[1]THE ANDHRA PRADESH CHARITABLE AND HINDU RELIGIOUS INSTITUTIONS AND ENDOWMENTS OFFICE HOLDERS AND SERVANTS SERVICE RULES, 2000

[G.O.Ms.No. 888, Revenue (Endowments.I) 8th December, 2000]

Rules under Section 35 (4) Read with Section 153 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No. 30 of 1987)

In exercise of the powers conferred by sub-section (4) of Section 35 read with Section 153 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No. 30/87), the Governor of Andhra Pradesh hereby makes the following rules as the same having been previously published as required by sub-section(1) of Section 153 of the said Act.

1. Short Title:— (i) These rules may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Service Rules, 2000.

(ii) These rules shall apply to all office holders and servants of all Charitable and Hindu Religious Institutions and Endowments including Maths and Dharmadayams except to the office holders and servants of Tirumala Tirupathi Devasthanams.

2. Definitions:— (1) In these rules, unless the context otherwise requires:—

(a) 'Act' means the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No. 30 of 1987).

(b) 'Competent Authority' means the Commissioner, Additional Commissioner, Regional Joint Commissioner, deputy Commissioner or Assistant Commissioner, having jurisdiction over the Institutions or Endowments as per the provisions of sub sections (2) and (3) of Section 8, 9, 10 and 11 of the Act;

(c) 'Executive Authority 'means the Executive Officer of the Institution or Endowments and where there is no Executive Officer, the Chairman of the Board of Trustees or the Trustee or the Mathadhipathi;

(d) 'Office holder or servant' includes a person who holds an office to which an Inam is granted, confirmed or recognised by the Government or who is remunerated by the Institution concerned and who is either a whole time or a part time functionary;

(e) 'Ulthurai Servant' means a servant whose duties relate mainly to the performance, or rendering assistance in the performance of puja, rituals and other services to the deity, the recitation of Manthras, Vedas, Prabhandas, Thevarams, and similar invocations and the performance of duties connected with such performance or recitation. The category of the

1. A.P. Gazette Part-I, dt. 21-12-2000 at pages 1613 to 1641.

posts coming under this defination shall be as may be specified by the competent authority.

(f) The other expressions used in these rules shall have the same meaning assigned to them in the Act and in the Andhra Pradesh State and Subordinate Service Rules.

3. Office Holders and servants to profess Hindu Religion:— Every office holder and servant of a religious institution or endowment shall be a person professing the Hindu Religion and he shall cease to hold office when the ceases to profess the Hindu religion.

4. Applicability of other rules:— (1) The rule of special representation envisaged in rules 22 and 22-A of the Andhra Pradesh State and Subordinate Service Rules shall apply to the appointment by direct recruitment to all posts other than Ulthurai servants.

(2) The conduct rules and Government Orders pertaining to the maintenance of personal files which are applicable to Government employees shall apply to the employees of Institutions and endowments from the cadre of the Superintendents and other employees drawing the scale of pay applicable to the cadre of Superintendent.

5. Schedule of Establishment, pay and allowances etc.:— (1) Subject to the provisions of these rules and also the rules issued under Section 35 (3) of the Act, and the guide lines issued by the Commissioner, the trustee of every institution shall prepare a Schedule of establishment specifying the designations and the number of posts in each category or grade, their scales of pay, allowances, qualifications, method of recruitment and submit the same to the competent Authority for approval. The competent authority may approve the schedule with such alterations, additions or omissions as may be deemed. necessary.

(2) The pay and emoluments of each office holder and servant shall be in accordance with the schedule of the establishment approved by the competent authority.

(3) No alterations shall be made in the schedule of establishment except with the prior approval of the competent authority.

6. Appointing Authority:— The appointing authority for all posts shall be as specified in sub-section (1) of Section-35 of the Act.

7. Probation:— (1) Every person appointed to an office or post 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 or transfer to any office or post shall be on probation for a total period of one year on duty within a continuous period of two years.

(2) If within the period of probation, the work or conduct of the probationer is found to be unsatisfactory, the appointing authority may forthwith terminate his probation and discharge him from service, if he is a direct recruitee or revert him, to the lower post if he is a promotee unless the period of probation is extended.

(3) In the case of a direct recruitee, the probationer shall, at any time during the period of probation, be liable to be discharged with one month's notice or by paying of one month's pay in lieu thereof by the appointing authority who shall record the reasons in writing which need not be communicated to the probationer.

