

//MOST URGENT / TIME BOUND //

**GOVERNMENT OF ANDHRA PRADESH
MUNICIPAL ADMINISTRATION DEPARTMENT**

From
Sri K. Kanna Babu, I.A.S.,
Director of Municipal
Administration,
IV Floor, Sri Krishna Enclave,
Gorantla, Guntur – 522 034.

To
1) All Regional Director-cum-
Appellate Commissioners of
Municipal Administration,
Visakhapatnam, Rajamahendravaram,
Guntur and Ananthapuramu.
2) The Commissioners of
GVMC & VMC.

Lr.Roc.No.3276/2017-J3, dated:31.01.2018.

Sir,

Sub: Municipal Administration Department – Teaching Establishment - Filling up of vacancies through Promotions – Fixation of Inter-Se-Seniority of Municipal Teachers – Certain Clarification sought for by the RDMA's – Reiterated the clarifications – Further instructions and revised schedule issued – Regarding.

- Ref:-
1. This office Lr.Roc.No.3276/2017/J3-2, dt.06.12.2017.
 2. Lr.Roc.No.475/2015/A6, dt.10.12.2017 of the RDMA, Visakhapatnam.
 3. Lr.Roc.No.90/2017/A2, dt.11.12.2017 of the RDMA, Rajamahendravaram.
 4. Lr.Roc.No.15571/2017/A4, dt.11.12.2017 of the RDMA, Guntur.
 5. Lr.Roc.No.1188/2017/A3, dt.11.12.2017 of the RDMA, Anantapur.
 6. This office Lr.Roc.No.3276/2017/J3-1, dt.20.12.2017 addressed to the Govt.
 7. This office Lr.Roc.No.3276/2017/J3-1, dt.20.12.2017.
 8. Govt.Memo.No.881534/D1/2017-2, dated.30.01.2018.

In continuation of the letter 1st & 7th cited, I inform you that, in the reference 8th cited (copy enclosed), Government after careful examination of the matter have issued the following clarification, so as to enable the appointing authorities to take up the process of promotion of Municipal Teachers, PETs etc. Government have requested this office to take further necessary action in the matter accordingly and instruct the authorities concerned to speed up the promotions process as per the rules in force without delay and to avoid sought for unnecessary clarifications in this regard.

Sl. No.	Clarification sought	Instructions to be issued
1	2	3
1.	Whether to continue the existing roster, where there is a single Municipal Corporation/Municipality in the District, as the case may be (or) to follow fresh roster in the matter. In this office Lr.Roc.No.3276/ 2016/J3, dt.06.12.2017, Government have already been requested to clarify whether to continue the existing roster where there is a single Municipal Corporation/Municipality in the District, as the case may be (or) to follow fresh roster in the matter.	Government in Memo.No.708668/D1/2017-1, dated.14.09.2017 have instructed "to follow fresh rosters by taking District as unit for effecting promotions to the teachers working in Municipalities and Municipal Corporations and also to follow / continue existing roster in case of teachers working in GVMC and VMC". The above Government instructions are holds good and it shall be followed in respect of all U.Bs.

