



(2013-14)

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To
Hyderabad,
04.08.2014.

The Hon'ble C R Kamalanathan Committee,
Chairman of Committee for division of employees,
Hyderabad.

Respected sir,

Sub: – Bifurcation of Andhra Pradesh- Guidelines relating to state services employees – certain modifications -Requested- Reg.

Ref: This Association representation dated 14.7.2014.

APSEB Engineers' Association welcome the draft guide lines published on net in view of the Bifurcation of the State in to Telangana and Residuary Andhra Pradesh. APSEB Engineers' Association has already submitted its views vide letter dated : 14-7-2014.

Though, the draft guidelines Dtd.25.07.2014 published are not directly meant for employees of corporation's viz. APTransco, APGenco & Discoms etc., nevertheless, the published guidelines would become implied guidelines to the employees of the respective corporations since these corporations do adopt the guidelines in toto for division of employees between the successor corporations of Andhra Pradesh and Telangana.

Therefore the Hon'ble Kamalanathan Committee is prayed to take cognizance of the submissions of this Association also into consideration and pass such orders deemed necessary fit.

Sl.No	Clause No	Description	Remarks / Modification Required
1	18 (f)	The allocation shall be done in order of seniority as available on June 01, 2014. Those who have opted, who are 'local candidates' relating to the State to which they have opted, shall, in order of their seniority, be considered for allotment first. If allocable posts in that category remain, others will be considered in reverse order of seniority by allotting the junior most.	<p>1.Those who have opted, who are 'local / domicile candidates' relating to the State to which they have opted, shall, in order of their seniority, be considered for allocation first.</p> <p>2. Further, those who have opted, who are 'not local candidates' relating to the State to which they have opted, shall, in order of their seniority, be considered for allocation next.</p> <p>3.If allocable posts in that category still remain, requests can be considered.</p> <p>4. If allocable posts in that category still further remain, and if no requests are available, others will be considered in reverse order of seniority by allotting the junior most.</p>
		New	Principle for allocation of already retired employees before 01.06.2014 was not covered in the guidelines. in this regard it is to submit that the retired employees may be allocated for Andhra Pradesh and Telangana as per population ratio i.e 58.32 and 41.68 respectively.
		New	Principle for revision of seniority after final allocation of personnel was not covered in the guidelines; it is to submit that the original seniority should not be disturbed.

