finance Department, dt. 8.1.2004).

- 1.8 Interruption between two or more spells of service shall be treated as automatically condoned without any formal orders of the sanctioning authority, excluding, however the periods of interruptions themselves (FR 18).

## **PAY FIXATIONS**

2.1 Following are some of the circumstances under which pay fixation arises:

1. First appointment to a post
2. Revision of Scales of Pay
3. Promotion to a post carrying higher responsibilities
4. Reversion to a lower post
5. Appointment by transfer to a post outside the regular line
6. Repatriation to the parent department from outside the regular line
7. Substantive appointment to a post not carrying higher responsibilities or to a new post
8. Automatic advancement
9. Re-employment

## **2.2 GENERAL PRINCIPLES OF PAY FIXATION**

- (i) The provisions under FR 19,22,22-B, 23, 26 (aa), 31 and 35 deal with the principles of pay fixation.
- (ii) For purpose of pay fixation, only Basic Pay is taken into consideration
- (iii) In respect of Revision of Pay Scales, the guidelines given by Government each time, lay down the principles of pay fixation. In the absence of guidelines, pay should be fixed at the same stage in the revised pay scale and if there is no stage, at a next below the stage to the pay drawn in the old scale, and the difference treated as personal pay to be absorbed in future increments.

## **2.3 FIRST APPOINTMENT**

The basic pay is fixed at the minimum of the time scale attached to the post to which an employee is appointed. FR 22 (b).

The pay of a regular Government Servant (not appointed under emergency provisions) when appointed directly to another post, under the Government, on selection by APPSC, shall be fixed in the new post at a stage which is not

lower than the pay drawn by him in the earlier post FR 22 a(iv).

## 2.4 REVISED SCALES OF PAY

In respect of Revision of Pay Scales, the guidelines given by the Government for pay fixation each time lay down the principle of pay fixation.

The latest revision has been made as a result of recommendations of the 9th Pay Revision in GO Ms. No. 52, Finance PC (I) Department, dt. 25.2.2010 giving effect from 1.7.2008 with monetary benefit from 1.2.2010. Three stagnation increments can be sanctioned beyond the maximum of the scale in the above cited GO.

## 2.5 PROMOTION TO A POST CARRYING HIGHER RESPONSIBILITIES

Where a Government Servant is promoted to a higher post, the pay is fixed under FR 22 (b). The individual is allowed option to have benefit of this fixation either from the date of increment itself or from the date on which he is entitled for the next increment in the lower post. Option has to be exercised within one month from the date of promotion and can be revised only once within a period of one year from the date of promotion. Such pay structure is permissible in the event of promotion from ordinary scale, special grade and special promotions post scale only. In the event of promotion from special promotion, Grade II pay fixation as per FR 22 a(i) and FR 31 (2) is permissible.

FR 22(B) – The pay in the promotion post is fixed at a stage above the notional pay which is arrived by increasing the pay in the lower post by an increment.

Eg. An employee drawing a basic pay of Rs.37,600 w.e.f. 1.4.2009 in the time scale of pay of Rs.27,000-51,760 is promoted to the next higher category of scale of Rs.31,550 – 53,060 on 15.5.2009. Fix his pay on the basis of the option from date of promotion and from the date of next increment of lower post.

As per GO Ms. No. 145, Finance (FR.II) Dept., dt. 19.5.2009, if the employees does not exercise his option within one month, the DDO will fix his pay by adopting the method which may be most beneficial to the employee (from 19.5.2009).

1. If opted from the date of promotion itself:

Date	Pay scale of Lower Post	Pay Scale of Higher Post
	(Rs. 27,000-51760)	(Rs. 31,550-53,060)
1.4.2009	Rs. 37,600	
15.5.2009	Rs. 37,600	----

(Promoted)	+ 970	Rs. 39,540	Pay fixed at next higher stage after the addition of notional increment
	add one Notional Increment)		

**TOTAL            Rs. 38,570**

Next increment 1.5.2011 .....            Rs. 40,510

2. If opted for promotional scale from date of next increment of lower post.

Date	Pay scale of Lower Post (Rs. 27,000-51760)	Pay Scale of Higher Post (Rs. 31,550-53060)	
1.4.2009	Rs. 37,600		
15.5.2009 (Date of promotion)	----	Rs. 38,570	Pay fixed at just next higher stage
1.4.2010	Rs. 37,600		
Date of next Increment	+        970 Regular increment	Rs. 40,510	Pay fixed at higher stage after addition of notional increment
	+        970 Notional		
	-----		
Total	Rs. 39,540		
1.4.2011	Next increment	Rs. 41,550	

Note: The date of fixation under FR 22(B) is the crucial date for grant of future increments in the higher post.

The pay fixation of the employees who are promoted to a higher post after enjoying 3 stagnation increments in the lower post should be done according to FR 22a (i) and not FR 22 (B). Cir. Memo No. 40304/692/A1/FR.II/2001, dt. 31.1.2002.

The pay fixation of Typists, Steno Typists when promoted from a post carrying special pay to a post not carrying special pay should be done by merging the special pay with basic pay in the lower post (GO Ms. No. 190, F&P (FW-FR.II) Dept., dt. 24.8.1998. This rule shall not apply to the future recruits who are appointed subsequent to the date of issue of the above GO.

## 2.6 REVERSION TO A LOWER POST

Reversion may be due to 3 reasons

1. Administrative grounds
2. Penalty/Punishment – FR.28
3. Own request – FR 22 a (iii)

Pay protection is not done in any type of reversion.

## **2.7 APPOINTMENT BY TRANSFER TO A POST OUTSIDE THE REGULAR LINE AND ON REPATRIATION TO THE PARENT DEPARTMENT**

If an employee is promoted to a higher post outside the regular line, the same principles of pay fixation discussed earlier will apply.

On repatriation to the parent department, the benefits accrued outside the regular line shall end with the temporary term.

To avoid sudden drop, the pay drawn outside the regular line shall be protected treating the excess as personal pay to be merged in future rise in pay on account of grant of increments.

### **2.7.1 Stepping up of pay of a senior on par with that of his junior is allowed subject to the criteria**

(i) - Both the senior and junior have been drawing pay in an identical pay scale in the existing scales.

(ii) - Both the above should be promoted to the same category of post carrying the same scale of pay under the same mode of recruitment and from the same unit of approval in the lower category.

(iii) – Pay of the junior in the lower category should have been less than or equal to that of senior in the lower category prior to promotion of senior to higher post.

(iv) – The anomaly should have arisen directly as a result of pay fixation in the automatic advancement scheme.

## **2.8 SUBSTANTIVE APPOINTMENT TO A POST NOT CARRYING HIGHER RESPONSIBILITIES**

The employee who is appointed to another post not carrying higher responsibilities will draw as initial pay, the stage of the time scale which is equal to his substantive pay in respect of the old post. FR 22a(ii).

## **2.9 FIXATION OF PAY OF RETRENCHED EMPLOYEES OWING TO REDUCTION OF STAFF AS A MEASURE OF ECONOMY ON THEIR ABSORPTION**

According to Rule (9) under FR 22, read with GO No. 1002, GAD, dt. 29.11.1967, GO 219, Fin. Dept., dt. 14.4.1972, the pay of those employees absorbed on an identical post or a lower post should be fixed at the minimum of the time scale of the post in which they are absorbed plus grade increments counting the length of previous service in the equivalent and higher grade, provided they have not received any pension or gratuity or if received, have returned the same either in lump sum or in installments as prescribed by the appointing authority. Otherwise, only the minimum of the time scale should be allowed. If the pension and gratuity already received are refunded,

previous service before retrenchment will be counted for pension to the extent admissible. But the leave at credit shall not be allowed to carry over, to the leave account of service after absorption.

### **3.1 AUTOMATIC ADVANCEMENT SCHEME**

On completion of 8/16/24 years of service in the same post, the employees drawing pay in automatic advancement scheme when actually promoted to a higher post are not allowed the pay fixation under FR. 22 B. The pattern of pay fixation is as under FR. 22 a (i) read with FR 31 (2) in such cases. In regard to Revised Pay Scales, 2008 in GO Ms. No. 93, Finance Department, dt. 3.4.2010, the scope of applicability of this scheme is limited to the employees drawing pay in the scale of Rs. 25,600 – 30,560 and below. The main features of this scheme are as under:

- 3.2 On completion of eight years of service which counts for increment, an employee shall be eligible for special grade scale which is usually a scale next above the ordinary pay scale of the post. Details in GO Ms. No. 93, (Pay Commission, Finance Dept., dt. 03.04.2010. Monetary benefit is given from 1.2.2010. Arrears for February, 2010 to be remitted to GPF.
- 3.3 On completion of 16 years of service which counts for increments and if the employee is fully qualified to be promoted to the higher post, he shall be eligible for the pay scale of next promotional post. If there is one. If there is no promotional post under the relevant service rules, the employee is eligible for the scale of pay next above the Special grade post (Special Promotion Post Scale/special Adhoc Promotion Post Scale).
- 3.4 On completion of 24 years of service which counts for increment, an employee shall be sanctioned one increment in the existing scale that is SPP/SAPP Scale as the case may be, which is in addition to normal increment. In case of employees whose date of normal increment is different from this date of completion of 24 years of service, the date of next increment will be after completion of one year of service from the date of drawal of increment allowed on completion of 24 years of service.
- 3.5 The benefit of automatic advancement scheme will be withdrawn if the employee relinquishes his right to promotion. Similarly, persons appointed to lower post at request are also not eligible for the Automatic Advancement Scheme (Memo No. 007/375/PRC.I/88, dt. 26.10.1988).
- 3.6 Service for considering 8 years/16 years/24 years to be computed from the date of pay fixation under FR 22a (i). Actual drawal of increments is not the criteria (Govt. Memo No. 38053/199/PC.II/2008, dt. 19.9.2010).

Eg. An employee drawing a basic pay of Rs. 32,350 w.e.f. 1.4.2010 in the scale of pay of 21820-610-23650-650-25600-700-27700-750-29950-800-32350-850-34900-900-37600-970-40510-1040-43630-1110-46960-1200-48160, completed 8 years of

service on 15.4.2010 – Fix his pay in the special grade post scale of 23650-650-25600-700-27100-750-29950-800-32350-850-34900-900-37600-970-40510-1040-43630-1110-46960-1200-49360 and indicate the next increment.

	Ordinary scale		Special Grade Post Scale
	Rs. 21820 – 48160		Rs. 23650 – 49360
1.4.2010	Rs. 32,350		Rs. 32350+850
15.4.2010 on completion of 8 years		=	Rs. 33,200 FR 22 a(i)
1.4.2011 (Increment)		=	Rs. 33,200 + 850 Rs. 34,050

## INCREMENTS

- 4.1 According to Rule 24, increments shall ordinarily be drawn as a matter of course unless it is withheld. Increment can be withheld if the conduct of the employee has not been good or his work was not satisfactory. Presence of orders is necessary for withholding an increment. If no orders withholding increment are received by the drawing officer, he should draw the increment by enclosing an increment certificate to the pay bill, unless it is an increment due on declaration of probation or passing of a prescribed test which can be drawn only after issue of orders declaring the satisfactory completion of the period of probation or the passing of that test.
- 4.2 Rule 26 lays down the conditions under which service counts for increment. According to this rule, service in a post including leaves counts for increment except the following periods. Further for drawl of increment, the employee should have the basic qualification for holding the post.
1. Periods of suspension treated as not duty, if suspension is for misconduct. Service preceding period of suspension also will not count for increment (Note 5 under Rule 24).
  2. Periods of EOL taken for reasons, other than illness does not count. If on MC., Causes beyond the control of employee or for prosecuting higher studies. Specific orders of the Head of the Department are necessary for counting EOL taken for the above 3 reasons for increment. Powers delegated to heads of departments for a period not exceeding 6 months.

### Other enent wich do not count:

Over stayal of leave not regularized (Ruling 2 under Rule 26(b)).

Service in a lower post (Ruling 9 under Rule 26 (b))



Break in service due to discharge (Ruling 9 Note 2 Under Rule 26)

Periods of leave or deputation during which the employee would not have continued in that post but for leave or deputation (Rule 26 (1)).

4.2.1 Service in a higher post and identical post count for Increment.

4.2.2 Increment will be drawn from the first day of the month in which it falls due (GO 133, Finance Dept. dt. 15.7.1974, GO 192, Finance Dept., dt. 1.8.1974 and Memo No. 4964-A/21111/FR.11174-1, dt. 6.10.1974.

