

ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION

Office of the VC & MD,
RTC House, Vijayawada,
Date: 16.11.2023.

No.P1/756 (01)/2020-PO.I.

To
**All Depot Managers/Unit Officers,
A P P T D.**

SUB:- **ESTABLISHMENT** – Voluntary retirement of employees of APPTD – procedure to be followed – Guidelines issued – Reg.

- Ref:- 1)This Office letter No. even dated 16.03.2020.
2) Memo No.TRNSORTC(AMRT)/11/2020-TRP II(1092852) DT 21.08.2020.
3)This Office letter No. even dated 14.09.2021.
4) Rule No.43 of Revised Pension Rules, 1980.

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All the employees of APSRTC were absorbed in to Government service as APPTD employees w.e.f.01.01.2020 and it was communicated vide reference 2nd cited that all the Rules applicable to the State Government employees will be applicable to the employees of erstwhile APSRTC, who are absorbed in to Government Service, PTD, from the appointed day i.e., 01.01.2020. As such, the rules which are applicable to State Government employees on voluntary retirement are applicable to APPTD Employees.

It has come to the notice that some of the Units are issuing voluntary retirement orders duly quoting the APSRTC regulations instead of GoAP Rules.

Therefore, the important Rules/GOs existing in GoAP on Voluntary Retirement are furnished here under.

Rule 43 (1) of AP Revised Pension Rules 1980:- A Government servant shall have the option to retire from service voluntarily after he has put in not less than twenty years of qualifying service, provided that he has given a notice in writing of his intention to retire voluntarily at least three months before to the authority which has power to make a substantive appointment to the post from which he retires; Provided further, a notice of less than three months may also be accepted by the competent authority.

Rule 43 (4) of AP Revised Pension Rules 1980:- A Government servant opting for retirement under sub rule (1) shall not retire unless the notice given by him as per provision to sub rule (1) is accepted by the competent authority; provided that the competent authority shall issue an order before expiry of the notice period, accepted or rejection of the notice.

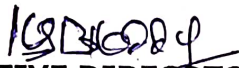
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G.O.Ms.No.413, Fin.&Plg,(FS:Pen.I)Dept., dated 29.11.1977:- when a notice of voluntary retirement is given under this scheme, the authority competent to accept the notice shall immediately review the case to see whether departmental disciplinary or Court proceedings are pending or contemplated against the Government servant seeking voluntary retirement, which in this opinion are likely to culminate in major penalty of dismissal or removal from service.

Competent Authority : The authority competent for accepting/rejection of Voluntary Retirement applications preferred by the employees is "**appointing authority**" as communicated through GOs issued by TR&B(TR.II) Department (GO Ms.No.12 to GO Ms.No.25 dated 24.05.2021).

As per the GoAP rules existing, the monetary benefit on Gratuity, PF etc.. will be allowed for the service rendered and there is no provision for additional monetary benefit, notional PF, Notional Gratuity which were earlier existing in APSRTC regulations.

Therefore, all the appointing authorities of APPTD are advised to strictly follow the Rules existing in Government of AP and also the guidelines issued from time to time, while dealing with Voluntary retirement cases.


EXECUTIVE DIRECTOR(A)
28/11/2023

Copy to All Executive Directors of Zones,
Copy to all DPTOs of the Corporation for n/a.

The Government servants are permitted to retire with effect from the afternoon of the last day of the month in which the date of superannuation falls. (except the first of the month).

If the date of birth of any Government servant is the first of any month, such Government servant shall retire on the afternoon of the last day of the previous month.

- (ii) Treatment of the period of overstaya beyond the age of superannuation in the case of Class IV employees.

(G.O. Ms. No.175, Fin. & Plg. (FW:Pen.I) Dept., dated 27-6-1988)

In the case of Class IV Government servants who are continued beyond the age of superannuation, the period of overstaya shall be regularised as a case of re-employment and excess pay, if any, paid to the Government servant has to be recovered.