	<p>Clause (16)</p>	<p>All employees of local, district, zonal and multi-zonal cadres, which fall entirely in one of the successor state , shall be deemed allotted to that successor state w.e.f appointed date ie.. June 2nd 2014.</p>	<p>Government of Andhra Pradesh vide Do letter No 1267 /Ser/2005, DT 04.06.2007 advised to Corporation/Companies that “even though the presidential order does not apply to Corporation and companies, it would be advisable that such bodies to follow the spirit of presidential order”.</p> <p>As such, certain cadres (Assistant Engineer/Additional Assistant Engineers) in engineering services which were state-wide hitherto 2008 are localized. The present personnel working in the Assistant Engineer cadre comprise both state-wide and zonal recruited, therefore, it can't treat AE cadre as pure local cadre.</p> <p>Further, In Zonal recruitments, meritorious non-local candidates are allotted to other zones.</p> <p>Therefore options shall be considered to all the employees including zonal recruits.</p> <p>Similarly there are many spouse cases in the zonal recruits who may now face permanent separation. This is a very serious issue. So, in order to avoid family disturbance, spouse cases in the zonal recruits shall also be considered in the good spirit of society. The seniority issue of such of these cases can be finalized by taking legal opinion.</p>
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	18(m)	<p>Vacant posts allocated to a State shall not be used to allot a person unless there are more employees who are local candidates of that State.</p>	<p>There are about 70 nos. of Assistant Divisional Engineer/Elect. posts that are kept vacant from 11.02.2014 in APTRANSCO due to pending seniority issue of Assistant Engineer/Elect in the court of law vide WA No: 1104 / 2011 and related review petitions.</p> <p>Also, there are about 20 nos Divisional Engineer (Mechanical) posts that are kept vacant (9 posts from May 2010 and 12 POSTS FROM Feb 2014) without filling pending writ appeal WA 1334 / 2005 in Hon'ble High Court of A.P.</p> <p>It is requested to set aside these posts vacant, as the matter is sub-judice.</p> <p>As per AP Re-organisation act, Kurnool and Anantapur Districts are merged with APSPDCL. There is already seniority issue due to difference in promotional avenues between the same recruited APSEB engineers who are in APCPDCL and APSPDCL due to bifurcation of APSEB during 2002. The erst-while APSEB employees have protection for their service conditions in the form of TRIPARTITE agreement. This aspect may also be kept in view while finalizing the guidelines.</p>
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<p>clause 18 (j)</p>	<p>Spouse of an All India Service (AIS) officer who is a state government employee shall be allocated, Where so desired by the spouse, to the state to which the AIS officer is allocated.</p>	<p>But it is not clarified whether the same clause can be implied to the spouses of all other employees working in central government / R &D / Public sector undertakings controlled by Govt of India , State Government Teachers / software professionals / some Private employees , which are exclusively located either in Andhra or Telangana.</p> <p>The following are the few examples of the such organisations exclusively located in Hyderabad and their employees will not have any transfers.</p> <ol style="list-style-type: none"> 1. DRDO - Defence research and Development Organisation, Govt. Of India, Hyderabad . 2. RCI - Research Centre Imarat , DRDO, Govt. of India , Hyderabad . 3. ARCI - International Advanced research centre for powder metallurgy and new Materials, Dept. Of Science and Technology, Govt. Of India, Hyderabad. 4. ECIL - Electronic Corporatoin of India Limited, Govt. Of India, Hyderabad. 5. BHEL - Bharat Heavy Electricals Limited, Govt. Of India, Hyderabad. 6. HAL - Hidustan Aeronoutical Limited, Govt. Of India, Hyderabad. 7. NFC - Nuclear Fuel Complex, Govt. Of India, Hyderabad. 8. NRSA - National remote sensing Agency, Govt. Of India, Hyderabad. 9. BDL - Bharat Dynamics Limited, Govt. Of India, Hyderabad. 10. MIDHANI – Mishra Dhatu Nigam limited, Govt. Of India, Hyderabad. 11. SCCL <p>Similarly, some of the central govt organisations / Public sector companies</p>
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			<p>are exclusively located in Visakhapatnam Viz, BHPV, VSP,NSTL, Naval Dock Yard etc.,</p> <p>Hence, it shall be clearly specified about the status of the state government employee, native of 'Andhra' but Domicile in Hyderabad since from the date of joining (totally served in Telangana state), and for whom the spouse is working in above such organisations having no transfers. Further, there is no clause in option form for preferential allotment of such cases.</p> <p>In light of the above, it is requested to arrange to amend the clause 18 (J) as follows.</p> <p>" Spouse of an All India Service (AIS) officer / central government employee / R &D / Public sector under takings of Govt of India , who is a state government employee shall be allocated, Where so desired by the spouse, to the state in which the central govt employee is working."</p> <p>Similarly for State Government Teachers / software professionals / some Private employees , options shall be given so as to avoid family Disturbance.</p> <p>Accordingly, necessary clauses may kindly be incorporated in the option form for preferential allotment.</p>
	Clause 18 (K)	Spouses in State government and related state government institutions shall as far as practicable be allotted to the same State, after considering options made by them.	<p>I) Women personnel whose spouse is not in Government service shall also be allocated to the successor State, for which option has been exercised.</p> <p>II) Spouse in State services, whose services</p>