4.3 Increment falling due on the day succeeding the date of retirement though actually not drawn counts for pension.

**4.4 INCENTIVE INCREMENT FOR FAMILY PLANNING OPERATIONS (GO MS. NO. 52, M&H, DT. 23.1.1984)**

Employees or their spouses who undergo family planning operations are eligible for one advance increment subject to the following conditions.

1. The number of living children should not be more than two (GO 377, HM & FW, dt. 25.11.1986 from 25.11.1986).
2. The rate of increment is the rate of next increment due after operation and this amount is treated as personal pay to be drawn at that rate through out service as a separate entity.
3. Husband should be below 50 years of age and wife between 20 years and 45 years of age.
4. Sterilization etc., should be in Government Hospital. If operated in private hospital, the certificate should be countersigned by a Government Doctor not below the rank of Civil Asst. Surgeon within 5 days from the date of operation.
5. Increment should be allowed from 1st of the month following the date of operation.
6. Operation should be while in service.
7. If both wife and husband are employees, only one can draw the PP at their choice.
8. Personal pay should be withdrawn from the date of recanalization.
9. Personal pay is not admissible for Hysterectomy.

This increment has been stayed from the revised pay scales of 1999 and subsequent orders have ever been issued.

## **COMBINATION OF APPOINTMENTS (RULE 49)**

5.1 The State Government (powers delegated to Head of Departments for a period up to 3 months vide delegation 1. under Rule 4, read with GO 282, Fin. & Plg. (Fin. FR1), dt. 11.8.1977 may appoint a Govt. Servant as a temporary measure to officiate in two or more posts. The order should declare whether he officiates, or holds full additional charge or merely to discharge current duties of the additional post. The second post should be distinct or separate and not subordinate to the first post. Additional pay should also be sanctioned by the above authorities.

5.2 If appointed to officiate in a second post and to hold full additional charge of his own post:

The highest pay to which he would be admissible, if appointment to one of the posts stood along and in addition  $\frac{1}{5}$ th of this pay or  $\frac{1}{2}$  the minimum of the scale of the 2nd post whichever is less. He may draw compensatory allowances, if any of the second post in full and if CA is attached to both the posts larger of the two.

5.3 If he holds full additional charges of a 2nd post in addition to his own:

Additional pay for the additional post @  $\frac{1}{5}$  of his pay or  $\frac{1}{2}$  the minimum of the additional post whichever is less. DA and other allowances permissible can be allowed on the additional pay.

5.4 If he discharges only current duties of second post in addition to his one:

Additional pay not exceeding  $\frac{1}{10}$ th of his pay or  $\frac{1}{4}$ th of the minimum of the 2nd post and CA of his own post.

a) The additional pay at the above rates is admissible for the first 3 months of additional charge and at half those rates for another 3 months and thereafter, no additional pay. Heads of Departments can sanction the additional pay for the first 3 months and for the period in excess of 3 months sanction of Government is necessary (vide instruction 2 under FR 49). If the additional charge arrangement is ordered by Government, the additional pay @  $\frac{1}{5}$ th of pay for first 3 months and at  $\frac{1}{10}$ th of pay for 3 more months (total 6 months) may be sanctioned by Head of Department.

b) Additional pay is admissible if the full additional charge is held for a period exceeding 14 working days excluding optional holidays, and casual leave, if any, and in respect of current duties one month (vide instruction 2 and ruling 8 & 9 of FR 49).

## **PAY ADMISSIBLE IN CASE OF PUNISHMENTS**

Government or any other authority to whom such powers are delegated can

impose the punishments detailed in Rule 9 of the A.P. Civil Service (Classification, Control & Appeal) Rules in respect of the employees subordinate to them. To effect of these punishments on pay and allowances of the employees are dealt with in FR 24, 25, 29 (i), 29 (ii), 29-A, 52, 53, 54-A and 54-B.

Fundamental Rule 24 requires that the punishment of withholding of increment should specifically state about the following issues:

1. Period for which it is withheld.
2. Whether the postponement shall have the effect of postponing future increments.
3. Whether the period of stoppage will be exclusive of any interval spent on leave before the period of punishment is completed (Not applicable if the stoppage of increments is with cumulative effect).
4. Whether the stoppage will effect pension.

The effect of the order withholding increment is that the officer remains on the same pay for the period for which stoppage is ordered. If the order withholding increment does not state that it shall have effect of postponing future increments, it shall be assumed that the officer's pay is restored to what it would have been had his increment not been withheld from the next natural date of increment (without cumulative effect).

An illustration how the pay is regulated during the period of punishment of stoppage of increment with and without cumulative effect is given below:

Eg. Next increment stopped for a period of one year in the scale of Rs.27,000 – 51,760 while drawing a pay of Rs. 37,600/- from 1.2.2010 (order issued on 1.3.2010). The rate of next increment is Rs.970/- up to Rs. 40,510/-.

Date	Without cumulative Effect	With Cumulative Effect		Remarks
1.2.2010	37,600	37,600		Increment not released in both the cases. But in respect of cases of stoppage without cumulative effect, It is added when next increment is due whereas in regard to stoppage with cumulative effect, it is permanently lost.
1.2.2011	37,600 (Increment not released)	37,600 (increment not released)		
		-		
	970	37,600 +		
	970	970		

1.2.2012	39,540*	38,570**		
<p>* Increment due on 1.2.2011 and 2012 released as increment is stopped without cumulative effect</p> <p>** Increment due on 1.2.2011 is permanently denied. Stoppage being with cumulative effect.</p>				

6.3 If the punishment is to reduce the pay to a lower stage in his time scale, the pay is regulated under FR 29(1). This order of punishment shall state:

1. The period and the date for which the punishment to be effective
2. Whether on restoration, the period of reduction shall operate to postpone future increments.
3. The stage to which the pay is reduced.

This order of punishment cannot be for an unspecified period or as permanent measure.

6.4.1 The pay during and after the period of punishment will be regulated as follows:

Eg. Pay reduced by two stages from Rs.39,540 to 37,600 in the scale of Rs.27,000 – 51,760 for a period of 2 years from 1.4.2009. Date of increment is 1.3.2010

Date	Reduction shall not Operate to postpone Future increments Ruling (1) (b) (i)	Reduction shall operate to postpone future increments Ruling 1 (b) (ii)
1.3.2009	Rs. 39,540	39,540 (Date of punishment)
1.4.2009	Rs.37,600 (pay reduced by two stages)	37,600
1.4.2010	Rs.37,600 (same pay)	37,600

1.4.2011	Rs.41, 550/- (+ Increment of Rs.970/- due on 1.3.10 and of Rs.1040/- due on 1.3.11 added. 41,500/-	39,540
1.3.2012	Next increment Rs.42590	40,510 (on completion of the period of punishment)

- 6.5 In case of suspension pending enquiry, the employee is eligible under (FR 53) for subsistence allowance equal to leave salary on half pay, plus dearness allowance on the basis of such leave salary. Other compensatory allowances are on the basis of pay which the employee was in receipt on the date of suspension subject to furnishing of a certificate that he is not engaged in any other employment, business, profession or vocation. But in the cases of corruption, misappropriation, acceptance of illegal gratifications subsistence allowance reduced by fifty percent (GO 276, dt. 4.1.2006).
- 6.6 If the period of suspension exceeds 3 months, the authority competent to increase the subsistence allowance, may increase for any period subsequent to the period of 3 months, suitably by an amount not exceeding 50% of such allowance if the suspension has been prolonged for, the reason not directly attributable to the employee; it may reduce it by 50% for the reasons directly attributable to the employee. The rate of dearness allowance will be based on such increase or decrease in subsistence allowance. A second or subsequent review can be made at any time at the discretion of the competent authority and the subsistence allowance can be increased or reduced by 50% of the allowance originally granted based on the reasons already explained.
- 6.7 FR 54, 54-A and 54-B deal with the regulation in case the orders of dismissal, removal, compulsory retirement and suspension are set aside and the employee is reinstated on appeal or review. In cases where the reinstatement is ordered on appeal or review, the competent authority should first decide whether the employee is fully exonerated or not of the charges which resulted in his dismissal, removal or compulsory retirement / whether the suspension is justified or unjustified. The Competent Authority should also state whether the period of absence is treated as duty or not duty. The period treated as not duty cannot be treated as leave to which the employee is entitled without the request of the employee. If the employee is fully exonerated or suspension is unjustified, the period of absence should be treated as duty and in other case, as 'not duty'. In case where the period is treated as duty, the employee is entitled for full pay and allowances which he would have received had the

punishment not been imposed. However, if the competent authority is of the opinion that the delay in reinstatement is due to the reasons directly attributable to the employee, payment of a portion of pay and allowances not less than subsistence allowance and other allowances can be ordered after giving opportunity, for representation to the employee and after considering such representation.

- 6.8 If the period of absence is treated as 'not duty', the employee is eligible for subsistence allowance. However, where the competent authority is of the opinion that the delay in reinstatement is not for the reasons directly attributable to the employee, he can order for the payment of a portion of pay and allowance not less than subsistence allowance and other allowances after giving opportunity for representation and after considering such representation.
- 6.9 Where the dismissal, removal, compulsory retirement or suspension is set aside by a Court of Law on merits of the case and the employee is reinstated without further enquiry, the period of absence should be treated as duty for all purposes and he shall be paid full pay and allowances which he would have drawn had the punishment not been imposed.
- 6.10 If the case is set aside for non-compliance of the provisions of Clause (2) of the Article 311 of the Constitution of India or the employee is not exonerated on merits, the period of absence should be treated as "not duty" and the payment of pay and allowances for the period of absence, shall be not less than subsistence allowance and other allowances.
- 6.11 Where the period of absence which is treated as "not duty" is converted as leave at the request of the employee, the amount of subsistence allowance etc., already paid should be adjusted from the leave salary and the excess, if any, should be recovered (instruction 2 under FR 54).

## **7. PAY DURING JOINING TIME (RULE 107)**

1. Joining time is treated as duty and the employee is entitled to pay drawn by him in the old post before handing over charge in addition DA, HRA and CCA as applicable at old station. Conveyance allowance, FTA are not admissible during joining time (Clause (a) of FR 107 as amended in GO No. 84, Finance Dept., dt. 15.4.1981)
2. During joining time after leave with allowances, joining time pay equal to leave salary (Clause (b) (ii) of Rule, 107).
3. Where transfer of charge consists of inspection of several stores or scattered works by both the officers, the period be regulated as per (Ruling (1) under FR 107).

## JOINING TIME IS COMPUTED AS FOLLOWS

- (i) a) For preparation : 6 days
- b) For journeys : By rail – 500 km | 1 day  
By motor vehicle |  
– 150 km

Besides the above, one Sunday is permissible.

- (ii) When there is no change of residence as a sequel for the transfer, only one day is allowed (FR 106).

## 8. FOREIGN SERVICE

While a Government Servant is in Foreign Service (FR 115), contributions towards the cost of his pension and leave salary should be collected from the foreign employer as per the scale prescribed under FR 115. If there is delay in payment of the contributions, interest at 7.3% should be collected on the contributions from the foreign employer (FR116).

Note: For the purpose of contribution for pension, Government Servants have been classified into four grades

Corresponding Government of India Classification	Pay range under the State Government in Revised Pay Scales, 2005
Group – A	(i) Post carrying a pay scale of Rs. 12,325 – 24175 and above
Group – B	(ii) Post carrying a pay scale of Rs. 8815 – 18805 and above but below Rs. 12,325 - 24715
Group – C	(iii) Posts carrying a pay scale of Rs. 4825 – 10845 and above but below Rs. 8815 – 18805
Group – D	(iv) Posts carrying a pay scale below Rs. 4,825 – 10,845

In G.O.Ms.No.34, Finance (FR-I) Department, dated 13.02.1968, orders amending rates of pension contribution payable during the active foreign service have been issued. The amendment came into effect from 01.04.21967. Rates of monthly contribution of pension effective from 1st July, 1982 are :

Year of Service	Rates of monthly contribution expressed as percentage in the maximum monthly pay of the post in the officiating / substantive grade, as the case may be held by the officer at the time of proceeding on foreign service.			
	Group 'A'	Group 'B'	Group 'C'	Group 'D'
0-1 Year	7%	6%	5%	4%
1-2 Year	7%	6%	6%	4%
2-3 Year	8%	7%	6%	5%
3-4 Year	8%	7%	7%	5%
4-5 Year	9%	8%	7%	5%
5-6 Year	10%	8%	7%	6%
6-7 Year	10%	9%	8%	6%
7-8 Year	11%	9%	8%	6%
8-9 Year	11%	10%	9%	7%
9-10 Year	12%	10%	9%	7%
10-11 Year	12%	11%	10%	7%
11-12 Year	13%	11%	10%	8%
12-13 Year	14%	12%	10%	8%
13-14 Year	14%	12%	11%	8%
14-15 Year	15%	13%	11%	9%
15-16 Year	15%	13%	12%	9%
16-17 Year	16%	14%	12%	9%
17-18 Year	16%	14%	13%	10%
18-19 Year	17%	15%	13%	10%
19-20 Year	17%	15%	13%	10%
20-21 Year	18%	16%	14%	11%
21-22 Year	19%	16%	14%	11%
22-23 Year	19%	17%	15%	11%



23-24 Year	20%	17%	16%	12%
24-25 Year	20%	17%	16%	12%
25-26 Year	21%	18%	16%	12%
26-27 Year	21%	18%	16%	13%
27-28 Year	22%	19%	17%	13%
28-29 Year	23%	19%	17%	13%
29-30 Year	23%	20%	18%	13%
Over 30 Years	23%	20%	18%	14%

**Rates of monthly contribution for leave salary:**

Percentage of pay drawn in foreign service, for all classes of Government Servants subject to A.P. Leave Rules, 1993.

