100. The Andhra Pradesh Labour Service Rules


In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and in supersession of the orders issued in:


(7) G.O.Ms.No. 102, W.D.C.W. & L. (Lab. IV) Department, Dt. 27-10-1989.

the Governor of Andhra Pradesh hereby makes the following rules for the Andhra Pradesh Labour Service:

Rule 1. Short Title:—These rules may be called the Andhra Pradesh Labour Service Rules.

Rule 2. Constitution:—The service shall consist of the following categories of posts, namely:

Category 1: Additional Commissioner of Labour.

Category 2: Joint Commissioner of Labour.

Category 3: Deputy Commissioner of Labour.

Category 4: (a) Assistant Commissioner of Labour

(b) Public Relations Officer-cum-Industrial-Relations Officer.

Category 5: Statistical Officer.

Category 6: Labour Officer.

Rule 3. Method of appointment:—Subject to the other provisions in these rules, the method of appointment for the several categories shall be as follows:
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Category</th>
<th>Method of appointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Additional Commissioner of Labour</td>
<td>By promotion from Category 2, Joint Commissioner of Labour.</td>
</tr>
<tr>
<td>2.</td>
<td>Joint Commissioner of Labour</td>
<td>By promotion from Category 3, Deputy Commissioner of Labour.</td>
</tr>
<tr>
<td>3.</td>
<td>Deputy Commissioner of Labour</td>
<td>By promotion from Category 4, 4(a) Asst. Commissioner of Labour and 4(b) Public Relations Officer-cum-Industrial Relations Officer.</td>
</tr>
</tbody>
</table>
| 4.     | (a) Assistant Commissioner of Labour         | (i) By direct recruitment;  
          |                                              | (ii) By appointment by transfer of Section Officer or Private Secretary to Secretary to Government of Andhra Pradesh Secretariat Service (except Law and Finance and Planning (Fin. Wing) Departments);  
          |                                              | (iii) By promotion from Category 6, Labour Officer. |
|        | (b) Public Relations Officer-cum-Industrial Relations Officer | No further recruitment, subject to note 5 below. |
| 5.     | Statistical Officer                          | By appointment: by transfer on tenure basis of Statistical Officer of the Andhra Pradesh Economics and Statistics Service. |
| 6.     | Labour Officer                               | (i) By appointment: by transfer of Asst. Labour Officers including Asst. Inspectors of Factories of A.P. Labour Subordinate Service;  
          |                                              | (ii) By appointment: by transfer of Superintendents and Special Category Stenographers in the Labour Department: (G.O.Ms.No. 4, L.E.T. & F., Dt. 9-1-1995). |

*Note (1): In every cycle of 10 vacancies, appointment to the post of Assistant Commissioner of Labour by direct recruitment, by promotion and by transfer shall be as follows:

- First Vacancy: By direct recruitment.
- Second Vacancy: By promotion of Labour Officers.
- Third Vacancy: By promotion of Labour Officers.
- Fourth Vacancy: By direct recruitment.
- Fifth Vacancy: By promotion of Labour Officers.
- Sixth Vacancy: By direct recruitment.
- Seventh Vacancy: By promotion of Labour Officers.
- Eighth Vacancy: By promotion of Labour Officers.*
Ninth Vacancy: By direct recruitment.

Tenth Vacancy: [By transfer of Section Officer or Private Secretary to Secretary to Government from Secretariat Departments (except Law and Finance and Planning (Fin. Wing) Departments) [Subs. by G.O.Rt.No.2899, L.E.T. & F., Dt. 13-2-95]

Provided that, if a suitable and eligible [Section Officer or Private Secretary to Secretary to Government] is not available for appointment, the turn meant for the [Section Officer or Private Secretary to Secretary to Government] shall be filled by promotion from the category of Labour Officer. [Amended by G.O.Rt.No.2899, L.E.T. & F., Dt. 13-2-95]

Notwithstanding anything contained in this note the seniority of a person appointed as Assistant Commissioner of Labour by different methods of appointment shall be governed by the provisions of General Rule 33 of the Andhra Pradesh State and Subordinate Service Rules.

*Note 2:*—In every cycle of 5 vacancies, appointment to the post of Labour Officer shall be made by recruitment by transfer in each multi-zone under six point formula issued in G.O.Ms.No. 674, G.A. (S.F.) Department, dated 20-10-1975, as follows:

1st Vacancy: Assistant Labour Officer.
2nd Vacancy: Superintendent.
3rd Vacancy: Assistant Labour Officer.
4th Vacancy: Assistant Labour Officer.
5th Vacancy: Assistant Labour Officer.