2.	<p>In the light of the non availability of Ranks / Marks in some cases, Government may be requested the procedure to be adopted for fixing of the Inter-seniority of the Teachers. In this office Lr.Roc.No.3276/2017/J3, dt.08.12.2017, Government have already been requested to clarify whether the marks or ranks is to be taken into consideration in preparation of seniority list.</p>	<p>Out of 13 Districts, 5 Districts namely Vizianagaram, Krishna, West Godavari, East Godavari and Prakasam do not possess the Rank list for DSC-2000.</p> <p>In the light of the non availability of DSC Merit Rank, the Ranks may be assigned duly taking Marks into consideration from top to bottom for preparation of Inter-se-Seniority in respect of above five districts.</p> <p>Rule 36 (iii) of AP State & Subordinate Service Rules shall be followed wherever necessary.</p>
3.	<p>According to Government Memo.No. 832550/D1/2017, dated.23.11.2017, the candidate who were transferred under 610 G.O. on administrative grounds, as if the candidate was joined in the new unit, he/she restore his/her seniority. According to Rule 36 (iii) of AP State & Subordinate Service Rules, the date of commencement of probation is the same, whoever is aged shall be the senior. In the light of the 610 G.O, Government may be requested to clarify the procedure to be adopted in restoring the seniority of the candidates in the seniority list as to whether Merit / date of joining in the post and as well as date of joining of the 610 GO Candidate and the person already recruited through DSC is one and same in a particular unit.</p>	<p>The seniority of the candidates who transferred under 610 GO on administrative grounds shall be restored in the new unit *as it was already clarified in Memo.No. 832550/D1/2017, dated.23.11.2017 and seniority shall be fixed in the new unit as per the DSC-Merit of the candidate.</p> <p>Rule 36 (iii) of AP State & Subordinate Service Rules shall be followed wherever necessary.</p>
4.	<p>The seniority of the candidates may be fixed as per DSC merit keeping in view of the Hon'ble Supreme Court orders passed in its Civil Appeal No.4455/2008, dated.16.07.2008 duly following the Rule 34 of AP State & Subordinate Service Rules, 1996. However, if the DSC 2008 merit may be taken as criteria for fixing the seniority of the DR candidates even though they were allotted during the year 2010/2011 and joined accordingly, their seniority may be fixed over and above the candidates promoted during 2008 to 2011, as it is a case, the legal complications may arose from promote (non-DSC) candidates in the matter. Hence, Government may be requested to issue clarification, whether the seniority of the DSC-2008 candidates may be fixed as per their merit keeping in view of the above Apex court orders or not?</p>	<p>The seniority of the DSC-2008 candidates shall be fixed as per their merit keeping in view of the Hon'ble Supreme Court orders passed in its Civil Appeal No.4455/2008, dated.16.07.2008. Hence, their seniority (DSC-2008 candidates) may be fixed over and *above the promoted candidates who were promoted during 2008 to 2011 as per existing procedure and rules in vogue.</p>
5.	<p>In view of the Hon'ble APAT orders issued in O.A.No.2953 of 2017 and its batch orders, Government may be requested to clarify the procedure to be adopted for filling up of the pre existing posts of School Assistants as on 10.10.2017 may be filled up in terms of Service Rules issued vide G.O.Ms.No.320 & 322 MA, dt.07.12.2016 (or) amended Service Rules issued vide G.O.Ms.No.362 & 363 MA, dated.11.10.2017 ?</p>	<p>Since the Hon'ble APAT has already dismissed the O.A.No.2953 of 2017 and its batch on 16.11.2017, hence clarification in this regard doesn't arise. The existing Service Rules of Municipal Teachers shall be followed.</p>

2. Therefore, all the RDMA's in the State and the Commissioners of Greater Visakhapatnam Municipal Corporation and Vijayawada Municipal Corporation are requested to take further necessary action for effecting promotions to the Municipal Teachers and to speed up the promotions process as per the rules in force without delay, keeping in view of the above clarifications issued by the Government, duly following the following revised schedule, without fail.

Sl. No.	Activity	Duration	Dates	
			From	To
1.	Finalization of combined seniority (inter-se-seniority) lists and its publication.	3 days	05.02.2018	07.02.2018
2.	Calling for Objections.	7 days	08.02.2018	14.02.2018
3.	Disposal of Objections.	2 days	15.02.2018	16.02.2018
4.	Arriving vacancies preparation of panel lists etc. placing before Committee & Panel Committee Meeting.	4 days	17.02.2018	20.02.2018
5.	Promotion counselling as fixed by the RDMA - HMs of HS & PS, SAs Languages, SAs Groups & SA Phy.Edn. District wise.	4 days	21.02.2018	24.02.2018
6.	Issue of proceedings.	2 days	25.02.2018	26.02.2018

3. Further, all the RDMA's are also requested to avoid sought for unnecessary clarifications in this regard.

4. Treat this as "Top Priority" and complete the promotion process as per the above schedule, without any deviation in the matter.

Encl : As above.

Yours faithfully,
Sd/- K. Kanna Babu
DIRECTOR

Copy to all the Commissioners of ULBs concerned for taking necessary action in the matter. (through the RDMA's concerned).

Copy submitted to the Principal Secretary to Govt., MA&UD Dept., AP Secretariat, Velagapudi, Guntur Dist.

//t.c.f.b.o.//


SUPERINTENDENT
31/1/2018

**GOVERNMENT OF ANDHRA PRADESH
MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (D1) DEPARTMENT**

MEMO.NO.881534/D1/2017-2

DATED:30/01/2018

Sub: MA&UD Dept. - Municipal Education - Filling up of vacancies through Promotions - Fixation of Inter-Se-Seniority of Municipal Teachers Certain Clarification sought for by the RDMA's - Reiterated the clarifications - Further Instructions issued - Regarding.

Ref: From the DMA, A.P., Guntur, Lr.Roc.No.3276/2017, Dt:20.12.2017.
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In the reference cited, the Director of Municipal Administration, A.P., Guntur has sought for certain clarification on the request of the Regional Directors of Municipal Administration (RDMAs) regarding filling up of teacher vacancies through promotions and Fixation of Inter-Se-Seniority of Teachers working in all the Municipalities and Municipal Corporations in the State.

