



APSEB ENGINEERS' ASSOCIATION

(Regd. No. 874 of 1975)

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To

The Hon'ble Governor of Andhra Pradesh,
Raj bhavan,
Hyderabad.

Respected Sir,

Sub: A.P. Power Sector – A.P.Re-organisation Act, 2014 –
Bifurcation of the Employees in the Power Sector – Guidelines
–Reg.

Ref: 1. Letter No: 686 / HR.A1 / 2015 dt 06-06-2015 Issued by
Secretary to Government , Energy Department,
Telangana Secretariat, Hyderabad

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This has reference to the issue of bifurcation of A.P. Power sector employees in to Telangana and Residuary Andhra Pradesh State in view of the bifurcation of United Andhra Pradesh State. APSEB Engineers' Association has been submitting representations on the issue to the authorities from time to time. This Association has also met Sri Kamalanathan Committee thrice and submitted representations. A Joint committee consisting of four members each from Telangana and Andhra Pradesh is formed to evolve guidelines by APTRANSCO for bifurcation of employees. The Joint committee could not finalise the guidelines for employee bifurcation due to non-cooperation by Telangana counterparts . Further this Association has already requested to adopt kamalanathan committee guidelines as they are approved by both the State Governments and Government of India.

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The APTRANSCO management has been requesting the Telangana TRANSCO management for finalization of guidelines since Nov' 2014 and they are continuously avoiding on some or other pre-text.

In such a scenario the Secretary to Government, Energy Department, Telangana Secretariat vide their letter dated 6.6.2015 has issued guidelines for final allocation of employees in the power sector of the State of Telangana. The State of Telangana has formulated the guidelines unilaterally and lot of pressure is exerted on the employees by arbitrarily dividing them in to Andhra and Telangana. As per section 82, A.P. Re-organisation act 2014, the guidelines cannot be prepared unilaterally. This arbitrariness is causing mental agony and creating problems to some of the employees working in Telangana State. Due to this, some of the employees are forced to approach the Honourable Highcourt and the Hon'ble high court has pronounced in the open court that the Status Quo as on 9-6-2015 shall be continued and the orders of relieving the employees published on net on 11-6-2015 with a back dated orders (10-6-2015) is also suspended along with the guidelines. The signed copy of the judgement will be available on 15-6-2015. However the Telangana Power Utilities are continuing their tirade against some employees branding them as Andhra and **spreading the following threatening messages and creating insecurity among the employees.**

“Congrats to all Telangana Engineers / Employees for this Great Moment. All Andhra Employees are relieved in TS Power Sector. Telangana Power Engineers’ Association (TSPEA) express sincere gratitude to our Managements for this dynamic decision- General Secretary / TSPEA”

“Congrats to all Telangana Electricity Employees Association members & employees for Andhra officers relieved. – Swamy Reddy, General Secretary, Telangana Electricity Employees Association”

“Dear Telangana Engineer, Let’s continue & work with same additional charge arrangements by not allowing Andhra Employees to work. The same will be appraised by Telangana Power Engineers Associations to the managements of TS Power Sector - General Secretary / TSPEA”

- The Telangana Managements and Associations are working in Tandem and floating the Constitution, creating their own rules and troubling a section of employees branding them as Andhra.
- The employees on rolls as on the date of bifurcation can not be relieved unilaterally without issuing a suitable reposting orders. These employees are State level Officers and recruited through Open notification following all statues. The AP counter parts cannot absorb these employees.

The viability of AP Power Sector and the future of all the employees in AP Power Sector is at stake. The employee liability in the form of wages and terminal benefits including pension are to be resolved.

- Even in private sector, the employees are given notice period before removing them from their rolls. In this instant case, some of the employees are relieved branding them as Andhra Engineers as per their own criteria devised without any notice.
- The TS Power Sector managements instead of explaining the reality on the rule position, is instigating the employees by giving false hopes to the employees by creating an impression that some of the seniors are driven-out by branding them “Andhra”, thereby some other section of the employees get immediate promotions. The bureaucracy which claims to be experts in administration, the managements and the employee representatives are behaving like politicians and spreading hatredness, poisoning the atmosphere and the society at large. They are shedding their responsibility and deviding the society and pitting one against other. The fundamental rights assured in the constitution are violated. It is also well known that the Fourth estate of Democracy, the press in Telangana is also not taking up the case.
- The employees working since 29 years are also relieved without any reason.
- Another important point is, the senior officers who are working, are recruited in erst-while APSEB before 1999 and were transferred to Corporations in the United Andhra Pradesh with due protection in the form of “TRIPARTITE” agreement.
- The telugu speaking people who belong to United A.P. is treated as foreigners and they can not exercise option where as, other State persons employed in Power Sector who can not read and write telugu and have different mother tongue are given option by the Telangana Government which is very unfair
- The clause 371 D was in force in United Andhra Pradesh State and in both the States now. The local status is governed by article 371D and the same is incorporated in the recruitment notifications also. The “Local” status is based on the education from 4th to 10th class and considered as per the rules in vogue. The same was adopted by APTRNASCO for recruitments vide T.O.O. (Addl. Secy - Per) Ms .No:11 dated 11.4.2008. Hence nativity is not a criteria for employment. You can also observe that, the nativity cannot be the criteria even in future recruitments that may take place in the State of Telangana for State level officers in Corporations. Even in Telangana transfer policy 2015 stipulates strict implantation of GO 610.