**9. SERVICE REGISTERS**

The detailed instructions relating to maintenance of Service Registers as per Annexure II, part III of Fundamental Rules should be followed. Every Govt. Servant should be shown his Service Register every year and in token, his signature obtained in the service book. A periodical to this effect should be sent to the immediate superior by the end of every September.

Service Register should contain every step in a Govt. Servant's official life, including temporary and officiating appointment, promotion of all kinds, regularization and completion of probation, increments, transfers and leave. Annual Service Verification Certificate should be recorded in April each year. The Service Register should contain all events in the career of the employee. Mention about character should not be made. They should be kept in the personal custody of the Head of the Office.

The format of the Service Book has been revised in GO Ms. No. 200 Fin. & Plg. Dept., dt. 10.12.1999 which provides for elaborate details concerning the employee and his career.

- The Page No. 1 : Name & Designation of Employee
- Page No. 2 & 3 : Index
- Page No. 4 & 5 : Bio data of employee at the time of joining into service - including identification particulars and his photograph.

Page No. 6, 13, 53	:	Meant for continuation entries to 57, 65 to 68, 75 to 77
Page No. 7	:	Particulars of previous service
Page No. 8	:	Examinations/Qualifications
Page No. 9	:	List of Family Members
Page No. 10	:	Nomination to Group Insurance
Page No. 11	:	Home Town Declaration and options for FR 22(b)  Pay fixations
Page No. 12	:	Service Pension Nomination
Page No. 14 to 15	:	Appointments, promotions and revisions
Page No.16 & 17	:	Service regularisations & declaration of probations
Page No. 18 to 25	:	Incumbency particulars
Page No. 26 to 35	:	Pay, increments, fixations
Page No. 36	:	Checklist for service verifications
Page No. 41 to 50	:	Memo of leave account including availment and  Sanction particulars
Page No. 51 to 52	:	EOL, Diesnon & Break in service
Page No. 58 to 60	:	Memo of AP Group Insurance Service
Page No. 60,61 &62:	:	GPF and APGLI
Page No. 63 to 80	:	Incentive increments, LTC availment, automatic advance increment, departmental trainings, tests passed, property particulars

In the event of loss of Service Register, necessitating rebuilding it, the Head of Office should obtain details of service from the employee, open a new one based on co-relatory records and transmit to the offices where the employee had worked.

GO Ms. No. 202, Fin. & Plg. Dept., dt. 11.6.1980 and GO Ms. No. 247, Fin. & Plg. Dept., dt. 28.8.1982 permits in cases where the date of appointment is established with reference to direct independent evidence and affidavit by the employee in respect of his service duly supported by collateral evidence of contemporary employees shall be accepted.

## A.P. FINANCIAL CODE

### INTRODUCTION

1. The A.P. Financial code, which is in two volumes, deals with general provisions concerning financial administration of the Government. Aspects relating to various issues such as revenue, expenditure, establishment charges, contingent charges, stores, works, grants-in-aid, deposits, losses, misc. expenditure, loans and advances, miscellaneous subjects etc., and the proformae of contracts and agreement, various registers etc., are dealt in the vol.I. The vol.II comprises of appendices concerning delegation of financial powers. Prominent among these appendices are those which deal with delegation of financial powers on various administrative and financial matters. In all, there are 330 articles and 27 forms in vol. I and 27 appendices in the vol.II. The executive orders issued by Government on financial management from time to time also have to be adhered by all Govt. servants.

### GOVERNMENT TRANSACTIONS

2. Government's financial transactions consist of receipts and disbursements. The receipts comprise ordinary revenue derived from taxes, duties, fees, fines and similar items of current Government income and receipts of a deposit or banking nature including repayment of loans and advances. Government disbursements comprise expenditure out of ordinary revenues, capital expenditure and payment of banking nature including loans and advances and repayment of deposits (Art. 1 &2).

### RECEIPTS, THEIR COLLECTION AND CHECK

- 3.1 Every Government servant who is responsible for the collecting of any moneys due to the Government should ensure that:
  - (a) Demands are made immediately as payments become due.
  - (b) Effective steps are taken to ensure the prompt realisation of all amounts due.
  - (c) Proper records are kept to account for all collections made.
  - (d) The demand, collection and the balance are monitored frequently to ensure complete realization.

Irrecoverable dues are written off as per provisions contained in Appendix 23 APFC vol. 1/ (Art. 7-9). The Heads of Departments are vested with powers of write off to the extent of Rs.5.00 lakhs.

- 3.2 Rents of Government buildings due from Government servants should be recovered from the Government servant concerned promptly in accordance with the Instructions contained in Art 14-21.
- 3.3 Where any Government property or right is sold by public auction adequate time should be given between the date of notification of the auction and the actual date. The Government servant conducting the auction shall give adequate time before knocking down the bid in favour of the highest bidder and shall also obtain signatures of successful bidder and two other bidders lower to the highest bid (Art 22-A).
- 3.4. REFUNDS OF REVENUE** Appendix 2, Vol. II, deals with powers of various authorities regarding refund of revenue. In case of ex gratia refund, a claim for refund, is entertainable upto a time limit of one year if notice has not been given. When notice is given, the time limit is one year. Statutory refunds are governed by the Law of Limitation. As per G.O.Ms.No. 94 Fin & Plg dt. 27.3.86 the original record should be traced and the fact of refund recorded in the departmental record and the counterfoil of the cash receipts, original receipt issued to the payees should also be collected if possible and destroyed.

## **SANCTIONS**

- 4.1 A sanction order should stipulate the authority under which it is accorded; Copies of the sanction should be sent to the A.G. under the ink signature of a Gazetted officer (Art. 45).
- 4.2 Sanction of the Government or authority subordinate to the Government takes effect from the date of the order conveying the sanction unless otherwise stipulated in the sanction order under the rules on the subject (Art. 49).
- 4.3 A Sanction for a fresh charge lapses if it has not been acted on for a year unless it is specifically renewed. The period of one year is taken into consideration from the date of issue of the sanction which should be considered to have been acted upon, if payment in whole or in part has been made in pursuance of the sanction within 12 months from the date of issue of sanction. In cases where part payment has been made within the stipulated period, subsequent payment of balance may be made without a fresh expenditure sanction.
- 4.4 When there is a specific provision in a sanction for any fresh charge to the effect that the expenditure would be met from the budget provision of a specified financial year, such sanction will lapse on the expiry of the specified financial year and will not be operative for one year from the date of sanction (art. 56).
- 4.5 The powers of sanction of expenditure of the subordinate authorities are laid down in APFC Vol.II. Appendix 7 deals in respect of consumer items and

contingent expenditure. The specific provisions relating to delegation of Financial Powers in the Departmental Manuals should also be considered. Apart from these, Larger delegation of powers are vested with the Heads of Departments, Dist., Collectors and other regional and district officers from time- to time as ordered in the following GOs:

G.O.(P) No. .703 GA (AR&T) Dept. dt. 4-12-78,

G.O.Ms.No. 215, Fin & Plg. dt 14-7-83,

G.O.Ms.No. 102, GAD dt. 24-2-86,

G.O.Ms.No. 317, GAD dt. 13-6-86,

G.O.Ms.No. 187, GAD dt. 13-6-86,

G.O.Ms.No. 496, GAD dt. 28-9-94 and

G.O.Ms.No. 389 GA (AR&T) dt. 4-9-96,

G.O.Ms.No. 148, Fin. & Plg. dt. 21-10-2000.

- 4.6 **CONTRACTS:** Authorities specified in Appendix 4 of APFC Vol.I are authorised to enter into contracts on behalf of the Government. The standardized form of tender and contract in respect of stores is available in form No.9 appended to the APFC Vol.I. Contracts in regard to which the Governments have not issued any definite rule and contracts containing unusual conditions should be made only after obtaining Government sanction (Art. 51). The Departmental Manuals also contain the standardized formats for contracts specific to the Dept.

## **STORES**

- 4.7 Stores include all articles and materials such as furniture, chemicals, scientific instruments, appliances, stationery articles, diet articles, material for construction of buildings, departmentally manufactured stores, tools and plant etc. (Art. 122).

All stores should be purchased through the Director, Printing and Stationery excepting those which have been specifically exempted from his purview under article 123 such as perishables like fruits, food stuff, news papers etc; The items under rate contract finalized by Director of printing and stationery should be purchased from the earmarked firms. In cases of emergency, the Heads of Departments may purchase stores directly after obtaining approval of the stores purchasing committee in regard to other items as well.

Where stores are purchased directly, the following criteria should be followed in regard to preference in the purchases.

- 4.7.1 First preference for stores manufactured in sister government departments /

workshops.

- 4.7.2 Second preference in respect of standard items to fully owned government undertakings and corporations; in respect of standard items. These corporations need not participate in tenders.
- 4.7.3 In respect of Non-standard items, the public undertakings also have to participate in the tenders, if any, called by departments.
- 4.7.4 The items reserved for the SSI units should be exclusively purchased from them. The list can be had from Director of Industries. These units have also been exempted from the requirement of lodging earnest money and security deposit for these specified items for which they have been enlisted.
- 4.7.5 The goods manufactured in jails should be had from them only. They include furniture, stitching of khaki uniforms, attenders liveries, ammunition boots for officials of police, fire services and prison departments, phenyle, navar. These items can be purchased from outside only after obtaining 'No stock certificate from the jail department.'
- 4.7.6 Modern office equipment such as computers etc, should be purchased only through the A.P. Technology Services Ltd.
- 4.7.7 The cloth requirements of offices towards livery etc., should be purchased from the APCO. Like wise the woolen carpets should be purchased only from A.P. State Wool Industrial Co-operatives. Leather goods should be purchased from LIDCAP.
- 4.7.8 Steel furniture should be purchased solely from APSSIDC, while wooden furniture should be purchased from the jail department, the Government centers like WD workshops, Furniture Mill cum mechanical wood workshop, Sanathnagar etc. Industries Center, Hyd should be given next preference.
- 4.7.9 Stitching of uniform should be entrusted to physically handicapped coop tailoring Industries. Canning of chairs and manufacturing of garden chain should be entrusted to physically handicapped co-op cane and weaving society, (GOMs.No.467 Fin & Plg dt. 9-7-90, GOMs. No.770 Ind. and Commerce dt. 8-11-90, GOMs.No.717 Plg. dt. 20-12-85, GOMs. No.106 GAD dt. 27-2-86, GOMs. No.594 GAD dt.22-11-86).
- 4.7.10 **TENDERS:** Article 125 deals with purchases through tender systems.
- 4.7.11 **SINGLE TENDER SYSTEM:** to be adopted in regard to purchase of a small order which does not exceed Rs.10, 000 and Rs.20,000 if more than one kind of articles is ordered at one time and propriety items.
- 4.7.12 **LIMITED TENDER SYSTEM:** Should be adopted when the limits for the single tender system are exceeded and the estimated value of the order is less than Rs. 5 lakhs.