(4) If the probationer fails to acquire the special qualifications and to pass the special tests if any prescribed within the period of probation, the appointing authority may either terminate his probation or extend his probation for a period of not exceeding two more years so as to enable him to pass the tests and to acquire the special qualification.

(5) Where the period of probation of a person is extended, his increments shall be postponed until he completes his probation satisfactorily. The postponement of increment shall not have the effect of postponing future increments after he completes his probation satisfactorily.

(6) If the appointing authority, decides that a probationer is suitable, it shall, as soon as possible, issue an order declaring the probationer to have satisfactorily completed his probation. On the issue of such order, the probationer shall be deemed to have satisfactorily completed his probation on the date of expiry of the prescribed or extended period of probation.

(7) If, at the end of the prescribed or extended period of probation, as the case may be, the appointing authority decides that the probationer has failed to give satisfaction or that the probationer has not made sufficient use of his opportunities, the said authority shall, by order, discharge him from service after giving him one month's notice or pay in lieu of such notice.

(8) In respect of probationer, if no such order, as referred to in sub-rule (6) and (7), is issued within one year from the date of expiration of the prescribed or extended period of probation, the probationer shall, subject to the other provisions of these rules, be deemed to have satisfactorily completed his probation with retrospective effect from the date of expiration of the prescribed or extended period of probation and a formal order to that effect may be issued for the purpose of record.

8. Age for Recruitment :— The age for the recruitment to any office or post shall be the same as is applicable to similar posts in the State Government. The persons belonging to the S.C., S.T., B.C. Communities shall be eligible to the age concessions as provided in the A.P. State & Subordinate service Rules.

Provided that in the case of recruitment to the Categories in Ulthuria services the maximum age limit shall be 38 Yrs. on the first July of the year in which the selection of appointment is made.

9. Age of Superannuation:— The age of superannuation of every office holder or servant shall be fifty eight years except in the case of attenders and watchmen whose age of Superannuation shall be sixty years.

Provided that in the case of Ulthurai servants, the age of Superannuation shall be fifty eight years as in the case of Government employee, but if he is found physically unfit, he may be retired from the service before attaining that age.

10. Physical fitness:— (i) Every person appointed to a post covered by these rules shall before entering into this service shall produce a certificate of fitness from an Assistant Civil Surgeon working in a Government Hospital to the satisfaction of the appointing authority.

(ii) No person, who is suffering from Leprosy or any contagious or infectious disease, either congenital or supervening, and no person, who is suffering from any mental or physical infirmity which renders him unfit for service, shall be appointed to any post. If any doubt or dispute as to whether a person is disqualified under this rule shall be decided by the Trustee by obtaining a Certificate of Physical fitness from the nearest Civil Surgeon. Any person aggrieved by an order of the trustee may prefer an appeal to the competent authority within one month from the date of receipt of such order of the trustee and the decision of such authority shall be final.

11. Disqualifications:— No person shall be appointed as an office holder or servant or allowed to hold such office if he:—

(1) has been convicted and sentenced by a criminal Court for an offence involving moral turpitude; or

(2) has been declared as adjudicated as an insolvent or has applied to be so adjudicated or declared; or

(3) has been removed or dismissed from service of any Charitable or Religious Institution, or Endowments, local authority, public undertaking or Government.

12. Seniority:— (1) The seniority of an employee in a particular category or post shall count from the date of commencement of probation in that category or post unless he has been reduced to a lower rank as a punishment, be determined by the date of his first appointment to such category of post.

(z) The appointing authority may at the time of passing an order appointing two or more persons simultaneously fix the order of preference among them, and their seniority shall be in accordance with that order.

13. Promotion :— No employee shall be eligible for promotion from a lower category to a higher category unless he has satisfactorily completed the probation and has put in a service for a minimum period of three years but in no case shall it be less than two years in the category from which he is to be promoted.

Provided that the service rendered in a different category, which is also a channel of promotion to that higher category, shall be counted towards, three years but in case shall it be less than two years of service for the purpose of promotion.

14. Travelling and Daily Allowances:— (1) The Travelling and Daily Allowances payable for the journeys performed on duty by the office holders and servants shall be in accordance with the rates specified in the Andhra Pradesh Travelling Allowances Rules 1996 for the employees drawing similar scales of pay in the State Government Service.