43. Retirement on completion of 20 years of qualifying service

—(1) A Government servant shall have the option to retire from service voluntarily after he has put in not less than twenty years of qualifying service:

Provided that he gives a notice in writing of his intention to retire voluntarily of at least three months to the authority which has power to make a substantive appointment to the post from which he retires;

Provided further that [x x x], a notice of less than three months may also be accepted by the competent authority;

[Omitted by G.O.Ms.No. 130, Fin. & Plg. Dt. 21-7-1992]

Provided also that, notwithstanding anything in Rule 21, extraordinary leave availed on any ground other than for prosecuting higher studies within the State/outside the State/country without receiving any payment except stipends during the period of such leave from any source, but including on medical certificate, shall not be reckoned as qualifying service for purposes of arriving at the qualifying service of twenty years referred to in this rule.

[G.O.Ms.No. 147, Fin. (Pension-I) Dept., Dt. 11-5-1982 with restrospective effect from 31-12-81 and further amended in G.O.Ms.No. 32, Fin. (Pension-I), Dt. 6-2-1984]

Note :—A Government servant who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority, shall be precluded from withdrawing his election subsequently except with the specific approval of such authority :

Provided that the request for withdrawal shall be within the intended date of his retirement.

(2) A Government servant retiring under sub-rule (1) shall be entitled to a retiring pension :

Provided that such retiring pension shall be subject to the provisions of the Rules *[6], 8 and 9.

* Rule 6 was deleted by G.O.Ms.No. 90, Fin. & Plg. Dt. 25-5-1998.

(3) Where a Government servant opts to retire under sub-rule (1) while on leave not due, retirement in such cases shall take effect from the date when the leave not due commenced and the employee shall refund the leave salary paid in respect of such leave not due availed of by the employee.

(4) A Government servant opting for retirement under sub-rule (1) shall not retire unless the notice given by him as per proviso to sub-rule (1) is accepted by the competent authority :

Provided that the competent authority shall issue an order before the expiry of the notice period accepted or rejection of the notice;

(5) Government servants opting for retirement under sub-rule (1) shall be entitled to addition of service for purposes of pension, a service equal to the difference between the qualifying service actually put in by him and the service he would have put in on the date of superannuation had he continued in service or the difference between such qualifying service and [thirty three years], whichever is less, subject to the condition that such addition shall be limited to the maximum of five years;

[Subs. by G.O.Ms.No. 162, Fin. (Pen.I), Dt. 17-6-1986]

Provided further that such Government servant shall not be eligible for weightage under Rule 29 of these rules.

[G.O.Ms.No. 42, Fin. (Pen.-I) Dept., Dt.15-3-1983]

(6) The option under sub-rule (1) shall not be admissible to a Government servant on deputation to autonomous bodies/corporate/companies/public sector undertakings or institutions wholly or substantially owned by Government who get absorbed in such undertakings/autonomous bodies or institutions, as the case may be.

(7) A Government servant retiring voluntarily under sub-rule (1) of this rule shall be subject to Rule 10 of these rules.

Note :—Order permitting/requiring a Government servant to retire after completion of twenty years qualifying service should, as a rule, not be issued until the fact that the officer has indeed completed qualifying service for twenty years has been verified in consultation with Pay and Accounts Officer, Hyderabad/Head of Department/Head of Office, as the case may be who maintains Service Particulars/Book of the Government servant concerned.

Executive Instructions

- (i) Counting of periods of extraordinary leave availed by Doctors.
(G.O. Ms. No.258, M&H Dept., dated 30-4-1983)

The periods of extraordinary leave availed by the doctors during their service for the purpose of prosecuting higher studies, within the State/outside the State/Country, be counted for reckoning qualifying service for purpose of voluntary retirement, only, provided that no payment is received from them during such periods from any source, excluding however, stipends.

- (ii) Counting of contingent service prior to conversion as last grade service.