Provided further that the 2nd vacancy earmarked for Superintendents in every 3 cycles shall be filled as follows:

1st and 3rd cycles: [Superintendents and Special Category Stenographers in Directorates of Labour]

[G.O.Ms.No. 2, L.E.T. & F., Dt. 9-1-96]

2nd cycle: Superintendents working in the Subordinate Offices of Labour, Factories and Boilers Department.

[Provided also that if suitable and eligible Superintendents or Special Category Stenographers working in the Subordinate Offices are not available for appointment by transfer, the turn allotted to them in the order of rotation shall lapse, and the vacancy in the turn so allotted shall be filled in from among the Superintendents or Special Category Stenographers working in the Labour Department. If no suitable Superintendents or Special Category Stenographers in Labour Department are available, such vacancy shall be filled in from among the Assistant Labour Officers.]

*Note 3:*—For the purpose of appointment by transfer of Superintendents or Special Category Stenographers to the post of Labour Officer a combined seniority list of Superintendents and Special Category Stenographers in the Directorate of Labour Department shall be prepared with reference to their dates of commencement of probation in the category of Superintendents or Special Category Stenographers by the Commissioner of Labour, Hyderabad and appointments shall be made from the list.

[G.O.Ms.No. 2, L.E.T. & F., Dt. 9-1-96]

*Note 4:*—The concession allowed in G.O.Ms.No. 607, Employment and Social Welfare Department, dated 6th August, 1974 and G.O.Ms.No. 503, Labour, Employment, Nutrition and Technical Education Department, dated 20th July, 1982, to the Superintendents of Factories and Boilers Departments for appointment as Labour Officers shall be allowed to continue till the last person exists in those departments as on the date of issue of the G.O.Ms.No. 503, LEN & TE
Department, dated the 20th July, 1982 as clarified by Government in Memo.No. 2396/Lab.IV/82-4, dated 19th May, 1983.

Note 5:—The post of Public Relations Officer-cum-Industrial Relations Officer shall be added to and included in the category of Assistant Commissioner of Labour as and when the present incumbent working in the district post of Public Relations Officer-cum-Industrial Relations Officer vacates the post, for any reason. After the present incumbent vacates the said post, there shall be no separate appointment to the post of "Public Relations Office-cum-Industrial Relations Officer" and the post will become inter-changeable with the post of Assistant Commissioner of Labour. Till the present incumbent vacates the post of Public Relations Officer-cum-Industrial Relations Officer, the post shall be deemed to be category "4(b)" of this Service.

Note 6:—The inter-se-seniority of the Assistant Commissioner of Labour and PRO-cum-Industrial Relations Officer shall be determined for the purpose of promotion to the category of Deputy Commissioner of Labour with reference to the date of regularisation of the services in their respective categories as per Rule 33 of Andhra Pradesh State and Subordinate Services Rules.

Rule 4. Preference for women:—In the matter of direct recruitment to the post of Assistant Commissioner of Labour for which women and men are equally suited, other things being equal, preference shall be given to women and they shall be selected to an extent of at least 30% of the posts in each category of O.C., B.C.-A, B.C.-B, B.C.-C, and B.C.-D, S.C., S.T. quota.

Rule 5. Qualifications:—No person shall be eligible for appointment to the categories specified in column (1) of the Annexure to these rules by the method specified in column (2) unless he possesses the qualifications specified in corresponding entry in column (3) thereof.

Rule 6. Age:—No person shall be eligible for appointment by direct recruitment, if he has completed 28 years of age on the first day of July of the year in which the notification for selection is made.

Rule 7. Minimum service:—No person shall be eligible for appointment by transfer or promotion unless he is an approved probationer and has put in not less than two years of service in the category from which a promotion or transfer is made.

Rule 8. Probation:—Every person appointed to a category by direct recruitment shall be on probation for a total period of two years on duty within a continuous period of three years, and every person appointed by promotion/transfer shall be on probation for a total period of one year on duty within a continuous period of two years from the date on which one commences probation.

Rule 9. Training:—(1) Every person appointed by direct recruitment as Assistant Commissioner of Labour shall undergo a course of training for a period of 6 months as per the syllabus and programme prescribed by the Commissioner of Labour from time to time.