(2) The Executive authority shall be the controlling Authority for counter-signing the Travelling Allowance bills.

15. Casual Leave :— All office holders and servants shall be entitled to casual leave in a year as admissible to the employees of the State Government from time to time.

16. Leave:— An office holder or servant shall be entitled to:

(a) earned leave at the rate of one day for every fifteen days spent on duty, and such leave may be accumulated upto a maximum of one hundred and twenty days.

(b) Leave on Medical grounds with full pay will be as in the case of Government employees.

(c) Maternity leave in the case of women-employees, as may be applicable to Government-employees from time to time

Note:— No leave shall ordinarily be granted under this rule to an Ulthurai servant unless he provides a proper substitute to the satisfaction of the appointing authority.

17. Advance of Pay :— No advance of pay shall be paid to any office holder or servant except with the previous permission of the competent authority.

18 Certificate of Fitness for performing certain service:—(a) Every 'Ulthurai Servant' whose duty is to recite Mantras, Vedas, Prabhandham. Thevaram, and other invocations shall, before being appointed to an office, obtain a certificate of fitness for performing such duties attached to his office from such authority as may be specified by the Commissioner in this behalf.

19. Security Bond:— Every Cashier, Shroff, Store-keeper and Every other office holder or servant, who is entrusted, whether permanently or temporarily, with the custody of cash or stores or valuables shall furnish a cash security.

20. Amount of Security:— The amount of cash security to be furnished by any office holder or servant shall be fixed by the appointing authority, subject to the approval of the competent authority having regard to the circumstances of the institution concerned, nature of the post and the salary attached thereto and the local conditions.

21. Conditions as the Furnishing of security:— (1) No office holder or servant referred to in rule-19 holding office on the date of commencement of these rules, shall continue to hold office, if he does not furnish security before the expiry of three months from the date on which the amount of security fixed under rule 20 is intimated to him.

(2) No person appointed for the first time to any post for which security has to be furnished shall assume office, unless he furnishes the security fixed for the post within fifteen days of the receipt of the orders of appointment or within such period as may be specified in that order.

(3) When a person holding a post for which he has furnished security is appointed to another post, for which the security fixed is higher than the amount of security already furnished by him or is appointed to an additional post for which security has to be furnished he shall not continue in the new post, if he does not furnish the required additional security, within one month from the date of assumption thereof.

22. Exemptions:— Notwithstanding anything contained in Rule-21, the competent authority may on the recommendation of the appointing authority;

(a) extend, the time for furnishing the security or the additional security by any office holder or servant.

(b) exempt, subject to such conditions as it may fix, an office holder or servant from furnishing the whole or any part of the security or reduce the amount of security.

23. Investment of security furnished:— (1) The cash security furnished by an office holder or servant shall be invested, as early as possible in any one of the approved forms of securities and the interest earned by such security shall be paid to him.

(2) No interest shall be payable on the security amount till it is invested in the manner indicated in sub-rule (i).

24. Refund of Security:— The security furnished shall be refunded only after the office holder or servant vacates the office and after due enquiry by the authority to satisfy himself that no amount is due from the office holder or servant to the institution or endowments.

25. Maintenance of Service books:— Service Books shall be maintained by the Executive authority for all office holders and servants including ulthurai servants. Service Books shall be verified by the Executive Authority every year in April, and a certificate to the effects that services verified upto the end of March shall be recorded in the book.

26. Resignation:— The resignation tendered by an office holder or servant may be accepted by the appointing authority and such acceptance shall take effect;

(i) In case he is on duty, from the date on which he is relieved of his duties in pursuance of such acceptance;

(ii) In case he is on leave, from the date of communication of such acceptance to the office holder or servant or if the said authority so directs, from the date of expiry of leave; and

(iii) In any other case, from the date of communication of such acceptance to the office holder or servant or from such other date, not being earlier than the date on which he was last on duty, as the said authority may, having regard to administrative exigencies, specify.

Provided that the resignation of the office holder or servant who is placed under suspension from service pending investigation or enquiry into grave charges or who is deemed to have been suspended under the rules of the Act regulating the punishment of office holders and servants, shall not be accepted during the period of suspension.

Provided further that no withdrawal of resignation after the date of its actual acceptance by the appointing authority, shall be permitted except with the sanction of the government.

