

ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
VIDYUT SOUDHA :: VIJAYAWADA- 520 004

Memo No.CGM(Adm,IS&ERP)/DS(Adm)/AS(Adm)/PO-B/42/2019-3, Dated:12.11.2019

Sub: Estt. – APGENCO – Engineering Services – Sri L Madhusudhan Rao, EE (Elec.) – Restoration of his seniority in the cadre of EE (Elec.) – Reg.

Ref: 1. Memo No.GM(P)/DS(P)/AS(P)/10-C2/2002, Dated:22.03.2002
2. Hon'ble High Court judgment Dated:21.08.2009 in W.P.No.242/2004
3. Memo No.CGM(A)/DS(P)/AS(P)/PO-M/1254/2009, dtd: 02.05.2011
4. Lr.No. CEE/O&M/RTPP/GM(HR)/PO(A)/JAO/A5/FP/D.No.2866/18, Dated:26.07.2018 enclosed with the representation Dated:24.07.18 of Sri L Madhusudhan Rao, EE (Elec.)

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In the reference 4th cited, Sri L Madhusudhan Rao, EE (Elec.) who was not considered for promotion from the cadre of ADE(Elec.) to DE(Elec.) in the approved list dated:12.07.2005, on par with his junior Sri M Venkata Ramana, upon non-fulfilling requisite service condition of 5 years, as on the date of drawl of panel, consequent on proceeding on sanctioned EOL to work abroad as per memo 1st cited, has represented to consider his case for notional promotion and for restoration of seniority in terms of the verdict of the Hon'ble High Court vide reference 2nd cited.

2. The Hon'ble High Court in the reference 2nd cited vide judgment dated:21.08.2009 has held that; "for all practical purposes, an employee who avails EOL for undertaking employment abroad in terms of B.P.Ms.No.34 is deemed to have continued in the service of the Board, except for the limited service benefits denied to him, such as increment, pay, leave etc., on the grounds, viz.(i)In B.P.Ms.No.34 it was not contemplated that, the EOL availed by an employee for undertaking employment abroad should be deleted and not taken into account for computing the total period of his service, (ii) Clause.2 (ii) puts it beyond doubt by stating that, the absence during the period of EOL would not be construed as a 'break in service'", hence directed to promote the petitioner on par with his junior duly taking into account the period of EOL availed by him under B.P.Ms.No.34, Dated:12.05.97.

3. After careful consideration, in terms of the above Hon'ble High Court directions, the EOL to work abroad period from 23.04.02 to 14.03.2007, availed by Sri L Madhusudhan Rao, EE(Elec.) while working in the cadre of ADE(Elec.), as per B.P.(P&G-Per) Ms.No.34, Dated:12.05.1997 (now G.O.O.No.75/GM(A)/2001, Dated:22.05.2001), has been computed as eligible service and included in the list of approved candidates dated:12.07.2005, drawn for promotion of ADEs(Elec.) as DEs(Elec.) on par with his junior Sri M Venkata Ramana, the then ADE(Elec.) now EE(Elec.), by reviewing the panel in terms of Reg.8(2)(a) of APSEB SRs Part-II, as adopted by APGENCO, below Sri Y Siva Kumar, ADE(Elec.) and above Sri M Venkata Ramana, ADE(Elec.), for the purpose of restoration of seniority only.

4. Accordingly, the seniority of Sri L Madhusudhan Rao, the then ADE(Elec.) now EE(Elec.) is herewith restored in the cadre of EE(Elec.), by placing above Sri M Venkata Ramana, EE(Elec.) and below Sri Y Siva Kumar, EE(Elec.) in the seniority list of EEs(Elec.) communicated vide memo 3rd cited.

B. SREEDHAR
Managing Director

To
Sri L Madhusudhan Rao, EE(Elec.)(Emp.ID:1016550)
Through: The Chief Engineer/O&M/RTPP

Contd.....

Copy to the:

Chief Engineer/O&M/RTPP

PS to MD || SE(Techl.) to MD || SAO to Director (Finance & Commercial)

DEE/Techl. to Director (HR&IR) || (Hydel) || (Thermal) || AEE(Techl) to CGM(Adm,IS&ERP)

ED(Accounts) || (Civil) || All Chief Engineers || FA&CCA (Audit & Trust) ||

All Superintending Engineers || EE(MPP) || Pay Officer

Stock File/Spare.

// FORWARDED :: BY ORDER //

N. V. G. R. B. B.
PERSONNEL OFFICER