- 4.7.13 **OPEN TENDER SYSTEM:** Should be followed in regard to purchase of stores of a value of Rs. 5, 00,000 and more. When comparing the rates quoted by the firms situated in A.P. and those outside the State, the comparison should be done on the basic cost and not inclusive of taxes. Govt. orders in this regard should be adhered.
- 4.7.13.1 When open Tenders are called, circular communication should be sent to dealers of repute apart from wide publicity in News papers, trade bulletins etc. A time gap of at least one month should be given between the date of notification of the tender and the last date for submission of tenders. If the lowest tender is passed over specific reasons therefore should be recorded (Art 125). E. procurement should be adopted in procurement of stores as stipulated in orders of Govt. from time to time.
- 4.7.14 **STOCK ACCOUNTS:** Separate stock accounts should be maintained for expendables and non-expendables such as furniture, equipments etc. (Art. 133).
- 4.7.15 **INSPECTION OF STORES:** Stores should be periodically inspected and action taken to regularise the short coming by recovery from concerned/write off etc. (art 139). The unserviceable articles should be identified and action taken for disposal and write off in the manner indicated in art. 143 APFC Vol. I. In regard to library books the verification procedures stipulated in G.O. MS No. 10 Finance dated 8-1-1987 should be adhered and write off of losses considered.

## WORKS

5. When a Government building is occupied by more than one department the Revenue Department, if it is one of the occupants and otherwise the department which occupies the major portion of the building will be termed as the department which uses or required the building (art.151).

No work may be started without a proper estimate. The powers delegated to various departmental authorities to sanction expenditure on works are specified in Annexure 12 APFC vol.II. The following are methods of special execution of works (Art. 163).

- 5.1 THE DEPARTMENTAL METHOD:** Where the department itself engages the necessary daily labour and procures necessary materials. This method is adopted when no contractor is available or when it is considered economical.
- 5.2 PIECE WORK METHOD:** The piece worker agrees to execute a work at specified rates without reference to quantity and this is adopted in regard to petty works.
- 5.3 LUMPSUM METHOD:** The contractor agrees to execute a complete work with the specification for a lump sum payment.

- 5.4 SCHEDULE CONTRACT METHOD:** The contractor agrees to execute a work at fixed rates and the amount paid to him depending upon the quantity of the work.
- 5.5 AGREEMENT:** No work which is to be executed under a contract should be started until an agreement is executed with the contractor (Art. 160).
- 5.6 MUSTER ROLL:** Should be maintained in the manner prescribed/stipulated under art.172 APFC for all departmental works. The attendance of the work charged establishment and casual workers should be taken in the muster roll.
- 5.7 MEASUREMENT BOOK:** Is the original record of actual measurement of the works executed and should be written in the manner laid down under art. 175 APFC Vol. I. It must be preserved with great care since it may have to be produced as evidence in a court of law in the event of legal disputes in regard to works.
- 5.8 ADMINISTRATIVE APPROVAL AND TECHNICAL SANCTION:** Administrative approval means the formal acceptance by an administrative department of a proposal that PWD (R&B) or the Electricity Department, should incur a specified amount of expenditure on a specified work. Technical sanction means the order for a competent authority sanctioning a properly detailed estimate of the cost of a work to be carried out by PWD/Electricity Dept. after the Administrative approval is obtained (Art 185APFC vol.I). For execution of works other than by departmental method the tender system should be followed (Art. 192).
- 6 ARREAR CLAIMS:** A drawing officer should obtain authorization of AG/PAO in regard to claims which are not preferred within one year of their becoming due. However claims not exceeding Rs.5001- of each individual monthly claim presented within 3 years of their becoming due can be drawn without the need for pre audit.
- 6.1** A T.A. claim made after 3 months from the date on which the claim has fallen due should be refused. No claim for drawal of arrears of TA is admissible consequent on the fixation of pay in the revised pay scales etc. A leave travel concession bill, if preferred after one month of the completion of journeys should be admitted only after imposing a 15% cut over the said claims. T.A. claim which is not preferred within three years of performance of journeys is not permissible.
- 6.2** The appointing authorities in respect of NGOs and the Heads of Departments in respect of Gazetted Officers are authorised to sanction arrear claims up to a period of 6 years after pre audit. Arrear claims for periods exceeding six years are not subjected to AG's pre-audit and sanctioned by the Heads of Departments on adhoc basis vide G.O.Ms. No. 161, F & Plg dt. 27.4.91. But in such cases two separate bills for period over and above six years which are sanctioned on ad hoc basis by the Heads of Departments should be prepared



vide G.O.Ms.No. 161, F&Plg dt. 27.4.91. The date on which a claim becomes due is the date of its sanction.

**6.3 PAY ETC DUE TO DECEASED GOVERNMENT SERVANTS:** Pay, leave salary and the emoluments due to a Government servant are to be paid for the day of death irrespective of the hour of death. In respect of Gross amount of claim up to Rs. 5,000/- payment to the person holding right and title may be ordered by the Head of the office without the need of any legal authority. If the gross amount exceeds Rs. 5,000/- orders of the Head of the department should be obtained who will order the payment in accordance with the detailed procedure laid down in Art 80.

**6.4 PAYMENT IN THE CASE OF EMPLOYEES WHOSE WHEREABOUTS ARE NOT KNOWN** (art 81 read with G.O.Ms.No.241, F&P dt.10.9.87 and G.O.Ms.No.111 Fin & Plg dt. 22.4.88)

6.4.1 In the above case the family should obtain a report from concerned police station that the employee has not been traced. An indemnity bond from the Nominee/dependent to the effect that all payment due to the employee, in case he appears on the scene and makes any claim should be obtained. All Government dues should be recovered before effecting payment to the nominees.

**6.4.2 PENSION:** Family pension, DCRG applications are entertained only after one year of disappearance.

**6.4.3 GROUP INSURANCE:** Insure cover claim is payable after 7 years of the month following month of disappearance provided the claimant produces a proper and indisputable proof of death or a decree of the court of the employee is presumed dead.

**6.4.4 SAVINGS FUND** is payable after one year after following the procedure laid down under 4.11.1 above. However in respect of total insurance claims for a period of one year, full subscription at the rate applicable on the date of disappearance together with interest at the rates applicable to savings fund should be recovered from the savings fund amount payable after one year. For a further period of 6 years or till the month in which insurance cover is paid, whichever is later, premium of insurance cover at 3/- per month for every Rs. 10,000/- along with interest should be recovered from the Insurance cover payable after 7 years.

**6.5. TOUR ADVANCES** are sanctioned under art.84 by heads of offices to themselves as well as employees of their offices to defray tour expenses. The advances should be adjusted in full at once when the Government servant returns to headquarters or by 31st March whichever is earlier. Advances drawn in March May be adjusted before 30th April. No second advance should be sanctioned until the first has been fully adjusted. A register in form No.223 APFC Vol.I should be maintained for the adjustments of Tour

advances (art.84).

- 6.6 DEDUCTION OF INCOME TAX:** Every Disbursing officer should make the appropriate deductions of income tax in accordance with the provisions of IT Act. (art.86).
- 6.7 ATTACHMENT OF PAY AND ALLOWANCES BY CIVIL COURTS:** The maximum amount attachable by a civil court is calculated on the amount earned and not on what remains after satisfying debts due to the Government on advances taken under the rules. The emoluments excepting the compensatory allowances detailed in art. 87 are attachable by courts of law.

## CONTINGENT CHARGES

- 7.1 Heads of offices have been empowered to incur or sanction expenditure on ordinary and recognized contingencies should not involve any commitment beyond a single payment unless the authority concerned has been fully empowered to incur or sanction such recurring expenditure. Appendix 7 & 15 APFC Vol.II in particular deals with powers of various authorities in this regard.
- 7.2 DELEGATION OF POWERS:** Head of offices may also delegate their powers to incur or sanction expenditure on contingencies to any gazetted Government servant serving under him subject to any further conditions and restriction which he may consider necessary.
- 7.3 Government have prescribed the powers of various Heads of Departments and subordinate authorities in the following codes:
- (a) Financial code Vol.II in regard to loans and advances and temporary advances and subordinate authorities in the following codes.
  - (b) Financial code Vol.II in regard to various aspects relating to refunds of revenue, entering into contracts, contingent expenditure, miscellaneous expenditure, write off of losses etc.
  - (c) Departmental codes and manuals specifically for the officer of concerned departments.
  - (d) Executive orders/delegation of powers are accorded in the G.Os indicated at 4.5.
  - (f) Executive orders conferring larger powers in regard to some specific departments are issued in G.O.Ms. No.417 GAd dt. 5.8.86 etc.
- 7.4 Contingent charges are recorded in a special register maintained in each office as per provisions under art 103 FC Vol.I. Detailed classification of expenditure and the progressive total a~ 1st the, budget allotted should be recorded in the contingent register as laid down in art. 103.

**7.5 DRAWAL OF MONEY RELATED TO CONTINGENT EXPENDITURE:** The moneys under contingencies are generally drawn from public account as follows:

**7.5.1 PERMANENT ADVANCE:** Each office is sanctioned the required amount of permanent advance by the Government. Revision of P.A. may also be sanctioned by the above authority. The P.A. is accounted for in a special register prescribed in GO Ms. No. 54 F&P dt. 14-2-79 appended to financial code vol.1 and is meant for making initial payments in regard to items of expenditure which are absolutely essential to meet the expenses of an office (art.94) and presentation of bills at the Treasury /PAO (art 106)

**7.5.2 FULLY VOUCHERED BILLS:** In regard to transactions made on credit basis, the amounts required are drawn based on suppliers bills and advance stamped receipts. If these transactions come under countersigned contingencies, i.e. items specified for each department under appendix 8 APFC Vol.I. controlling officer should countersign before draw I, Otherwise these can be drawn by drawing officer, themselves.

**7.5.3 ABSTRACT CONTINGENT BILLS (A.C. bills):** are drawn for the items of contingencies specified in Appendix 8 of APFC. In respect of items of expenditure not already earmarked for drawl on A.C. bills under appendix 8 APFC vol.II, the Heads of departments may authorize drawals on A.C. bills for sums not exceeding Rs. 10,000/- on each occasion. (G.O. Ms. No.148 Fin & Plg dt. 21-10-2000). The detailed bills with reg. and to the A.C. Bills in all cases have to be presented directly at the Dist. treasury concerned/PAO. The officer is dispersed with system of forwarded through controlling.

**7.5.4 TEMPORARY ADVANCE (ART.99):** may be drawn for meeting contingent expenditure of a specific nature by obtaining specific sanction of Government. Standing sanction in respect of some of the departments are detailed in art.99. A second advance should not be drawn unless the detailed accounts for the earlier advance are submitted by Drawing officer to AG/PAO and certificate to that effect recorded in the bill.

## **GRANTS IN AID**

8. Art 211 deals with grants-in aid. Every order sanctioning a grant should specify clearly the object for which it is given and the conditions, if any, attached to the grant. A utilization certificate should invariably be obtained for all grants and the checks envisaged under art. 211 scrupulously exercised.

## **DEPOSITS**

9. Government receives money in connection with the transaction of public business termed as deposits which are repaid to the parties concerned by repayment or otherwise. Any department of Government may receive such deposits. A large number of these relate to revenue administration or the

administration of justice. No amount should be credited under a deposit head if it can properly be credited to some other known head in Government account. The criteria under art.267 and 268 should be followed in accepting deposits. The detailed procedure in regard to credit and repayment of deposits are laid down in T.R. 10 and TR 16 of APTC code Vol.I. The departments should reconcile the balances under deposits with the Treasury / Bank every month.

## **CARRIAGE OF CASH**

10. The minimum precautions to be observed for safeguarding Government money i.e., the encashing of bills, in remitting money from one office to another are stipulated in art. 274-A. The staff members as per scale should be detailed for the purpose keeping in view the volume of cash involved.

## **LOSSES**

11. In the event of losses in cash and stores, the departments should follow the detailed procedure under art. 294-302 of the code. Departmental action should be pursued to see that the losses are made good and where this is impossible, to get waiver by write off under order of competent authority. The modus operandi of the loss should be investigated thoroughly to know the defects in the system, if any, which resulted in the loss and to ensure necessary remedial measures.

## **12. MISCELLANEOUS**

Govt. circular Memo No.164-B/25/A21W&M/2000/Fin & plg Dept dt. 28.2.2000 reiterates the ban on purchase of New Vehicles. Proposals for hiring of vehicles should be accompanied with condemnation certificate issued by the appropriate authority in conformity with orders issued in G.O.Ms.No.333 GA OP II Dated 31-7-1997. Driver of the condemned vehicle should be surrendered to Finance & Plg. (FW-SMPC) Department.

## **13. DELEGATION OF POWERS**

Delegation of powers as accorded in GOMs No. 490 GAD dt. 28-9-94 and G.O. Ms. No. 389 GA(AR&T) D dt. 4-9-96 and as per G.O. Ms. No. 148, Finance and Planning dt. 21-10-2000 are indicated in the statement.

