

**ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
ABSTRACT**

APGENCO – Regulations – Revision of Seniority list based on the merit list in terms of Regulation 26 of APSEB Service Regulations Part-II as adopted by APGENCO – Orders - Issued.

G.O.O.No.293/JS(Per)/2023

Date:21.02.2024.

Read the following:

1. Lr.No.1390/OP.A3/17, dt.11.04.18 of Energy, I&I (OP.A3) Dept., GoAP.
2. Lr.No.CGM(HRD & Plng)/DS(P)/AS(P)/PO(Reg)/224/18-1, dt.27.09.2018.
3. Advocate General opinion dt. 06.10.2018 on the letter 2nd cited.

In APGENCO, the seniority of the employees recruited through Direct Recruitment is being communicated as per 100 Point Roster. As per the Regulation 26 (a) of APSEB Service Regulations Part-II as adopted by APGENCO, the seniority is to be determined as follows:

Seniority:

- (a) "the seniority of a person in a class of service, category or grade shall, unless he has been reduced to a lower rank as a punishment, be determined by the rank obtained by him in the list of approved candidates drawn up by the Board or other appointing authority as the case may be".
2. The Principal Secretary to the Government, Energy Department has issued instructions in the letter 1st cited that the orders issued videMemo No.322.ED(HRD & Plng)/DS(P)/AS/PO(Reg)/158/17, dt: 10.11.2017 and Memo No. ED (HRE&Plng.)/ DS(P)/AS(P)/PO(Reg)/365/14, dt: 23.10.2017 by APTRANSCO are in accordance with Regulations 26 (a) of the APSEB Service Regulations Part-II and circular issued by APPSC, dt. 18.06.2011 and the judgments of the Hon'ble High Court and Supreme Court. Further, the APTRANSCO vide its letter 2nd cited, has sought the opinion of the Advocate General, Government of A.P on (a) whether the Service Regulations of APSEB is binding or AP State Sub ordinate Service Rules, 1996 need to be followed.(b) whether according to State Sub ordinate Rules in particular Rule 33 the seniority need to be fixed based on merit or otherwise. (c) whether to fixation of the seniority is to be done as per merit order or otherwise as per Regulation 26 (a) of APSEB Service Regulations Part-II.The Advocate General vide ref 3rd cited, has opined that in view of the observation of the Hon'ble Division bench of High Court of Telangana & Andhra Pradesh in S.S.L Narayana & Ors v Ch. Madhu Mohan Rao & Ors (2014(3) ALD 430 the settled position of law is that the Roster Point cannot constitute the basis for fixation of seniority, and therefore the seniority of the Assistant Engineers may be fixed as per regulation 26 (a) of APSEB Service Regulations.

Contd..

:: 2 ::

3. After careful consideration of the above, it is hereby ordered that the seniority of the employees recruited under direct recruitment be determined by the rank obtained in the list of approved candidates as per the Regulation 26 (a) of APSEB Service Regulations Part-II as adopted.

4. Therefore, the appointing authorities of APGENCO are hereby directed to take necessary action to revise the seniority lists in respect of the candidates recruited by APGENCO under Direct recruitment based on the merit in terms of Regulation 26 (a) of APSEB Service Regulations Part-II as adopted by APGENCO.

**K.V.N. CHAKRADHAR BABU, I.A.S.,
MANAGING DIRECTOR**

To

All Station Heads/Functional Heads/APGENCO

Copy to the:

Dy.EE (Techl.) to Managing Director/APGENCO

PO to Director (HR&IR)/APGENCO

AE(T) to Chief General Manager (Adm, IS&ERP)/APGENCO

JPO to Joint Secretary (Per)/APGENCO

Stock File/Spare Copy

// FORWARDED :: BY ORDER //


PERSONNEL OFFICER