



The Andhra Pradesh Public Employment (Regulation of Age of
Superannuation) (Amendment) Act, 1997

Act 19 of 1997

Keyword(s):

Public Employment, Retirement, Age of Retirement

Amendment appended: 26 of 1998, 4 of 2014

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THE ANDHRA PRADESH PUBLIC EMPLOYMENT
(REGULATION OF AGE OF SUPERANNUATION)
(AMENDMENT) ACT, 1997.

ACT No. 19 of 1997*

[18th August, 1997]

An Act further to amend The Andhra Pradesh
Public Employment (Regulation of age
of Superannuation) Act, 1984.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh
in Forty-eighth Year of the Republic of
India, as follows:-

1. (1) This Act may be called the Short title
Andhra Pradesh Public Employment (Regu- and com-
lation of Age of Superannuation) (Amend- mendment.
ment) Act, 1997.

*Received the assent of the Governor on 14th August, 1997.
For Statement of the Objects and Reasons. Please see the
A.P. Gazette Part IV-A Extraordinary dated 19th March,
1997 at P-3.

(2) It shall come into force at once.

Amendment
of section 3,
Act 23 of
1984.

2. In the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984, in section 3, after sub-section(3), the following sub-section shall be added at the end, namely:-

"(4) Notwithstanding anything contained in this section, an employee in the workcharged establishment of the Government, who becomes a regular Government employee by whatever means or orders issued by Government from time to time shall not be treated as workman for purposes of this Act and shall be regarded as holder of a Civil post within the meaning of article 311 of the Constitution of India and accordingly, he shall retire from service,-

(a) on attaining the age of fifty eight years in case, on becoming as a regular Government employee, he belongs to superior service; and

(b) on attaining the age of sixty years in case, on becoming as a regular Government employee, he belongs to last grade service or in any service notified as inferior for the purpose of this sub-section."

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

ACT No. 26 OF 1998.

*[16th August, 1998.]

AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH PUBLIC EMPLOYMENT (REGULATION
OF AGE OF SUPERANNUATION) ACT, 1984.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh
in the Forty-ninth Year of the Republic
of India, as follows:-

*[Received the assent of the Governor on the 16-08-1998.
For statement of object and reasons please see the Andhra
Pradesh Gazette, Part-IV-A, Extraordinary dated 22-07-1998
at Page 4-5.]

Short title. 1. This Act may be called the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 1998.

Amendment of section 1, Act 23 of 1984. 2. In the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 (hereinafter referred to as the Principal Act), in section 1, after sub-section (3), the following shall be added, namely:-

"(4) sub-section (1A) of section 3 shall be deemed to have come into force on the 26th December, 1992".

Amendment of section 3. 3. In Section 3 of the Principal Act, after sub-section (1), the following shall be inserted, namely:-

"(1A) Notwithstanding anything contained in sub-section (1), every member of the Andhra Pradesh State Higher Judicial Service or the Andhra Pradesh State Judicial Service shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years:

Provided that any such member of the Andhra Pradesh State Higher Judicial Service or the Andhra Pradesh State Judicial Service may be compulsorily retired from service on the afternoon of the last day of the month in which he attains the age of fifty eight years if he is not found fit and eligible to be continued in service by the High Court of Andhra Pradesh on an assessment and evaluation of the record of such member for his continued utility well within

time before he attains the age of fifty eight years by following the procedure for compulsory retirement under the rules applicable to him:

Provided further that any such member of the Andhra Pradesh State Higher Judicial Service or the Andhra Pradesh State Judicial service at his option to be exercised in writing before he attains the age of fifty seven years may retire from service on the afternoon of the last day of the month in which he attains the age of fifty eight years.

Explanation: The assessment and evaluation by the High Court of Andhra Pradesh for the purposes of this subsection is in addition to and independent of the assessment for compulsory retirement that may have to be undertaken at any other time under the relevant rules applicable to such members of the Andhra Pradesh State Higher Judicial Service or the Andhra Pradesh State Judicial Service.)

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice.

(3) The service conditions of the employee of State Cadre / Multi-zonal Cadre working provisionally in the State of Andhra Pradesh and finally allotted by the Government of India under sub-section (2) of section 77 of the said Act, 2014 to the State of Telangana shall be governed by the relevant laws / rules of the State of Telangana on such final allotment.”.

T. NARAYANA REDDY,
Secretary to Government (I/c),
Law Department.

Registered No. HSE/49

[Price :Rs. 0-30 Paise.



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO. 4] HYDERABAD, FRIDAY, JUNE 27, 2014

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS ETC.**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 27th June, 2014 and the said assent is hereby first published on the 27th June, 2014 in the Andhra Pradesh Gazette for general information:-

ACT No. 4 OF 2014.

**AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH PUBLIC EMPLOYMENT (REGULATION
OF AGE OF SUPERANNUATION) ACT, 1984.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixty-fifth Year of the Republic of India, as follows:-

1. (1) This Act may be called the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2014.

(2) It shall be deemed to have come into force on the 2nd June, 2014.

2. In the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984, (hereinafter referred to as principal Act) in section 3,-

(1) for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) Every Government employee shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years.”

(2) In sub-section (3), under Explanation II, in clause (a), for the words “fifty eight or sixty years, as the case may be”, the words “sixty years” shall be substituted.

(3) in sub-section (4), in clause (a), for the words “fifty eight years”, the words “sixty years”, shall be substituted.

3. In the principal Act, after section 3 so amended, the following new section shall be inserted, namely:-

“Savings. 3A. subject to the provisions of section 3,-

(1) A Government employee belonging to the State Cadre/Multi-zonal Cadre and who by general or

specific order of the Government of India under sub-section (1) of section 77 of the Andhra Pradesh Reorganisation Act, 2014, and serving provisionally in connection with the affairs of the State of Telangana, and if he is finally allotted to the State of Andhra Pradesh by the Government of India under sub-section (2) of section 77 of the said Act, 2014 shall be deemed to be continuously serving in the State of Andhra Pradesh.

(2) A Government employee belonging to the State Cadre / Multi-zonal Cadre falling in the territories of both the State of Andhra Pradesh and the State of Telangana, who by a general or a specific order of the Government of India under sub-section (1) of section 77 of the said Act, 2014, is serving provisionally and retires on attaining the age of fifty eight years and on his final allotment, subsequently to the State of Andhra Pradesh by the Government of India under sub-section (2) of section 77 of the said Act but before attaining the age of sixty years, shall be re-inducted into service / post with effect from the date of his final allotment to the State of Andhra Pradesh without break in service:

Provided that an employee who attained the age of sixty years before the final allotment to the State of Andhra Pradesh by the Government of India, the service rendered in the State of Telangana till the date of his retirement shall be considered notionally as if, he has rendered service in the State of Andhra Pradesh for the purpose of calculation of his pensionary benefits.