Sl. No	Item of Expenditure	Sectt Dept HODs/Dist. Collectors.	Regional officers	Dist. officers (other than (D.C.'S) Unit Offices
1.	Maintenance of Motor Vehicles a. Light Vehicles	Full powers subject to guidelines vide	2000 per vehicle 4,000 per vehicle	2000 per vehicle 4,000 per vehicle

	b. Heavy Vehicles	G.O.Ms. No.333 GAD Dt.31-7-1997		
2.	Purchase of Stationery	Full powers	Full powers	Full powers
3.	Purchases of Steel, Wooden Furniture	Full powers	50,000	10,000
4.	Repairs to Furniture	Full powers	5,000	5,000
5.	Rent of office building	Full powers according to plinth area & rent assessment by R&B (instructions issued in G.O. Ms. No.35 F&P dt.27.2.97 read with Govt. Memo 127 R&B/97 dt. 9.6.97)	Full powers according to plinth area & rent assessment by R&B (instructions issued in G.O. Ms. No.35 F&P dt.27.2.97 read with Govt. Memo 127 R&B/97 dt. 9.6.97)	Full powers according to plinth area & rent assessment by R&B (instructions issued in G.O. Ms. No.35 F&P dt.27.2.97 read with Govt. Memo 127 R&B/97 dt. 9.6.97)
6.	Purchase of bulbs and lamps	Full powers	10,000	500
7.	Light refreshments	Rs. 300 at a time not exceeding Rs. 2000 p.m.	Rs.200 p.m.	Rs. 200 p.m.
8.	Books, maps and periodicals	Full powers	12,500 P.A	600 P.A.
9.	Repairs to typewriters	Full powers	Full powers	Full powers
10.	Condemnation of vehicles	Full powers subject to technical scrutiny by PW workshop or Area Transport Officer	Full powers subject to technical scrutiny by PW workshop or Area Transport Officer	Full powers subject to technical scrutiny by PW workshop or Area Transport Officer
11.	Repairs to Duplicators	Full powers	1,000	1,000
12.	Organization of Sports and games	50,000		
13.	Electrical installations a. For additional improvements alterations	Full powers	1,000	1,000

	to each building, apartment in the compound			
	b. Improvement and alterations and new installation to new buildings	1,00,000	1,000	1,000
14.	Printing locally without referring to govt. Press printing & binding.	Full powers	5,000	1,000
15.	Visits of high personages	5,000 on each occasion subject to a ceiling of Rs.50,000	200 per occasion subject to a ceiling of Rs. 2,500	200 per occasion subject to a ceiling of Rs. 2,500
16.	Purchase of non-govt. Publications relevant to law and Admn. Management	Full powers		
17.	Crockery Cutlery and Utensils (Initial Purchase)	5000		
18.	Purchase of Fans	Full powers		
19.	Air Coolers	Full powers		

## **BUDGET MATTERS**

1. The word "Budget" is derived from the old French word 'Budgettee' which means a 'Little Bag'. In Britain, the term was used to describe the leather bag in which the Chancellor of the Exchequer carried to the Parliament the annual statement of the Government's needs and resources.
- 1.1 The study team on state level administration of the Administrative Reforms Commission of Government of India Defined the term "Budget" as: "just as Audit is the post-discipline, budget is the pre-discipline on public spending".
- 1.2 The need for a Budget arises on account of the constitutional obligation laid down under Article 266 (3) which envisages Parliamentary and Legislative control over expenditure.
- 1.3 The budget of Government expresses its total activity in monetary terms. Budget reflects what the Government intends to do. Expenses are budgeted in relation to anticipated income in a year.

### **PERFORMANCE BUDGETING**

2. A budget should not merely show financial outlays on various sectors and different functions. It should always indicate the physical achievements proposed to be attained from the financial outlay. A budget which exhibits not only the financial but also the physical targets is a performance budget. Some of the development departments in the state a bringing out the physical achievements accomplished and targeted in separate budget publications.

### **ZERO-BASED BUDGETING**

3. Zero base implies that all activities and priorities are revised afresh to create a new and better set-up of allocation for the coming budget year. The essence of this budgeting is to prepare a defense of a 'budget request' with out making any reference to the level of previous appropriations. The Central and State Governments are required to follow this approach for the preparation of their budgets.

### **PLANNING COMMISSION**

4. There is no reference to the Planning Commission in the Constitution through Several commissions have been given Constitutional status. The only reference to planning in the Constitution is in entry 20 of the Concurrent list - 'Economic and Social Planning'. In pursuance of the power conferred by entry 20 of the Concurrent list a Planning Commission was set up in 1950 by the

Government of India. This was an extra - Constitutional and non-statutory body set up by an executive resolution of the Government to act as an Advisory body. Prime Minister Nehru was its first Chairman and ever since every Prime Minister has become the chairman of the Commission. The Minister of Finance is the Member of the Commission along with a few Ministers of Economic Ministries. There are also other members drawn from other fields, particularly from among persons having specialized knowledge in Economics.

The function of the Commission is to formulate & integrate Five Year Plans for economic and social development and for the 'most effective and balanced utilisation of the country's resources' which would initiate a 'process of development which will raise living standards and open out to the people new opportunities for a richer and more varied life'.

The Planning Commission is however, only an advisory body. It formulates plans but has no executive authority to implement them. As the Planning commission has been set up in pursuance of the power vested by the Concurrent list subject, the Commission can make plans for the Union as also for the States, leaving their implementation to the Union Government or State Government as the case may be. Planning pervades all Departments of Government, both at Centre and in the States, and this accounts for the ever increasing sweep of economic and financial responsibilities of the Planning Commission. The Central Plan assistance to the states is given by grants made under Article 282 of the Constitution and here the Planning Commission plays decisive role in Federal Financial Relations.

### **CENTRALLY SPONSORED SCHEMES**

5. Only such schemes will be taken up as Central Schemes which:
  - i) Relate to demonstrations, pilot project, surveys and research
  - ii) have a regional or inter-state character
  - iii) require lump sum provision until they could be broken down territorially, and
  - iv) have an overall significance from all India angle.

These schemes are designed by the Central Government and implemented either directly or through the State Governments. The finances required by the State Governments to implement these Centrally sponsored Schemes are made available wholly or partly. In the later case, the states make a matching contribution or meet the balance of cost. The C.S.S. are included in the Plan Budget.

### **NATIONAL DEVELOPMENT COUNCIL**



6. The National Development Council was formed in 1952. It is an extra constitutional and extra legal body. It consists of the Prime Minister of India and Chief Ministers of all the States. Presently all members of the Union Cabinet as also the Administrators of the Union Territories have become members of the council. The functions of the council are to strengthen and mobilise the efforts and resources of the Nation in support of the plans, to promote common economic policies in all vital spheres and to ensure the balanced and rapid development of all parts of the country and in particular.

To review the working of the National Plan from time to time, and

To recommend measures for the achievement of the aims and targets set out in the National Plan.

- 6.1 This is the highest policy making body in our country, functioning almost as a super cabinet in economic affairs.

### **FINANCE COMMISSION**

The Finance Commission is appointed by the President under Article 280 of the Constitution read with the Finance Commission (Miscellaneous Provisions) Act, 1951. It consists of a chairman and four other members. The Chairman shall be a person having experience in public affairs and the four other members shall be appointed from among the following:

Persons who are or are qualified to be appointed as High Court Judges.  
Persons having special knowledge of the finance and accounts of the Government.

Persons having wide experience in financial matters and administration and  
Persons having special knowledge of economics.

- 7.1 It was intended that the Commission should be broad based, capable of looking at the problems facing it from all angles. The first Commission was appointed in the year 1952 and thereafter every five years. It is the duty of the commission to make recommendations to the President as to:

The distribution between the Union and the states of the net proceeds of taxes which are, or may be distributed between them and the allocation between the States of the respective shares of such proceeds: (Eg. Income Tax and Central Excise Duties).

The principles which should govern the grants-in-aid of the revenue of the states out of the Consolidated Fund of India.

Any other matters referred to the Commission by the President in the interest of sound finance.

- 7.2 By practice and convention, the needs of the states relate only to non-plan expenditure. Expenditure on Plan investment and central financial assistance

to the states on account of State Plans and Centrally Sponsored Plans are outside its scope. While the scope of the Finance Commission is limited to review of the revenue segment of the Budget, the Planning Commission takes an overall review embracing both capital and revenue requirements of states.

**8. THE BUDGET** consists:

Consolidated Fund of the States,

Contingency Fund of the State, and

Public Account of the State.

- 8.1 The transaction relating to the consolidated fund of the states are accounted for in three different sections, viz. (a) Revenue Account (b) Capital Account (c) Loan Account. As per article 266 (1) of the Constitution, all revenues received, all loans raised by the issue of Treasury Bills, loans, or ways and means advances and all money received in repayment of loan shall form "Consolidated Fund of the State".
- 8.2 As per Art. 267 (2) of the Constitution "Contingency Fund of the State" is in the nature of an advance of 50 crores from the Consolidated Fund of the State. It is intended to provide advances for meeting unforeseen expenditure arising in the course of the year, pending authorization of such expenditure by law to be passed by the state Legislature under Art. 205 and 206 of the Constitution.
- 8.3 As envisaged in Art. 266(2) and 284, the 'Public Account' of the state pertains to all public money received by or on behalf of the State Government which are not creditable to the Consolidated Fund of the State. The State Government acts as Bankers in receiving amount which they subsequently recover. Some are merely adjusting heads and all these transactions are cleared eventually by adjustment under final heads.

**DEPARTMENTAL BUDGET ESTIMATES**

9. The budget is based on the departmental estimates submitted by the Heads of departments and certain other estimating officers, and are based on the estimates submitted by the District Officers of the departments.
- 9.1 Heads of Departments and other estimating officers should prepare their estimates in duplicate on the skeleton forms furnished by the Finance Dept. and send one copy direct to the Finance Dept. and the other to the Administrative Dept. of the Secretariat concerned. As laid down in para 16.9.1 of the Budget Manual, all budget estimates, should be submitted to the Administrative Depts. of Secretariat concerned with a copy to the Finance and Planning (Fin. Wing) Dept. not later than 1st October.
- 9.2 The administrative dept. should send the estimates with their comments so as

to reach the Fin. Dept. by 15th.

- 9.3 The Accountant General will also forward the skeleton forms with the account figures of the previous budget year and the actuals for the first five months of the current financial year to the Fin. Dept. in batches between 10th October and 31st December.

**9.4 The form of departmental estimate is given below**

Minor heads, sub-head and Detailed heads of appropriation (1)		Accounts for the year (in rupee) (2)
Budget Estimates for the Current year (3)	Revised Estimates for The current year (4)	Budget estimates for the next year (5)

- 9.5 An explanatory note to justify the provisions under each sub-head of account should be given covering the following:

- a. The objectives of the department or the scheme.
- b. The quantum of work done by the department, the physical targets achieved under the scheme during the previous year and the physical targets proposed to be achieved during the current year and the next year.
- c. the justification for various categories of posts and the number of posts in each category.
- d. relevance of the programme to the overall objective in the present context, and
- e. The consequence of its non-funding.

- 9.6 The provisions under the concerned detailed heads i.e. standard objects of expenditure, should be included keeping in view the guidelines indicated in A.P. Budget Manual read with G.O.Ms. No. 664 Fin B.GI Dt 27-10-2001 with effect from 1-4-02 which have Nos. 010 to 700.

- 9.7 The provision for Leave Travel Concession and other fringe benefits to employees, i.e., Educational Concessions etc., shall be included under "Salaries"

- 9.8 The estimates for contingent expenditure shown under "130 - office expenses"

- 9.9 Details of the items of contingent expenditure included, detailed reasons together with figures should be furnished along with the actuals for the past three years in respect of each item.

- 9.10 Proper attention must be paid while estimating water and electricity charges which should take into account pending arrear bill, the increase in tariff rate etc. and provision for the amounts that will become payable in the year.

