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Minutes of the 5th Meeting of the Advisory Committee under the Andhra Pradesh Reorganisation Act, 2014 held on the 19th June, 2014

The 5th meeting of the Advisory Committee for State Government employees was held at 11 A.M. on the 19th June, 2014 in the Conference Hall, C block of the Telangana Secretariat. The following members attended the meeting:

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| 1) | Sri C.R. Kamalanathan | Chairperson |
| 2) | Sri I.Y.R. Krishna Rao, IAS | Chief Secretary, Government of A P |
| 3) | Dr Rajiv Sharma, IAS | Chief Secretary, Government of Telangana |
| 4) | Smt. Archana Varma, IAS | Joint Secretary, Do P T, Gol |
| 5) | Sri V. Nagi Reddy, IAS | Principal Secretary (Finance), Government of Telangana |
| 6) | Dr P.V. Ramesh, IAS | Principal Secretary (Finance) & E.O. Prl Secretary (SR), GAD, Govt of A P. |

The Principal Secretary to C M Telangana, Sri S. Narsing Rao I A S, the Principal Secretary (Poll) GAD Sri Ajay Mishra, IAS, the Principal Secretary PR & RD Sri Raymond Peter, IAS and the Secretary (Services), GAD Sri B. Venkateswara Rao, IAS also attended on behalf of the Telangana State.

Noting that this is the first meeting of the Committee after the two States have come into being, the Chairperson welcomed the Chief Secretaries of the State of A P and Telangana to the meeting and hoped that with their wholehearted cooperation the Committee will be able to fulfill the tasks entrusted to it speedily and in a satisfactory manner.

Before the regular items on the agenda were taken up for consideration the Committee had the benefit of a presentation by the Principal Secretary Finance and GA (SR) Department on "Staff Allocation- Provisional order to Serve- Overview and Lessons Learnt". Dr. Ramesh presented statistical data of provisional order to serve the State of Telangana and indicated the highlights, outlined the challenges faced, lessons learned and mentioned possible inputs for final allocation.

In this context the overlaps of employees from the two regions that have resulted was noted along with the strong disinclination on the part of the employees from Telangana to continue to serve the State of A P; and the representation to take into account the vacancies in Telangana to accommodate locals from Telangana in Telangana State which will bring down the overlaps substantially. It was noted that still there will be overlaps that cannot be avoided unless supernumerary posts were created to accommodate the excess number of locals of Telangana noticed in the lower cadres and the excess of Andhra locals in the A P State in the higher categories. Committee noted that the State Government has constituted a Grievance

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Committee to consider representations against the provisional orders to serve, and that their recommendations will be forwarded to modify the 'Provisional orders to Serve' to the Central Government.

On the issue of supernumerary posts it was considered that estimation of the same with probable financial implications will be necessary. Here the following aspects came up for mention.

Estimation of surplus will depend on the definition adopted; i.e., whether it will be based on nativity/ domicile or local candidate status. Secondly the demand to repatriate irregularly appointed employees contrary to the Presidential Order in the local cadres in Telangana had to be kept in view even though the committee had no role to play in this regard. Thirdly there is demand to let those non local candidates in both regions selected on merit in the local cadres from time to time to get absorbed in the local cadres to which they belong along with the demand to repatriate such Andhra employees from Telangana local cadres. When the issue of supernumerary posts are examined these will be relevant considerations.

On the question of who should be considered surplus, the Chief Secretary A P was of the opinion that local candidate definition should be adopted based on which the computation of surplus should be done. Here it was pointed out that there have been representations from both sides demanding repatriation of or the facility of transfer of local candidates chosen on merits in local cadres of the other State. The demand on both sides seems to favour nativity for the purpose. The CS AP wanted local candidate definition as in the Presidential Order to be adopted and none other. Thereafter the Committee proceeded to take up the regular items of the agenda.

Agenda Item No 1

The minutes of the 4th meeting of the Advisory Committee was recorded.

Item No. 2

Action taken on the minutes of the previous meetings was noted. Smt Varma JS circulated a copy of the advise of Ministry of Law on the issue of substantive holders of posts. It was decided that this will be examined by the State Government and suitable instructions issued for the guidance of departments to avoid litigation and difficulties in the process of final allocation of Staff.

Item 7 Allocation Guidelines

The Committee noted that all the items of the agenda have a bearing on the Guidelines and that all the issues therein can be considered in context while examining the draft guidelines. Chairman briefed the Chief Secretaries about the road map for the Committee involving finalization of the draft Guidelines and its publication calling for suggestions and remarks from the stakeholders, and submission of the Guidelines as modified in the light of the Public comments to the Central Government for its approval, the provisional determination of cadre

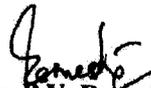
strength of the Integrated State and its division between the two States to be followed by publication of the same calling for remarks before its approval by the G o I, drawing up of tentative allocation lists for every department and issue of the same for representations to be followed by consideration of these representations and modification of the list and submission of final allocation lists to the Central Government for issue of allocation orders. The Committee noted that the process proposed is a fully participatory and transparent.

Thereafter the Committee took up consideration of the draft allocation guidelines (revised as on the 17th June, 2014) afresh in view of the fact that this was the first meeting of the committee with Chief Secretaries of both States attending.

At the outset Smt Varma suggested abridging the draft by omitting the verbatim reproduction of the relevant Sections of the Act. This was agreed to. Secondly she suggested that the paragraph on provisional order to serve may be omitted as this has been delinked from the final allocation of employees. This was also agreed to. Thirdly omission of the word 'State' qualifying the Advisory committee was requested to be omitted on the ground that the terms of reference constituting the Committee does not specify so. But it was pointed out that the Act itself mentions the committee as State advisory committee. The suggestion however was agreed. Fourthly addition of the following was suggested which was also agreed to." No allocable posts should be omitted while distributing the cadre strength between the two States. "immediately before the section on determination of cadre strength.

Drawing attention to the fact that new Heads of Departments have come into existence after the issue of the Presidential Order in 1975 Chairperson emphasized the need to decide the manner in which the posts in them will be allocated and personnel distributed. To this Principal Secretary Finance and SR A P clarified that though the number of new departments appeared large, in effect, for the purposes of the Act, the number will not be many. Hence it was decided that territorial posts in these departments will be deemed to be allotted based on location; that State cadre posts, both non gazetted and gazetted, will be allocated between the two states and that personnel holding allocable posts will be allotted between the two States, in so far as they have not been organised into local cadres.

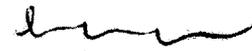
At this stage on the request of the C S A P it was decided to adjourn and continue the discussion on the 27th June at 11 A M.


(Dr P.V. Ramesh)


(Archana Varma)


(V. Nagi Reddy)


(Dr Rajiv Sharma)


(I.Y.R. Krishna Rao)


(C.R. Kamalanathan)