   (2) A probationer recruited by direct shall, during the period of training, be eligible for initial pay of the post with the usual allowances admissible at the place of training.

   (3) The period of training shall be treated as duty for all purposes like probation, pension, leave and increments subject to the condition that unless he completes the
training satisfactorily or passes the tests prescribed during or after the training he shall not be eligible for further increments.

(4) Every person appointed to the service by direct recruitment before the commencement of the training, shall execute an agreement bond that he shall serve the Department for a period of three years after the completion of training referred to in sub-rule (1) and he shall be liable to repay to the Government the pay and allowances or any other remuneration received by him in addition to the amount spent by the Government on his training:

(i) if he fails to serve the Department for a period of three years after the completion of his training for any other reasons; or

(ii) if he discontinues the training or is discharged from training for misconduct or any other reasons; or

(iii) if he secures any other employment elsewhere than under the State Government the terms and conditions stipulated in G.O.Ms.No. 268, Fin. (FR.I) Dept., dated 8-9-1980 may be followed.

[(5) A person promoted from the category of Labour Officer and a person recruited by transfer from the category of Section Officer or Private Secretary to Secretary to Government of Andhra Pradesh Secretariat Service (except Law and Finance and Planning (Fin. Wing) Departments as Assistant Commissioners of Labour shall, within the prescribed period of probation, undergo a course of training for three months, as per the syllabus and programme prescribed by the Commissioner of Labour from time to time].

[Subs. by G.O.Rt.No. 2899, L.E.T. & F., Dt. 13-12-95]

Rule 10. Tests:—Every person appointed by direct recruitment as Assistant Commissioner of Labour shall within the period of probation, pass the following tests:

(1) Parts A, B and C of Labour, Factories and Boilers Departmental Tests; and

(2) Accounts Test for Executive Officers; or Accounts Test for Subordinate Officers, Part I and II.

Rule 11. Unit of appointment:—For purpose of recruitment, appointment, discharge for want of vacancy, seniority, promotion, transfer and appointment as full member to the category of Labour Officers the unit of appointment shall be as specified in the table below:

<table>
<thead>
<tr>
<th>Category</th>
<th>Post</th>
<th>Unit of appointment</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
</tr>
<tr>
<td>6</td>
<td>Labour Officer</td>
<td>Multi zone-I</td>
<td>Comprising the districts of Srikakulam, Vizianagram, Visakhapatnam, East Godavari, West Godavari and Krishna.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multi zone-II</td>
<td>Comprising the districts of Guntur, Prakasam, Nellore, Chittoor, Cuddapah, Anantapur and Kurnool.</td>
</tr>
</tbody>
</table>
Provided that the posts of Labour Officer in the Office of the Commissioner of Labour, to which Andhra Pradesh Public Employment (Organisation of Local Cadres and Regulation of Direct Recruitment) Order, 1975 is not applicable, shall be filled by drawing persons holding the said posts from each of the Munti-zonal cadres in the ratio of the basic cadre strength of each of the said multi-zonal units.

ANNEXURE

<table>
<thead>
<tr>
<th>Category</th>
<th>Method of appointment</th>
<th>Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 (a) Assistant Commissioner of Labour</td>
<td>(i) By direct recruitment</td>
<td>Must possess a degree of Bachelor of Arts, Commerce, Science or Engineering of any University in India established or incorporated by or under a Central Act, or Provincial Act or a State Act or any other qualification granted by any Institution recognised by the University Grants Commission. Preference shall be given to those who possess in addition to any of the following qualifications “A post graduate Degree in Law (or) Post Graduate Degree in Social Work with specialisation in Labour Welfare and Personnel Management/Industrial Labour Relations from a recognised University or Institution”.</td>
</tr>
<tr>
<td></td>
<td>(ii) By promotion or by transfer</td>
<td>Must have passed:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(i) Parts A, B and C of Labour, Factories and Boilers Department Test; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) Accounts Test for Executive Officers or Accounts Test for Subordinate Officers, Parts I and II.</td>
</tr>
<tr>
<td>6. Labour Officers</td>
<td>By transfer</td>
<td>Must have passed:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(i) Parts A, B and C of Labour, Factories and Boilers Departmental Test; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) Accounts Test for Executive Officers or Accounts Test for Subordinate Officers, Parts I and II.</td>
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