- 9.11 Wherever arrears are included, detailed reasons together with figures should be indicated
- 9.12 Provisions should be made in the Budget Estimates for the coming year for all sanctioned schemes but not for schemes of new expenditure which have been submitted to Government but not yet sanctioned.
- 9.13 Inclusion of lump sum provision in the estimates should be avoided.
- 9.14 Estimating officers should, in preparing the Budget Estimates, make provisions for contingent expenditure etc. on the basis of the lowest expenditure incurred in any of last three years. No increase in provision will be allowed except for special reasons.
- 9.15 Provision for the maintenance of office motor vehicles should be made under the sub detailed head "057 maintenance of functional vehicles". Similarly the provision required for maintenance of functional vehicles like Ambulance Van etc. should be made under the sub-detailed head of account 510 - Motor vehicles' under the respective sub-head of account. The payment required for payment of hiring charges should be made under the head "690-Hiring of Private Vehicles".
- 9.16 The estimating officers should ensure that provisions are included in the Budget Estimates for all items of expenditure which can be foreseen and avoid obtaining supplementary grants during the course of the year. They should prepare the estimates very accurately and include schemes and the provision therefore definitely be spent during the year so as to avoid surrender of huge sums at the end of the year.

## **REVISED BUDGET ESTIMATES**

10. The Revised Estimate for a year is an estimate of the probable receipts or disbursements under each head for that year framed in the course of the year, with reference to the actual transactions recorded for the months of that year for which complete accounts have become available. The revised estimates are prima facie the best guide to the coming year's estimates. They would enable the Govt. to arrive at the appropriate closing balance for the current year which will become the 'opening balance' for the next year. It is therefore essential that Revised Estimates are prepared with great care and should be as close as possible to the actual. There are 3 methods for the calculation of Revised Estimates under para 16.6 of the Budget Manual. One of the 3 methods which is considered to be most suitable for each particular case can be adopted. It should be noted that the Revised Estimates do not authorise any expenditure. If provision is made for additional expenditure in them it is necessary to apply separately for additional appropriation required. Similarly, a reduction in the provision of funds for the revised estimates does not obviate the necessity for the formal surrender of any amount provided in the Budget Estimates. Any marked increase in the estimated figures should be covered

by Govt. orders permitting provision of such mass increase.

## **NUMBER STATEMENTS**

11. According to para 16.20.1 of the A.P. Budget Manual, the Heads of Departments and the other Estimating Officers are required to submit number statements to the Finance Dept. by 1<sup>st</sup> August every year, a statement giving particulars of posts in each permanent and temporary establishments (both gazetted and non-gazetted), the sanctioned monthly pay, the special pay if any, and the fixed allowances attached to posts or Individuals that will be drawn on the 1st April, of the following year and number of officers at each rate of pay for whom provision is required under "011 Pay of officers", Pay of Establishment", "013 - Dearness Allowance", House Rent Allowance", and "012 Other Allowances" shall be exhibited separately under the detailed head "010 Salaries". The provisions required for meeting the expenditure on educational concession, medical reimbursement charges etc. should be shown under the sub-detailed head "012 - other allowances", and the LTC shall be shown under separate sub-detailed head" 017 - leave Travel Concession" under the detailed head salaries and the details given separately for each of the above items. The details of vacant posts and the period they are likely to be vacant should be indicated in the number statements. Copies of the Govt. sanctions in respect of all temporary establishments should be enclosed to the number statements and their references indicated in the statement where the particulars of staff are given. The number statements in respect of posts under Plan, Non-plan and Grants-in-aid towards salaries shall be sent separately under respective sub-heads, and major heads of accounts. All the Heads of Depts. and other estimating officers should furnish the number statements in the proforma-I and II prescribed by the Finance dept.

## **BUDGET ESTIMATES RELATING TO PLAN**

12. The heads of dept. and the estimating officers should prepare plan budget separately and should not be mixed up or merge with Non-plan provisions. The Departmental Clearance Committee constituted in G.O.Ms.No.26 F&P (Plg. wing AP.I) Dept., dt. 8-5-95, is convened by the Planning Dept. for new schemes included in the Plan. Proposals to the Departmental Clearance Committee/Project and Programme Approval Committee in the proforma prescribed by the Govt. (Annexure I and II appended to Govt. (Annexure I and II appended to Govt. U.O. Note No: 6217/Plg.,A.P./91-1 F& P Dept. dt.1-4-91) should be furnished to the Administrative Dept./Plg. Dept. in 10 copies.

## **FINAL BUDGET**

13. Finance Dept. will determine the final estimates, by about the end of January. Copies of the budget publication containing inter alia the "Annual Financial Statement" or "Budget" prepared by the Finance Dept. are sent to the secretary to the State Legislature for circulation to the members at the time of

presentation of Budget by the Finance Minister on a day to be fixed by the Governor which will ordinarily be towards the end of February.

14. There are three stages in the preparation, presentation and obtaining of approval of legislature for the Budget.
  - 14.1 **FIRST STAGE:** Under Article 202, of the Indian Constitution, a statement of estimated receipts and expenditure of the State for each financial year has to be laid before the Legislature. This statement is known as the "Annual Financial Statement" or "Budget". It shall show separately (a) the sums required to meet the expenditure charged on the Consolidated Fund of the State and (b) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of the State. It shall distinguish expenditure on revenue account from the other expenditure.
  - 14.2 **SECOND STAGE:** Under Art. 203 of the Constitution, Demand for grants indicating the service of administration (or Dept.) to which the demands relate are presented to the legislature. These demands are discussed in the Legislative Assembly and voted.
  - 14.3 **THIRD STAGE:** Under Art.204 of the Constitution, after the Demands for Grants are voted by the Assembly, an appropriation required to meet the expenditure charged on the Consolidated Fund, will then be introduced in the Legislative Assembly. After the bill is passed by the Houses of Legislature, the appropriation Act will be submitted to the Governor for approval and this Appropriation Act, permits the chief controlling officer / subordinate controlling officers / drawing and disbursing officers to incur expenditure from the Consolidated Fund of the State for meeting the day to day expenditure on public service.

#### **VOTE ON ACCOUNT**

15. The above three stages are normally expected to be completed by 31st March. If any delay is anticipated in this regard, demands for advance grants in respect of the estimated expenditure for a part of the Budget year, may be presented to the Legislative Assembly. Thereafter the demands will be discussed, voted and finally passed an appropriation act in the manner laid down in Art.203 and 204 of the Constitution. This is called "Vote on Account". It permits the Govt. to spend money from the Consolidated Fund of the State, a portion of the financial year from 1st April, pending the passing of Appropriation bill for the whole year.

#### **BUDGET CONTROL AND DISTRIBUTION OF FUNDS TO DISTRICT OFFICES**

16. The expenditure incurred during the year should be kept within the provision authorised in the demands for grants and the Appropriation Act. There is a Chief Controlling Officer for every service or administrative department who will ensure control of expenditure with reference to details of expenditure

reported by the Disbursing officers in Form "B" every month. The figures are consolidated in form "O" by the Chief Controlling Officer.

- 16.1 The Treasuries in the Districts and the Pay and Accounts Officer in the twin cities render compiled account of receipts and expenditure of the Govt. to the Accountant General.

Computerization of each month's Govt. accounts, including those relating to Pay and Accounts Office, Hyderabad has been attempted from April, 1979. The purpose sought to be achieved by these computerised print-outs supplied by the Fin. & Plg. Dept. to the Chief Controlling Officers are: (a) reconciliation of receipts and expenditure treasury wise with District Departmental figures every month, (b) monitoring the progress of Plan and Non-plan Schemes with reference to State level expenditure figures (c) reallocation of budgetary resources in time and (d) reconciliation of departmental figures with the books of the Accountant General.

#### **RECONCILIATION OF DEPARTMENTAL FIGURES WITH THOSE BOOKED IN THE TREASURIES AND THE FIGURES BOOKED IN THE ACCOUNTANT GENERAL'S OFFICE**

- 17 According to para 19 of the Budget Manual, every chief controlling officer should watch the progress of expenditure continuously and for this purpose, he should require the Disbursing Officers to report every month the figures of actual expenditure during the previous month and the liabilities incurred, but not yet paid. Each disbursing officer should therefore maintain a register of disbursements and liabilities and as soon as a bill is encashed at the treasury, it should be posted in the appropriate columns of the register against the District Treasury in which the payment is made. The disbursing officer and the chief controlling officer shall reconcile the figures of expenditure with those booked in the treasury and this reconciliation work must be completed on or before 4th of each month for the expenditure incurred in the previous month. After the close of each month, every disbursing officer should, after reconciliation with treasury figures as prescribed by the chief controlling officers in consultation with the District Treasury Officer, forward to the controlling officer immediately superior to him an extract of his account.
- 17.1 The chief Controlling Officer should consolidate the totals of his own expenditure and that shown in the extracts from the registers of the subordinate controlling officers and he should send a clerk of his office to the Account General's office with the departmental register, quarterly, on a date to be fixed to each department by the Accountant General. The clerk should with the assistance of the AG's staff compare the departmental figures with those recorded in the AG's books and prepare a statement of discrepancies the adjustments to be made by the Chief Controlling Officer. One copy of the statement of discrepancies shall be handed over immediately to the AG's reconciliation clerk for affecting the necessary adjustments to his office where

necessary adjustments should be effected in the departmental registers. The chief controlling officer should then send a certificate to the AG that this work has been done. Similarly the AG's office makes the necessary adjustments in his books and informs the clerk that the adjustments have been done. The chief controlling officer should then send a certificate to the AG stating that the figures in his registers have been reconciled with those in the books of the AG. The Treasury shall prescribe a date on which each drawing officer shall reconcile monthly figures with the Treasury or Pay & Accounts Office. The Treasuries and Pay and Accounts Office shall maintain a register showing the dates on which the reconciliation was made by the officers and shall verify the correctness of the certificate furnished by the drawing officers along with the pay bills.

- 17.2 The chief controlling officer (i.e. Heads of departments) shall get the figures of receipts and expenditure for the entire state reconciled with those booked in the AG's office on quarterly basis by following the procedure already prescribed and a certificate to that effect shall be furnished to the Pay and Accounts Officer. The chief controlling officer shall furnish the PAO the designation of the officer/officers in his office entrusted with the responsibility of reconciling the consolidated state wide figures of receipts and expenditure with the Accountant General, head of account wise.
- 17.3 The salary of the concerned officer who is responsible for reconciliation, shall not be allowed to be paid by the PAO for the second month in the next quarter if a certificate of reconciliation with the AG's figures is not furnished to the PAO i.e. if the officer fails to get the accounts reconciled for the quarter April to June by the end of August, the salary for the month of September shall not be allowed to be drawn by the Treasury or the PAO, as the case may be. As per G.O. Ms.No.451 Fin (TFR) Dt. 9-10-2003 unless a certificate of reconciliation for the previous but one quarter is given no authorization for Budget release will be given by Director of Treasurers & Accounts.

## **THE BUDGET CONTROL PROCEDURE**

18. In order to ensure that the expenditure is kept well within the budget allotment and to avoid ways and means difficulties, Govt. introduced with effect from 1.8.67, a system of control over expenditure with particular reference to the budget allotments.
- 18.1 Heads of departments should prepare and send the distribution statements of funds direct to their subordinate officers and the District Treasury Officers with copies to the Director of Treasuries and Accounts. The DTOs should act on the basis of these statements without waiting for the authorisation from the Director of Treasuries and Accounts and admit expenditure for the first three months of financial year i.e. April, May and June.
- 18.2 In the meantime, the Director of Treasuries and Accounts will scrutinize the statements and communicate them to the Treasury officers for admitting



expenditure, before the end of June.

- 18.3 The expenditure for the entire year should however be regulated only on the basis of authorized statements communicated by the Director of Treasuries and Accounts and variations in the statements first communicated by the controlling officers directly as compared to the figures authorized by the Director of Treasuries and Accounts, should be reported by the Director of Treasuries and Accounts, for reconciliation to the Heads of departments.
- 18.4 If the statements are not received before the end of June through the Director of Treasuries and Accounts, the DTO will not admit fresh expenditure in audit.
- 18.5 In respect of items which are exempted from Treasury Control DTO may continue to admit bills till the end of June even in the absence of distribution statements from the chief controlling officers.
- 18.6 In respect of departments having Chief Accounts Officers, while communicating the distribution statements to the DTO it should be clarified by the concerned Heads of departments that statements of distribution are issued with the concurrence of Director of Treasuries and Accounts only, quoting his reference number and date. A copy of this should be marked to Director of Treasuries and Accounts. The DTO should not insist for a separate authorisation from the Director of Treasuries and Accounts and can admit the bills.
- 18.7 The Chief controlling officer/Estimating officers have to incur expenditure under Plan and Non-Plan on quarterly basis except where specific authorisation has been given by the finance department for incurring expenditure otherwise.