2. After careful examination of the matter, it is hereby informed the Director of Municipal Administration, A.P., Guntur that the clarifications as already issued from time to time on the following points are now reiterated so as to enable the appointing authorities to take up the process of promotions of Municipal Teachers, P.E.Ts, etc:-

Clarifications

Sl.No.	Clarification sought for by the DMA, AP, Guntur	Instructions
1	2	3
1.	Whether to continue the existing roster, where there is a single Municipal Corporation / Municipality in the District, as the case may be (or) to follow fresh roster in the matter. In this office Lr.Roc.No.3276/2016/J3, Dated. 06.12.2017, Government have already been requested to clarify whether to continue the existing roster where there is a single Municipal Corporation / Municipality in the District, as the case may be (or) to follow fresh roster in the matter.	Government in Memo.No.708668/D1/2017-1, dated.14.09.2017 have instructed "to follow fresh rosters by taking District as unit for effecting promotions to the teachers working in Municipalities and Municipal Corporations and also to follow / continue existing roster in case of teachers working in GVMC and VMC". The above Government instructions are holds good and it shall be followed in respect of all ULBs.
2.	In the light of the non availability of Ranks / Marks in some cases, Government may be requested the procedure to be adopted for fixing of the Inter-se-seniority of the Teachers. In this office	Out of 13 Districts, 5 Districts namely Vizianagaram, Krishna, West Godavari, East Godavari and Prakasam do not possess the Rank list for DSC-2000. In the light of the non availability

	<p>Lr.Roc.No.3276/2017/J3, dt.08.12.2017, Government have already been requested to clarify whether the marks or ranks is to be taken into consideration in preparation of seniority list.</p>	<p>of DSC Merit Rank, the Ranks may be assigned duly taking Marks into consideration from top to bottom for preparation of Inter-se-Seniority in respect of above five districts.</p> <p>Rule 36 (iii) of AP State & Subordinate Service Rules shall be followed wherever necessary.</p>
3.	<p>According to Government Memo.No. 832550/D1/2017, dated.23.11.2017, the candidate who were transferred under 610 G.O. on administrative grounds, as if the candidate was joined in the new unit, he/she restore his/her seniority. According to Rule 36 (iii) of AP State & Subordinate Service Rules, the date of commencement of probation is the same, whoever is aged shall be the senior. In the light of the 610 G.O, Government may be requested to clarify the procedure to be adopted in restoring the seniority of the candidates in the seniority list as to whether Merit / date of joining in the post and as well as date of joining of the 610 GO Candidate and the person already recruited through DSC is one and same in a particular unit.</p>	<p>The seniority of the candidates who transferred under 610 GO on administrative grounds shall be restored in the new unit as it was already clarified in Memo.No. 832550/D1/2017, dated.23.11.2017 and seniority shall be fixed in the new unit as per the DSC-Merit of the candidate.</p> <p>Rule 36 (iii) of AP State & Subordinate Service Rules shall be followed wherever necessary.</p>
4.	<p>The seniority of the candidates may be fixed as per DSC merit keeping in view of the Hon'ble Supreme Court orders passed in its Civil Appeal No.4455/2008, dated.16.07.2008 duly following the Rule 34 of AP State & Subordinate Service Rules, 1996. However, if the DSC 2008 merit may be taken as criteria for fixing the seniority of the DR candidates even though they were allotted during the year 2010/2011 and joined accordingly, their seniority may be fixed over and above the candidates promoted during 2008 to 2011, as it is a case, the legal</p>	<p>The seniority of the DSC-2008 candidates shall be fixed as per their merit keeping in view of the Hon'ble Supreme Court orders passed in its Civil Appeal No.4455/2008, dated.16.07.2008. Hence, their seniority (DSC-2008 candidates) may be fixed over and above the promoted candidates who were promoted during 2008 to 2011 as per existing procedure and rules in vogue.</p>

	complications may arise from promote (non-DSC) candidates in the matter. Hence, Government may be requested to issue clarification, whether the seniority of the DSC-2008 candidates may be fixed as per their merit keeping in view of the above Apex court orders or not?	
5.	In view of the Hon'ble APAT orders issued in O.A.No.2953 of 2017 and its batch orders, Government may be requested to clarify the procedure to be adopted for filling up of the pre existing posts of School Assistants as on 10.10.2017 may be filled up in terms of Service Rules issued vide G.O.Ms.No.320 & 322 MA, dt.07.12.2016 (or) amended Service Rules issued vide G.O.Ms.No.362 & 363 MA, dated.11.10.2017 ?	Since the Hon'ble APAT has already dismissed the O.A.No.2953 of 2017 and its batch on 16/11/2017, hence clarification in this regard doesn't arise. The existing Service Rules of Municipal Teachers shall be followed.

3. The Director of Municipal Administration, A.P., Guntur is, therefore requested to take further necessary action in the matter accordingly and instruct to authorities concerned to speed up the promotions process as per the rules in force without delay and to avoid sought for unnecessary clarifications in this regard.

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Municipal Administration, A.P., Guntur.
Sf/Sc.

//FORWARDED:: BY ORDER//


SECTION OFFICER.