

GOVERNMENT OF ANDHRA PRADESH

OFFICE OF THE
SPECIAL COMMISSIONER OF TECHNICAL EDUCATION
ANDHRA PRADESH:: VIJAYAWADA

Memo. No. G2/ 12323/ Garment/Provisional Seniority/2018-19

Dt: 06 .11.2018.

Sub: - TECHNICAL EDUCATION - ESTABLISHMENT - APTES - Provisional Seniority List of Lecturers in Garment Technology in Government Polytechnics of A.P in Zone - III prepared in accordance with the rules in vogue and Hon' ble APAT orders dt: 30.12.2016 and Hon' ble Supreme Court Orders dt: 16.07.2008 - Communicated - Regarding.

A Provisional Seniority list of Lecturers in Garment Technology (Category 13 in APTES) in Zone-III in Government Polytechnics in the State in the category, those who are in service as on 01.09.2018 for the panel year 2018-19 is prepared in terms of the G.O.Ms.No.178, H.E (TE.1-2) Dept., dated 09-12-2005 and in terms of the following:

- i. The Hon'ble APAT issued orders dt: 30.12.2016 in the O.A No. 3639/2016 with the following observations.

"the subject matter of this O.A., and the subject matter in O.A.No.4759 of 2005 and batch, is similar and this O.A., may also be disposed of as a covered matter in terms of orders dated 27.4.2010 passed in the above said Batch of cases".
- ii. The O.A. No. 4759/2005 was disposed of by the Hon'ble APAT with one of the following directions on 27.04.2010:-

"Seniority shall be fixed in terms of Rule 33 (a) read with the proviso to Rule 33 (b) of A.P. State and Subordinate Service Rules basing on the merit list prepared by the Appointing Authority on the basis of marks obtained without reference to the roster points."
- iii. The Hon'ble Supreme Court of India in its judgment dated 16.07.2008 in Civil Appeal No. 4455 of 2008 (Arising out of SLP (C) No. 9895/2006) have ordered that:

"The incumbent can be appointed against first vacancy but in the same selection if names are arranged according to merit then person higher in merit cannot be lowered down in seniority".
- iv. The opinion given by the *Additional Advocate General* vide No.24 of 2012 dated 16.06.2012 in regard to fixation of inter-se-seniority as *"the Department is required to prepare the seniority list of direct recruits, strictly based on the merit list communicated by the Public Service Commission without tampering or tinkering with the same"*.
- v. The seniority of the direct recruits is prepared based on the **Rule 33 (b) and 36 (i)** of A.P. State and Subordinate Service Rules (APSSSR) *without reference to the Roaster points mentioned in the Rule 22 of APSSSR.*

The rule 36(i) states that "In respect of the candidate selected by the Andhra Pradesh Public Service Commission or other selecting authorities by direct recruitment, shall be with reference to their ranking assigned irrespective of the date of commencement of their probation in that category
- vi. The seniority of the candidates, who **REPATRIATED** under G.O.Ms. No. 610, General Administration (SPF - A) Department, dt: 30.12.1985 or under AP State Bifurcation Act, is protected under the provision in Para 5(2) (c) of the Presidential Order relating to the inter-local cadre transfers candidates and as per the **Rule 35 (a)** of AP State and Subordinate Service Rules, 1996 which States that -- -

*"The seniority of a member of a service, class or category transferred from one unit of appointment to another unit of appointment, on administrative grounds, shall be, determined with reference to the **date of seniority of such member in the former unit.**"*

- vii. The seniority of the Candidates, who are **TRANSFERRED ON REQUEST**, is fixed in accordance with the **Rule 35 (b)** of AP State and Subordinate Service Rules, 1996 and the Seniority of the candidates, who are **RE ALLOTTED** by APPSC is fixed as per the **Rule 37** of AP State and Subordinate Service Rules, 1996
- viii. The date of seniority of the candidates is assigned as per The **Rule 16 (a)** of the AP State and Subordinate Service Rules, 1996 which States that
- "A person appointed in accordance with the rules, otherwise than under rule 10, by direct recruitment shall commence his probation from the date of his joining the duty or from such other date as may be specified by the appointing authority"*
- As per this rule, the Appointing Authority i.e. the Commissioner of Technical Education is assigning the same date to All the Direct Recruits Such as Date of Appointment Order or any other date that shall not adversely affect any person who has been appointed earlier or simultaneously, to the same service, class or category in the same unit.
- ix. The seniority of the Lecturers, who have been appointed by the method of 'appointment by promotion', may vary subject to the fulfilment of the conditions as per the rules in vogue.
- x. The Provisional Seniority of Lecturers in Chemical Engineering in Zone- I could not be communicated due to interim orders dt: 05.10.2018 in O.A. No. 1950/2018 before Hon, ble APAT, Hyderabad.

The individuals are requested to submit their objections, if any, on the provisional Seniority list addressed to the Office of the **Commissioner of Technical Education, 1st and 2nd Floors, ANR Towers, Higher Education Bhavan, Jammi Chettu Street, Prasadampadu, Vijayawada, Andhra Pradesh-521108** or by email through the principals to adgcte@gmail.com on or before **20.11.2018**, otherwise it will be construed that they have no objections to file and the Seniority will be finalized as mentioned in the in the provisional Seniority. Further the individuals are requested to enclose documentary evidence in support of their claims / Objections without fail.

The Principals concerned are requested to communicate the Provisional Seniority List of the Lecturers in Garment Technology to the individuals concerned duly obtaining acknowledgements from them. The Seniority is however, subject to the outcome of the SLPs/W.Ps/C.As/ O.As/MAs, if any, pending before the Hon'ble Supreme Court of India, Hon'ble High Court of AP., and Hon'ble APAT.

The receipt of the Memo may kindly be acknowledged.

Sd/- G.S.PANDA DAS
SPECIAL COMMISSIONER OF TECHNICAL EDUCATION

To:

The individuals through the Principals concerned.

Copy to the Principals concerned.

Copy to the RJDTE, Tirupati and Kakinada.

Copy to the Stock File /Spare Copy

//F.B.O.//

S. Suresh Babu
SUPERINTENDENT

ZONE - III

PROVISIONAL SENIORITY LIST OF LECTURERS IN GARMENT TECHNOLOGY
IN GOVERNMENT POLYTECHNICS AS ON 01.09.2018 FOR THE PANEL YEAR 2018-19

Sl. No.	Batch	Roster	Order of merit & marks	Name and place of work	Social Status	Date of Birth	Original date of commencement of probation	Assigned date of Regularisation	Date of Completion of Probation	Educational Qualifications	Remarks
1.	PSC-2012	3 O C G L	19/306	G. Sucharitha, GPW, Guntur	OC	19.04.1978	28.04.2012	25.05.2012		M.Sc. (Tex)	APPSC Notification No.18/2008
2.	PSC-2012	5 O C G L	22/240.5	T.V. Praveen Kumar, GPW, Guntur	OC	01.08.1978	01.05.2012	25.05.2012		M.Tech. (Tex)	APPSC Notification No.18/2008
3.	PSC-2012	02 SC W NL	24/210	V. Param Jyothi, GPW, Guntur	SC	28.04.1971	28.04.2012	25.05.2012		M.Sc. (Tex)	APPSC Notification No.18/2008

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Sd/- G.S. PANDA DAS,
SPECIAL COMMISSIONER.

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SUPERINTENDENT.