## **SUPPLEMENTARY GRANTS**

19. Unavoidable and unforeseen circumstances may however, arise in the course of a financial year, making it necessary to incur urgently fresh expenditure under one or more detailed heads or to incur expenditure on a new service, not contemplated in the original Budget Estimates. In such cases, savings in other appropriations by postponement or curtailment of less urgent expenditure may be re-appropriated except when it is on account of a 'New Service'. If this is not possible expenditure should be presented to the Legislature as laid down in art.205 of the Constitution. 15th February is fixed as the last date for submission to Govt. by controlling officers of applications for surrender of savings in appropriations and for re-appropriation and supplementary appropriations. 25th February is the date by which the Finance Dept. should receive the above proposals from the Administrative departments.
- 19.1 In the case of supplementary grants, it is not necessary to postpone the expenditure till the receipt of Appropriation Act. Bills can be presented at the

Treasuries/PAO, after obtaining the approval of the Director of Treasuries and Accounts by appending the certificate, if it is under the purview of Treasury control, that "The additional amounts included in the statement are those for which the supplementary estimates have been accepted by the Fin & Plg. (Fin.Wing) Dept" (Govt. circular Memo (No.3511/d/20/W&HII/81F&P and Govt. Memo No.1589-B/25/W&III, F&P).

## **NEW SERVICE**

20. The revised monetary limits for treating the schemes to be introduced during the course of the year as "New Service/New Instruments of Service" are indicated in the Annexure to G.O.Ms.No.26, Fin.(BG) Dept. dt.18.5.90. Expenditure on a 'New Service' not contemplated in the Budget .Estimates for the year should not be incurred whether the expenditure is charged or voted and whether it can be met by re-appropriation or not, until it is included in a supplementary statement of expenditure presented to the Legislature and eventually in an Appropriation Act. If the expenditure can be met from the savings with in the grant, wholly or in part, it will be sufficient, if a token sum of Rs.1,000/- or the balance actually required, as the case may be, is included in the supplementary statement of expenditure.

## **ADVANCES FROM CONTINGENCY FUND**

- 20.1 Pending the authorisation of funds by the Legislature, an advance may be sanctioned by the Governor from the "AP Contingency Fund" to enable urgent expenditure being incurred on a "New Service or on an existing service" Advance from the Contingency Fund do not lapse at the end of the financial year. Supplementary estimates for recoupment of advances sanctioned from the Contingency Fund should be made to the Finance and Planning Dept. by the Administrative Dept., concerned.

## **REAPPROPRIATION OF FUNDS**

21. Re-appropriation of funds as between different grants or between revenue, capital and loans sections with in the same sections of the grant are not permissible. Re-appropriation should not be sanctioned by Head of depts. from Plan to Non-plan expenditure and vice-versa.
- 21.1 As per Govt. circular memo No.2725/938/BGAI/97-1 F&P., dt.11.9.97, re-appropriation of funds from one head to the other as stipulated in para 20 of Budget Manual may be sanctioned by Heads of Departments.
- 21.2 Re-appropriation should invariably be in multiples of Rs. 1,000/-
22. The final appropriations and the actual expenditure in the year under each head of appropriation within the several grants will be shown in the detailed "Appropriation Accounts" prepared by the Accountant General, after the close of the financial year, together with the explanation reported to him by the controlling officers. Important variations and excesses or savings in the total

final appropriation for each grant separately for voted and charged expenditure are brought clearly in the appropriation accounts, which are submitted to the Legislature by the Accountant General. The Legislative Assembly investigates the variations with reference to the explanations given by the Chief Controlling Officers. The Public Accounts Committee's recommendations are in a report presented to the Legislature.

23. The Legislature, thus, exercises control over finance twice, once-before the approval of the Budget and again, after the expenditure figures are brought out by the Accountant General in the form of Appropriation Accounts.

## Chapter-16

# VIGILANCE FOR SMOOTH GOVERNANCE

### REQUISITE TRAITS:

- Commitment to change
- Change in perspectives
- Change in direction
- Change in attitude, continuous, - to serve the tax payer

### GROWTH OF VIGILANCE CONSCIOUSNESS:

Ombudsman first started in Sweden in 1809

- To redress public grievances
- To enquire into complaints of transgression of law by Admn. Authority
- Illegality or delays in reaching decisions
- Discourtesy or rudeness
- Unfairness or bias
- Incompetence
- High handedness
- Mistakes, failure to respond
- Furnishing misleading statements

Established in Finland in 1819, in Denmark in 1953, New Zealand in 1962 Norway in 1963, U.K. in 1966, Australia in 1976

Lokpal for Centre, Lokayukta in states recommended by Admn. Reforms committee (Morariji Desai) in 1966 – emphasized.

- They should be independent and impartial
- Appointment should be objective and free from political or any other bias
- Status of the members equal to Judge of High Court or Supreme Court

### SENTINELS OF VIGILANCE

- Central Vigilance Commission
- Central Bureau of Investigation
- Lokayukta
- A.P. Vigilance Commission
- Anti Corruption Bureau
- Vigilance and enforcement
- Tribunal for Disciplinary Proceedings

- Commissioner of Inquiries

## **LOKAYUKTA AND UPALOKAYUKTA, A.P.**

Established from 1-11-1983. an independent Public Authority to tackle mal-administration and corruption of public functionaries and redressing grievances of the citizens.

### **OBJECTIVE**

- To provide easy cost free access to the common people
- To redress their grievances speedily and effectively

### **TARGETS**

- Every Minister (except C.M.)
- Member of state legislature, Chief whip
- Every Officer appointed to a public service or post in connection with the affairs of the state of A.P.
- Every Chairman and President of Z.P/. and Panchayat samithi
- Every Mayor
- Every Chairman of first grade Municipal Council
- Every Secretary to Govt.

### **AREA**

- Abuse if position by public Servant to obtain any gain or favour to himself or to any other person
- To cause undue harm or hardship to any other person
- In the discharge of his functions actuated by improper or corrupt motive and causing loss to the state or any member of public
- Guilty of corruption or lack of integrity
- On complaint by any citizen or aggrieved person
- By suo – motu action
- On a reference made by Governor

### **Stages of action**

1. Preliminary verification through confidential probe Calling for information from govt. Dept. A.C.B. Vigilance and Enforcement, CID, etc.
2. Regular Enquiry, following principles of equity and natural justice

### **A.P. VIGILANCE COMMISSION:**

G.O. Ms. No. 421 GA (Sc.D) Dt. 3-8-93. Appointed by the Governor. To coordinate and advise departments, Govt. undertakings, companies in matters pertaining to

maintenance of integrity and impartiality in the Administration.

### **Functions:**

- To cause an enquiry against public servant acting for an improper purpose or corrupt manner.
- Public servant exercised or refrained from exercising his powers for improper or corrupt purposes
- Any complaint of corruption, misconduct or lack of integrity or other kinds of mal-practices.
- Exercising discretionary powers facilitating corruption.
  - ✓ To entrust the enquiry to ACB or to the Dept.
  - ✓ All India Services Officers, only after consulting C.S.

**Action:** Further action on the Final Reports of ACB, Govt. Dept.

- Prosecution in a court of Law
- Inquiries by the T.D.P.
- Inquiry by the commissioner for Departmental inquiry
- Departmental inquiry

### **VIGILANCE AND ENFORCEMENT DEPT.**

G.O. Ms. No. 269 (SC.D) Ft. 11-6-85. It is headed by Director General Vigilance and Enforcement, Ex-Officio Principal Secretary, G.A.D.

- ✓ To achieve clean and efficient administration
- ✓ Prevention of leakage of revenue
- ✓ Misuse or wastage of Govt. funds, Resources, Materials, Properties
- ✓ Loss of state's wealth and natural resources, losses, wastage, and graft in public sector undertakings and Govt. companies.
- ✓ To streamline internal vigilance in important departments
- ✓ To quicker the processing of inquiries against public servants
- ✓ To increase the REVENUES to the state.
- ✓ To coordinate the activities of existing Vigilance and Enforcement Agencies
- ✓ To expand Govt's Welfare and developmental activities
- ✓ To advise the Govt. regarding changes needed in procedures, rules, to simplify and streamline.
- ✓ To advise the Govt. regarding matters of Vigilance, Anti-Corruption
- ✓ To refer any complaint to ACB
- ✓ To organize training/orientation programmes for vigilance officers
- ✓ To hold periodical meetings with Heads of Departments to tone up functioning.
- ✓ To publish bulletins important amendments to relevant Acts.
- ✓ To tender advice on all disciplinary matters.

It has jurisdiction on all employees of State Govt. and Local Bodies, at District Level to organize surprise checks at focal points of corruption.

- ✓ To organize surprise inspections.
- ✓ To review procedures, Rules.
- ✓ To prepare lists of suspected firms, contractors, spurious suppliers.

### **Vigilance Officers**

- It is the primary responsibility of the Head of the Department to take all steps to provide honest and efficient administration.
- Each Department will have a vigilance cell and a Senior Officer with integrity will be nominated as chief vigilance officer.
- There will be one chief vigilance officer for each Secretariat Department and Vigilance Officers in all sub-ordinate and attached offices.

To combat corruption, misconduct, mal-practices.

### **Functions of C.V.Os:**

- ❖ To enquire into all complaints of corruption, abuse of power, malpractices and advise Departments.
- ❖ To identify the areas of corruption, to streamline.
- ❖ To maintain lists of officers of doubtful integrity and help H.O.D.
- ❖ To assist ACB in enquiries
- ❖ To take follow up action on ACB Reports.
- ❖ To study the inspection Reports, Audit Reports, P.A.C. Reports
- ❖ Quick disposal of Departmental enquiries.
- ❖ To analyse all cases of corruption, fraud, abuse of power.
- ❖ Prompt disposal of all references of Lokayukta
- ❖ To keep watch over the functioning of the Department

### **COLLECTORS OF DISTRICTS:**

They shall be the C.V.Os for their jurisdiction.

- To entrust any complaints, information to ACB or district level officers
- To ensure expeditious investigations.
- To eliminate opportunities in procedures for corruption and mal-practices.

### **Views of Sri N. Vittal:**

Corruption is anti-national, anti-poor, anti-economic development.

## **Factors Responsible:**

- Caste and nepotism
- Financial Interest dictates politics
- Indian culture of tolerance
- Earning for grand children.
- Amassing wealth is considered great.
- Social practices like dowry
- Consumerism and desire for ostentatious lifestyle.
- Education pressure

## **Strategy to fight corruption:**

- Simplification of rules and procedures
- Bringing greater transparency and empowering the public
- Public Vigilance - - - N.G.Os - - - Citizen participation
- Effective punishment by chasing prosecution and more effectively Departmental enquiry cases.
- Black money in politics and bureaucracy should be eliminated
- Elimination of Inspector raj.

Eg: self assessment of property tax - - V.A.T

- More rules, more corruption, more controls, “Five Lakhs Vendors and cycle rickshaw pullers pay a bribe between 40 to 50 crores p.m. to various police, municipal authorities etc. because of licensing regime”.
- Application of I.T. transparency and accessibility of information, web sites, internet.
- Innovative use of the media
- Judicial activism
- A pat for the good



**DRAFTING OF AFFIDAVITS & PARA WISE  
REMARKS**

## Chapter -18

### CHECKLISTS

#### 1. STEPS IN DEALING WITH A CASE

##### BEFORE COMING TO DEALING ASSISTANT

1. Receipt of tappal in the tappal section (inward section)
2. Opening of Tappal by the officer designated for the purpose and stamped and numbered
3. Perusal of important papers by the Head of the office.
4. Receipt in sections

##### AFTER COMING TO SECTION

1. Whenever papers are received by the Section Officer he should first look for:
  - a. Whether the address entry is correct or missent to the section,
  - b. if missent, to be transferred to the concerned section,
  - c. whether the communication is properly signed and distributed to the concerned Assistants.
2. The Assistant concerned has to see:
  - a. Whether all enclosures mentioned are received with the current.
  - b. Whether it is connected with old file or a new case.
    - i. Register the current in the personal register/computer sheet.
    - ii. if related to old case, it should be filed making necessary cross referencing in the P.R. (clubbing)
    - iii. if a new case, he should take proper care in entering the title and other details in the P.R. (registration of a new case)
3. Before taking action, he should go through it carefully to see whether it is routine report, or seeks sanction or clarification etc. and whether there is any connected back disposal relating to the case which requires to be requisitioned from records.