27. Group Gratuity:— (a) Every charitable or religious institution or Endowment published under clause (a) or clause (b) of Section 6 of the Act excepting the eight

servant and also the financial position of the institution or endowment and its capacity to pay the amount.

32. General provident fund scheme:— The employees are not eligible to subscribe the A.P.G.P.F.

(2) The regulations governing the administration of the said fund shall be approved by the Commissioner before the scheme is brought into force.

(3) The Commissioner may be a general or a special order revise the said regulations from time to time.

33. Unit:— Each institution or endowment shall be a unit for the propose of recruitment, seniority and promotion.

34. The Commissioner, Endowments shall be competent to depute a Government employee on Foreign Service as per F.R. 110 to any institution or endowment.

35. Relaxation of rules by the Commissioner:— The Commissioner may relax any rule of these rules in favour of any person or any class of persons for being appointed, otherwise than by direct recruitment, to any office or post or of any person who is serving or has served in any of the institution in such manner as may appear to him just and equitable.

Provided that where any such rule is applicable to the case of any person or class or persons, it shall not be relaxed in any manner less favourable to the person or class of persons than that provided by that rule.

Special provisions for certain Temples:—

The following provisions in addition to the above rules except rules 5 and 16 shall apply to the Office Holders and servants of the following eight institutions.

(1) Sri Varaha Lakshminarasimha Swamy Devasthanam, Annavaram Visakhapatnam District.

(2) Sri Veera Venkata Satyanarayana Swamy Devasthanam, Bhadrachalam, East Godavari District.

(3) Sri Seetharama Chandra Swamy Devasthanam, Bhadrachalam, Khammam District.

(4) Sri Venkateswara Swamy Devasthanam, Dwaraka Tirumala, West Godavari District.

(5) Sri Durga Malleswara Swamy Devasthanam, Vijayawada, Krishna District.

(6) Sri Raja Rajeswara Swamy Devasthanam, Vemulawada, Karimnagar District.

(7) Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta, Nalgonda District.

(8) Sri Bramarambha Mallikarjuna Swamy Devasthanam, Srisailam, Kurnool District.

37. Classification:— The Classes and categories of the employees of the eight institutions shall be as sanctioned by the Commissioner from time to time.

38. Cadre Strength:— (a) The Cadre strength of each class and category of posts in each of the eight institutions shall be fixed by the Commissioner.

institutions referred to in these rules shall introduce for the benefit of its office holders and servants, Group Gratuity, Life Insurance Scheme as specified in Annexure-I to these rules.

(b) where the existing benefits available to the office holders and servants of any institution or endowment are more beneficial than those indicated in the Annexure-I of these rules, those benefits shall be continued in respect of the office holders or servants holding office at the commencement of these rules. In respect of all other employees recruited on or after the commencement of these rules, the benefits shall be as in Annexure-I.

(c) The benefits in Annexure-I shall be provided by the Life Insurance Corporation of India:

(1) Submission of staff date;

(2) Payment of premium on receipt of the quotation;

(3) Completion of Master proposal and any other forms;

(4) Furnishing evidence of health such as Medical reports on the lives of any employees etc., in accordance with the procedure indicated in Annexure-II appended to these rules.

28. Authority to sanction payment of Gratuity:— The appointing authority in respect of every office holder or servant of the institution or endowment including teaching staff, if any, retiring from the service of the institution or endowment, shall sanction the gratuity amount and forward a copy of it to the Life Insurance Corporation of India authorising into pay the amount to the concerned office holder or servant after deducting the recoveries if any.

(2) The Life Insurance Corporation of India shall release the gratuity amount, only on receipt of the order of appointing authority sanctioning the gratuity amount. Every application for gratuity shall be prepared six months in advance of the date of retirement of the individual concerned.

29. Recovery of amounts payable by an office holder or servant:— Any sum of money payable by an office holder or servant to an institution or endowment shall be reported by the executive authority to the Life Insurance Corporation of India for deducting the said amount from the amount of gratuity payable to him. The sum so deducted shall be remitted to the concerned institution or endowment by the Life Insurance Corporation of India.

30. Qualifying service for the purpose of Gratuity;— For the purpose of Annexure-I, all continuous service, including the periods of leave, but not including the periods of absence not regularised as leave and subject to condonation by the competent authority, or interruption of service, shall be treated as qualifying service.