- Government Departments and other corporations are following Kamalanathan guidelines adopting local status as per presidential order. Only Power Sector is sidelined as a special case for the reasons best known to them.
- All the employees working in Telangana and A.P. are on Order to serve basis only.
- Assets and Liabilities are not yet bifurcated.
- It is pertinent to note that the posts are sanctioned and filled based on the workload & geographical intensity of the network in power sector. That is how more number of posts are sanctioned in APCPDCL (now TSSPDCL) in the united Andhra Pradesh than the other three Distribution companies in the State. **Though the Telangana Engineers are way ahead in their promotions compared to similarly placed engineers in other parts of the state in power sector, their intimidating actions for further promotional avenues by sending some employees out of Telangana is highly objectionable. The TSSPDCL employees or TSNPDCL employees are separate entities and do not attract bifurcation since they are geographically located in Telangana. Even these employees from Sweeper cadre to Chief Engineer cadre are relieved now and facing trauma.**
- For no fault of the employee, he is made to run from pillar to post and the remedy in the judicial process takes a long time during which the employee and their family passes through the trauma.
- As per section 82, A.P. Re-organisation act 2014, the guidelines cannot be prepared unilaterally. This arbitrariness is causing mental agony and creating problems to some of the employees working in Telangana State.
- The Telangana State is enjoying more power allocation (53.89%) based on power consumption. The A.P is given 46.11 % of power. But when it comes to man-power allocation, they want to drive all the man-power to A.P. on some fictitious ground. Telangana is getting more assets and want to avoid liabilities. When it comes to liabilities they want to follow population ratio. Right now the TS Power Utilities owe more than Rs 2000 Crores for the power they have drawn and not paying the power dues in time to the AP utilities. The AP Power utilities have raised huge loans from banks to continue the power supply to Telangana and need to pay interest. This interest should also be paid by Telangana utilities for delayed payment.
- The net work, the sub-stations constructed, the power consumed is more in Telangana in the last decade compared to 13 Districts of residual Andhra Pradesh State.

- The Hon'ble governor might have seen the news published in all the news papers that the CMD / TSTRANSCO is stating that, inspite of court directions they are not going to take back the employees and going to appeal in the division bench of the Hon'ble High Court . Infact the TS Power Utilities have right to appeal but they should do so by complying the orders of the single Judge of the Hon'ble High Court. **If the highest persons responsible for enforcing the rules themselves float the law, what type of atmosphere prevails. It means the rules and regulations are only for common man but not for the managements, bureaucracy or the politicians. How are these people are immune in the system. What type of message does this send to their employees and already suffering relieved engineers. This type of Statements pollute the working atmosphere. The Hon'ble Governor should intervene in this type of situation.**
- The Hon'ble governor should also initiate disciplinary action on the managements and the bureaucracy for instigating the employees against each other and lawlessness situation. They should also be made accountable for the mental agony they have inflicted on the section of the employees and their families. This is the fittest case for National Human Rights Commission intervention. If action is not taken at the appropriate time, it will snow ball in to a major controversy. It is the time to show that individuals are only part of the system and they should not attempt mis-adventure like this.

Keeping the above in view, the Hon'ble Governor is requested to see that the following remedies are taken place for bringing peace , harmony and working atmosphere in the TS Power Sector.

1. The TS Power utilities should Honour the Judgement of Single Judge of the Hon'ble High Court and restore the employment of the affected 1252 employees immediately and restore their status as on 9.6.2015 without causing any further hardship.
2. Both AP and TS Power Utilities managements should sit together and finalise the modalities for bifurcation of the employees in an amicable way by involving all the stake holders. Further the bifurcation process shall be initiated immediately.

3. Congenial ,Safe and peaceful working atmosphere shall be created in Telanaga Power Utilities for all the employees, as it was prior to 9.6.2015 to discharge their duties with full devotion and efficiency.
4. Action shall be initiated on the persons, Officials, Managements and bureaucracy for their misadventure who are responsible for creating this mental agony for 1252 employees.
5. The power dues to the AP Power Utilities shall be cleared and further payments be made timely.

Thanking you and Assuring you of our co-operation at all times.

Encl:

1. Correspondence between A.P. Transco and TS Transco on bifurcation.
2. MOM dated 20.3.2015 between Chief Secretary of both States in presence of Sri A.K. Singh , Additional Secretary, Ministry of Home Affairs, Govt.of India.
3. Guidelines issued by Govt of Telanagan vide Lr No: 686 / HR. A1 / 2015 dt. 6.6.2015.

Yours Faithfully,

M. Vedavyasa Rao.
Secretary General

Copy submitted to

1. Hon'ble Prime Minister of India, New Delhi.
 2. Hon'ble Home Minister, Govt. of India, New Delhi.
 3. Hon'ble Minister for Urban Development & Poverty Alleviation and Parliament Affairs, Govt. of India, New Delhi.
 4. Hon'ble Minister for Civil Aviation, Govt. of India, New Delhi.
 5. Hon'ble Minister for Commerce and Industry, Govt. of India, New Delhi.
 6. Hon'ble Minister of State for Science & Technology & Earth Sciences Govt. of India, New Delhi.
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