4. While preparing the note for orders, mention of the current should be made in the 1st paragraph
5. Brief description of the contents of the letter highlighting what is sought by the department etc should be indicated in the next para.
6. If for sanction, it should be checked up whether the department itself has already delegation to do so. If delegation is already given, the department should indicate accordingly mentioning the relevant provision.
7. If the matter requires to be referred to any other section.
8. If concurrence of other sections is necessary, the noting should take care of the requirement of the sections.
9. Relevant rule position, codal provisions etc should be examined.
10. Precedents of such cases, if available should be noted.
11. The note should indicate what is sought, what is the rule position and implications etc before submitting for orders.
12. When the file comes back with orders, it should be implemented by way of drafting a memo, letter or proceedings.
13. When no further action is needed in the file, it may be closed and index slips prepared.
14. Finally, the record file may be sent to the records branch under due acknowledgement

## 2. CHECKLIST ON NOTING

- a) All notes should be concise and to the point. Excessive noting should be avoided.
- b) A simple and direct style of writing should always be adopted
- c) Notes and orders should normally be recorded on the note-sheets.
- d) Notes should not be recorded on the receipt itself except in very routine matters.
- e) Verbatim reproduction of extracts from, or paraphrasing of the P.U.C or of notes of other Ministries recorded on the same file, should be avoided.
- f) Wherever a running summary of the facts is available on the file, it should be referred to without repeating any part of the facts in the note.
- g) Notes should always be worded in a courteous and temperate language, free from any personal remarks, even when some apparent errors have to be pointed out in the notes recorded in another Ministry.
- h) Any remarks record by the concerned officer, or other senior officers, on the receipt should first be reproduced before the note is recorded.
- i) When passing orders or making suggestions, an officer should confine his note to the actual points he proposes to make. He should not repeat or reiterate the ground already covered in the previous notes. If he agrees to the line of action suggested in the preceding note, he should merely his Signatures.
- j) A self-contained summary of the case should always be put up with every file submitted to a Minister. Such a summary should bring out briefly, but clearly, all the relevant facts, including the views expressed on the subject by other Departments, if any, consulted in the matter, and the point(s) on which the orders of the Minister are sought.
- k) When a paper under consideration raises several major points which require detailed examination and respective orders on each point or group of related points) it will be noted upon separately in "Sectional" notes. Such sectional notes will each begin with a list of the major points dealt with therein
- l) The dealing hand will sustain his full signature with date on the left below his note. An officer will append his full signatures on the right hand side of the note with his name, designation and the date.
- m) A note will be divided into paragraphs of a convenient size. Paragraphs should be serially numbered and may also have brief titles if necessary.

### **3. CHECKLIST ON FILES TO BE CIRCULATED TO FINANCE DEPARTMENT**

1. Cases which will affect the finances of the State
2. Cases involving any grant of land or assignment of revenue or concession, grant, lease or license of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession.
3. Cases involving any relinquishment of revenue 4 cases relating to the number of grading or cadre of posts or the emoluments or other conditions of service of posts.
4. Cases involving the delegation of financial powers to subordinate authorities and reports of financial irregularities made by the Accountant General or Administrative authorities.
5. Cases of financial irregularities in which a reference to the Andhra Pradesh Public Service Commission/UPSC is necessary should be sent to the Finance Department before making such a reference to the Commission and also after the recommendation of the commission is received
6. Cases relating to audit reports of the Local Fund Audit when the reports mention serious irregularities or when the administrative department differs from the Director or local fund audit or when the Local Fund Audit specifically requests that the report should be seen by the finance department also.
7. No re-appropriation shall be made by any department other than the Finance Department, except in accordance with such general delegations as the Finance Department may have made.
8. Every order of an Administrative Department conveying a sanction to be enforced in audit shall be communicated to the audit authorities by the Finance Department, except where delegation of power has been accorded.
9. Re-appropriation from one grant specified in the Appropriation Act to other such grant by all Departments including Finance Department.

#### **4.CHECKLIST ON FILES TO BE CIRCULATED TO MINISTERS**

1. Cases where a question of policy is involved
2. Cases relating to such schemes of new expenditure as may be specified by the Government from time to time
3. Important cases where there is a difference of opinion between the Secretary concerned and the Head of the Department
4. Cases where the conduct of a Government servant is involved and where charges are framed or where it is proposed to refer the cases to X branch.
5. Cases where the rules are intended to be relaxed in favour of a Government servant.
6. Cases relating to appointment (including lists of approved candidates) and promotion of second and above third Gazetted level officers in the State services.
7. Cases where it is proposed to deviate from the advise of the APPSC/Vigilance Commissioner.
8. All matters in which there is a difference of opinion between this Government and other State Governments or the Government of India.
9. Cases relating to imposition of penalties specified in rule 9 (vi to ix) of the A.P Civil Services (classification, Control and Appeal) rules, 1991 and A.P Revised Pension Rules, 1980 on second and third level Gazetted officers in the state services.
10. Cases relating to postings and transfers of Gazetted officers, which one vested with the Government.
11. Cases relating to the deputation of Gazetted Officers for special study or training outside India, if it is not in the approved programme.
12. Cases relating to the constitution of Committee with the non-official members.
13. Proposals for referring to the Anti Corruption Bureau on allegations of corruptions against any Gazetted officers
14. All cases relating to the observations or recommendations of the Committee on Public Accounts.
15. All cases of land acquisition where the compensation awarded has been enhanced by the court and central cheques are to be paid

16. Cases relating to prohibition of strikes in organization like TTD and Prohibition and Excise Department etc.
17. Cases of fixation of cadre strength of Gazetted posts where the concurrence of General Administration Department and Finance Department has been obtained and of non-Gazetted posts where there is no such concurrence.
18. Note for the standing finance committee where the concurrence of the Finance Department has been obtained
19. Pension cases involving recovery of losses or amount of pension to be reduced
20. Cases of condonation of break in service of Gazetted Officers.
21. The deputation under standing orders, shall be open to the Minister in charge of a department to direct that any case in his department shall be submitted to him for orders and the secretary in the department shall submit the case to him accordingly.
22. The Secretary may circulate files of importance if he so chooses.

## **5. CHECKLIST ON CASES TO BE BROUGHT BEFORE THE COUNCIL**

1. Proposals for the appointment or removal of the Advocate General
2. Proposals to dissolve the Legislature of the State
3. Decision on the questions arising as to whether a Member of the Legislature of the state has become subject to any disqualification under article 191 and any proposal to refer such questions for the opinion of the Election commission or to recover or to waive the recovery of the penalty due under Article 193.
4. The annual financial statements to be laid before the Legislature and demands for supplementary, additional or excess grants. Any supplementary statement of expenditure may be circulated to all Ministers for orders.
5. Proposals relating to rules to be made under Article 208 clause (3)
6. Proposals for the making of rules under Article 234 or amending them contrary to or otherwise different from the provisions in the rules contained in part II of the A.P State and Subordinate Service Rules.
7. Proposals for the issue of a notification under article 237.
8. Any proposal involving any action for the dismissal, removal or suspension of a member of the Public Service Commission A.P Vigilance Commissioner.
9. Any proposal for Legislation including the issue of an co-ordinance under article 213
10. Cases in which the attitude of the Government to any resolution or a bill to be moved in the Legislature is to be determined in important cases.
11. Proposals for the imposition of a new tax or any change in the method of assessment or the pitch of any existing or land revenue or irrigation rates of for the raising loans on the security of the revenues of the state or for the giving of a guarantee by the State Government for amounts exceeding Rs. 5,00,000.00
12. Any proposals, which affects the finances of the State, which has not the consent of the Finance Minister
13. Any proposals for re-appropriation to which the consent of the Finance Minister is required and has been withheld.
14. Proposals involving the alienation either temporary or permanent or of sale, grant or lease of Government property exceeding Rs. 2,00,000.00 in value,



except when such alienation, sale or grant or lease of Government property is in accordance with the rules or with a general scheme already approved by the Council

15. The annual audit review of the finances of the State and the report of the Public Accounts Committee.
16. Proposed circulars embodying important changes in administrative system of the state.
17. Proposed circulars embodying important changes in administrative.
18. Reports of the Committee (/ Commissions) of Inquiry appointed in pursuance of a resolution of Council of Ministers or of the State Legislature.
19. Cases which affect or are likely to affect materially the good governance of Scheduled Areas.
20. Proposals to vary or reverse a decision previously taken by the Council of Ministers
21. Non-plan cases in respect of New Services or Schemes or otherwise where recurring expenditure of Rs. 20,00,000/- and above and non-recurring expenditure is Rs. 1,00,00,000/- and above. This rule shall not apply to a plan scheme.
22. Schemes involving the abandonment of existing revenue including recurring losses of revenue to be written off by the Government involving an amount of Rs. 2,50,000/- and above per annum and non recurring losses of revenue to be written off by the Government involving an amount of Rs. 10,00,000/- and above or when the scheme involves a change of policy.
23. All schemes of new expenditure approved by the Standing Finance Committee of the Council of Ministers.
24. Cases required by the Chief Minister to be brought before the Council

## **6. CHECKLIST FOR PREPARING THE NOTE FOR PLACING BEFORE THE COUNCIL OF MINISTERS**

1. The subjects to be placed before the Cabinet for consideration have been classified into the following four categories.  
(1) Ratification (2) Routine (3) Important (4) Creation of posts.
2. The note should contain the following points:
  - a. Indication of the name of the department on the top of the memorandum
  - b. Abstract of the subject matter at the commencement
  - c. Has the approval of the C.M. through C.S/Minister obtained, and if so what was C.Ms approval
  - d. Has the file been routed through Finance Department and has the opinion of the Finance Department been specifically incorporated in the Cabinet Memorandum.
  - e. Has the opinion of the Law Department been obtained if required. If so, such opinion of the Law Department is incorporated or not in the Cabinet Memorandum?
  - f. If various options are proposed based on balance of convenience after the options are discussed has the Department made a specific recommendation?
  - g. Has it been specifically mentioned whether the Cabinet had considered this or any related issue earlier, which has a bearing on this particular subject, and if so what are the related resolutions passed in the past?
  - h. Has the draft resolution been prepared
    - i. Anticipating that the proposal made in the Cabinet Memorandum going to be approved; and
    - ii. For various likely alternatives that may emerge during the discussions of the Cabinet?
  - i. Has this item got particular news value for the Chief Minister to brief the press?
  - j. If it has such a news value, has a short note for briefing the press been enclosed including note to answer any further question that the press is likely to ask?

- k. If various alternatives have been suggested by the Department for a decision of the Cabinet, has the Department recommended.
  - l. If various alternatives have been suggested by the Department for a decision of the Cabinet, has the Department recommended specifically in which course of action the balance of convenience lies?
  - m. Is there any specific time limit within which the Cabinet decision is required?
3. Proposals in respect of creation of posts should be submitted in the proforma giving the following particulars in a statement.
- a. SL. No.
  - b. Subject
  - c. Office in which the posts are to be created/upgraded
  - d. Particulars of the posts proposed to be created/upgraded or added
    - i. Designation
    - ii. No. of Posts
  - e. Scale of pay ( In Rupees)
  - f. Additional expenditure
    - a) Recurring per annum
    - b) Non recurring.
  - g. Remarks of the Administrative Department / Finance (SMPC) Department.

## **7. CHECKLIST ON STEPS TO BE TAKEN FOR PREPARATION OF A BILL**

1. Receipt, of a proposal from the head of the Department based on the prevailing need, Cabinet decision, Public Opinion or on the advice of Law Department.
2. The Law Department will suggest whether the matter invites a new Legislation, amendment or whether then it is with in the competence of the State Legislature or requires the precons sanction of the President of India etc.,
3. Obtain orders in circulation from the CM through the Minister in-charge of the admin department and the Law Department.
4. After the opinion of Law Department is obtained the concerned administrative department will prepare:
  - a. Memorandum indicating the lines on which it has been decided to Legislate.
  - b. Statement of Objects & Reasons for the Bill
  - c. Financial Memorandum if it involves expenditure.
  - d. Memorandum on delegated Legislation.
5. The Law Department, will prepare tentative draft Bill and returns to the department
6. The Department will obtain opinion of concerned departments/bodies, if necessary & then approval of Ministers concerned/cabinet and send to Governor for previous sanction wherever necessary.
7. If the proposed Bill falls within concurrent legislative fields consultation with the Government of India is necessary.
8. Files to be sent to Law Department for finalization of the draft Bill.
9. Law Department will finalize the Bill and returns to the originating department indicating the sanctions if any.
10. After the sanction of the President recommendation of the Governor the originating department prepare a notice of motion for leave to introduce the Bill in the Assembly.
11. After obtaining the concerned Minister's approval, the bill will be forwarded to the Secretary, Legislative Department.