31. Powers of commissioner to sanction gratuity:— Notwithstanding anything contained in rules 27 to 29 of these rules, the Commissioner may for reasons to be recorded in writing sanction compassionate gratuity to office holder or servant of any institution or endowment.

Provided that the Commissioner shall before passing an order under this rule, take into account the service, character and conduct of the office holder or

(b) The Board of Trustees shall not make any variations in the cadre strength except with the previous sanction of the Commissioner.

39. Qualifications:— No person shall be eligible for appointment to the posts specified in column (2) of the Annexure-III appended to theserules by the method specified in column (3) thereof, unless he possesses the qualifications specified in the corresponding entry in column (4) thereof.

40. Tests:— Persons appointed by direct recruitment to any of the posts mentioned in column (2) of the table below shall, during the period of probation, pass the special test specified in the corresponding entry in column (3) thereof.

S.No. Name of the Post	Test to be passed
(1) (2)	(3)
1. Junior Assistant	1. Accounts Test for Sub-ordinate Officers. Part-I. 2. Endowments Department Test Part-I & II
2. Deputy "Executive Engineer"	1. Accounts Text for P.W.D. Officers.
3. Assistant Engineer	2. Accounts Test for P.W.D. Officers.

41. Maximum Age:— No person shall be eligible for appointment by direct recruitment if he has attained or will attain the age specified in column (5) of Annexure-III on the first day of July of the year in which the selection is made. The persons belonging to Scheduled Castes; Schedules Tribes and Backward Classes communities shall be eligible for concession of age as provided in the A.P. State and Subordinate Service Rules.

42. (A) Selection Post:— Promotion to all posts shown in annexure-III shall be on the basis of seniority-cum-fitness except in the case of the following categories in which promotion will be on the basis of merit-cum-seniority.

1. Executive Engineer.
2. Deputy Executive Engineer.
3. Personal Assistant to Executive Officer.

43. Pay and Allowances:— (1) The pay, dearness allowance and House Rent Allowance and other allowances of the employees shall be on par with the scales applicable to the State Government employees of similar posts and status. Whenever there is revision in the scales of pay, D.A., or H.R.A., in the case of State Government employees, the employees of these eight institutions will be eligible for such revision pay D.A. or H.R.A.

Provided that the salaries of the religious and secular establishment shall not exceed thirty percent of its annual income calculated under Section 65.

(2) The formal approval of the Commissioner shall however be obtained before fixing the pay D.A., or H.R.A. or other allowances, in the revised scales.

(3) The following provisions of the Fundamental Rules as in force and amended from time to time shall apply to the employees of the eight institutions.

F.Rs. 10-43 in chapter-IV

F.Rs. 44-48(b) in chapter-V

F.Rs. 49 in Chapter VI

F.Rs. 52 to 55 in Chapter-VIII

F.Rs. 56 Chapter -IX

F.Rs. 106 to 113 (a) in Chapter-XI.

44. Leave, Leave Travel Concession, Family Planning Incentives etc.:— The employees of the eight institutions shall be eligible for leave, leave salary, Leave Travel Concession, Surrender leave, Family Planning incentives, Family Welfare Scheme and medical reimbersement benefits as admissible to the State Government Employees of similar posts and status. The leave rules and other rules and orders governing the State Government Employees in respect of the above matters as in force from time to time shall apply to the employees of the eight Institutions.

45. Automatic Advancement Scheme:— The orders in G.O.(P) No. 290, Finance and Planning Department dated 22-7-1993 relating to creation of Special Grades for the Government employees who have completed 8 years of service, and Special promotion posts for those who have completed 16 years of service shall apply to the employees of the eight institutions.

46. Procedure for Direct Recruitment:—Any vacancy to be filled up by direct recruitment shall be notified by the Executive Officer to the Employment Exchange having Jurisdiction over the institution. Selection of the candidates out of the list of the candidates sponsered by the Employment Exchange shall be made by the committee to be constituted by the Commissioner from time to time and the said Committee shall conduct a written examination followed by Oral Test. The percentage of marks allotted for oral test shall not exceed 12% of the total marks.

47. Savings:— Nothing in these rules shall adversely effect any office holder or servant who, has been holding any office or post on the date of coming into force of these rules.

[Annex. I