(Circular Memo No.3016/104/Pen.I/85, dated 25-6-1985 and Circular Memo. No.15924-D/678/Pen.I/90, dated 20-11-1990 Fin. & Plg. Dept.)

(a) The contingent service prior to conversion of full time contingent employees into last grade service converted in terms of G.O. Ms. No.38, Fin.&Plg. Department, dated 1-2-1980 and G.O. Ms. No.9, Fin. & Plg. Dept., dated 8-1-1981, will not count, for purposes of completion of 20 years of qualifying service for voluntary retirement. They should put in 20 years of qualifying service exclusively under Government.

(G.O. Ms. No.19642-E/38/CC/Pen.I/91, Fin. & Plg. Dept., dated 23-7-1992)

(b) The above instructions are modified and the contingent service of full time contingent employees, prior to conversion into last grade service was ordered to be counted for purposes of computing twenty years of qualifying service for voluntary retirement.

- (iii) Expeditious settlement of applications.

(Circular Memo No.23915/483/Pen.I/86, Fin. & Plg. Dept., dated 2-5-1988)

Whenever notice of voluntary retirements as per Rule 43 of Andhra Pradesh Revised Pension Rules, 1980, are received from Government servants, they may be settled expeditiously as per the proviso to sub-rule (4) of Rule 43 of the A.P. Revised Pension Rules, 1980, to avoid any unnecessary addition to qualifying service even by granting extraordinary leave for the period of delay.

- (iv) Procedure for permitting voluntary retirement.

(G.O. Ms. No.413, Fin. & Plg. (FW:Pen.I) Dept., dated 29-11-1977)

(a) when a notice of voluntary retirement is given under this scheme, the authority competent to accept the notice shall immediately review the case to see whether departmental disciplinary or Court proceedings are pending or contemplated against the Government servant seeking voluntary retirement, which in this opinion are likely to culminate in major penalty of dismissal or removal from service. The notice of voluntary retirement may be refused in such cases by the competent authority.

➔ (b) The weightage under this scheme will be only an addition to the qualifying service for purpose of pension and gratuity. It will not entitle the Government servant to any notional fixation of pay for the purposes of calculating the pension and

gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.

(c) The amount of Pension to be granted after giving weightage will be subject to the provisions contained in Articles 351 and 479 of Civil Service Regulations/Rules 236 and 238 of Hyderabad Civil Service Rules.

44. Retirement on completion of 33 years qualifying service :—

(1) At any time after a Government servant has completed thirty three years of qualifying service but before attaining 58 years age—

[G.O.Ms.No. 162, Fin. (Pen-I) Dept. Dt. 16-6-1986]

(a) He may retire from service, or

(b) He may be required by the appointing authority to retire in the public interest,

and in the case of such retirement, the Government servant shall be entitled to a retiring pension :

Provided that :—

(a) The Government servant gives notice in writing to appointing authority atleast three months before the date on which he wishes to retire; or

(b) The appointing authority gives a notice in writing to the Government servant atleast three months before the date on which he is required to retire in the public interest or three months pay and allowances in lieu of such notice, as the case may be :

Provided further that where the Government servant giving notice under clause (a) of preceding proviso is under suspension, it shall be open to the appointing authority to withhold permission to such Government servant to retire under this rule.

(2) A Government servant, who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority shall be precluded from withdrawing his election subsequently except with the specific approval of such authority:

Provided that the request for withdrawal shall be within the intended date of his retirement.

Note :—Order permitting/requiring a Government servant to retire after completing 33 years of qualifying service should, as a rule, not be issued until after the fact that the officer has indeed completed qualifying service for 33 years has been verified in consultation with Pay and Accounts Officer, Hyderabad/Head of the Department/Head of Office, as the case may be, who maintains the service particulars/book of the Government servant concerned.

[G.O.Ms.No. 162, Finance (Pen-I) Dept. Dt. 16-6-1986]