	<p>Clause 18 L (ii)</p>	<p>Handicapped persons of more than 40% disability may be allocated on the basis of option, subject to the procedure prescribed by the State Government.</p>	<p>are transferable within the entire State, will be allocated to that Successor State, where the other spouse is working either in State cadres/Central or State funded organizations/ institutions whose services are non-transferable.</p> <p>III) Handicapped personnel shall be allocated as per their option.</p> <p>Personnel retired/ retiring within Two years from the appointed day would be allocated to the successor state where they were working just before the appointed day/ may be allowed to go to their home state as per their option.</p>
	<p>Clause 18 L (i)</p>	<p>Widowed, legally separated and divorced women employees may be considered for allocation to the State to which option is exercised.</p>	<p>IV) Options shall be considered for Single women (Un-married) category.</p> <p>VII) Para 18(f) in the Draft guidelines shall be elaborated with various types of examples.</p> <p>VIII) Definition of nativity, Local and domicile shall be given with examples.</p>
	<p>Clause 18 L (iii)</p>	<p>The employees who are known to be facing serious medical hardship, in cases of Cancer (self or dependent family), Open Heart / Bye-pass surgery, and Kidney Transplantation / Kidney failure and continuing on dialysis (self) shall be considered for allotment on special grounds on priority on the basis of option, subject to strict proof of verification as per the procedure prescribed by the State Government.</p>	<p>IX) Mental illness & Neuro-surgery : Self or family shall be added in medical hardship cases.</p> <p>X) In 18(l(iii)), for all medical hardship cases self or family(spouse, children, parents and in-laws) shall be added. The medical cases where children are suffering with Autism & Down Syndrome or any physical / mental disturbance shall also be considered as per their option.</p> <p>XI) In medical cases, continuous dialysis to self, family members or dependents shall be considered as per their choice for allotment in successor state.</p>

Clause 12(vi)	There are a large number of single / Isolated post or posts, the number of which cannot be proportionately divided and allotted. A single post could be allotted to the state for which it was created or the state that it serves most or with reference to the state to which the person holding the post is allotted.	As per the population ratio, the single posts shall be allocated to the state irrespective of the nativity of the person holding the post.
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The option process shall be dynamic and totally transparent. The employees shall have the facility to select their choice as in EAMCET counseling duly taking in to effect of their promotional avenues in both the States. Every employee should be able to know number of employees above him with their age and balance number of posts left for exercising option.

Peculiar situation arose for some of the employees, they are non-local to Telangana State but working in Telangana since more than 10 years . Their children are born and studied in Telangana area thus they are local. Parents employment is at risk now, but the children may not get education and employment in their parents State as they are non-local there.

Ultimately, the option process shall be with a human approach considering all requests.

It is further submitted that, this association understands that, the Hon'ble Kamalanathan Committee is under enormous pressure from political and vested groups who wants to gain out of this division. Now APSEB Engineers' Association is only trying to defend and safeguard its members. It was already intimated to you that the APSEB is divided in to six entities during 2002 and TRIPARTITE Agreement is existing to safe guard the service interests of the employees. The zonal recruitment, which is not same as state Government is started only from 2009 onwards. Prior to 2009 the recruitment of Graduate Assistant Engineer cadre is state wide only. If the statistics reveal that prior to 2009, more number of Andhra Engineers got the selection, it is not their fault nor the system fault. Now, people are trying to make good of these posts and arguing for posting these persons as per their region only, only to gain vacancies thus early promotions, where as there will be severe stagnation for one or two decades in other region which is arbitrary, illegal, un-constitutional and against principles of natural

justice. Further the guidelines issued shall be thoroughly vetted through legal process and then only released such that the rules framed shall stand legal scrutiny later.

In view of the above, it requested to consider aforesaid issues while finalizing the guidelines.

Thanking you and assuring our best co-operation at all times sir,

Yours faithfully,



M.Vedavyasa Rao
Secretary General,

Copy Submitted to :

1. Dr P.V.Ramesh, Principal Secretary, GAD(SR) & Member- Secretary, Advisor Committee.
2. The Principal Secretary, Public Enterprise Department, Govt. of Andhra Pradesh.
3. The Secretary, Energy, Telangana State Government
4. The Secretary, Energy, AP State Government.
5. The Chairman and Managing Director / AP TRANSCO
6. The Chairman and Managing Director / TS TRANSCO
7. The Chairman and Managing Director / TS GENCO
8. The Chairman and Managing Director / TS SPDCL, Hyderabad
9. The Chairman and Managing Director / AP SPDCL, Tirupati.
10. The Chairman and Managing Director / TS NPDCL, Warangal
11. The Chairman and Managing Director / AP EPDCL, Visakhapatnam.