

Andhra State Act, 1953

Section 63 - Provisions Relating to Other Services

(1) The President may by general order require all persons who immediately before the appointed day are serving in connection with the affairs of the State of Madras in the territories specified in sub-section (1) of section 3 or in the transferred territory and who under the terms of their appointments or their conditions of service are not normally liable to be transferred outside the said territories or territory in which they are serving, to serve as from the appointed day in connection with the affairs of the State of Andhra or the State of Mysore, as the case may be, and all allocations so made by the President shall be final.

(2) The President may by special order require any person who is serving immediately before the appointed day in connection with the affairs of the State of Madras and to whom the provisions of sub-section (1) do not apply, to serve in connection with the affairs of the State of Andhra.

(3) Every person who is required to serve under sub-section (1) or sub-section (2) in connection with the affairs of the State of Andhra or the State of Mysore shall, --

(a) if immediately before the appointed day he is holding any, post in connection with the affairs of the State of Madras in any area which on that day falls in the State in which he is so required to serve, be deemed as from that day to have been duly appointed to that post by the Government of, or by other appropriate authority in the State concerned in connection with the affairs of that State; and

(b) if immediately before the appointed day he is not holding any post in any such area, be appointed by the Government of, or by other appropriate authority in, the State concerned, to a post in connection with the affairs of that State.

(4) All persons who are required by the President under sub-section (2) to serve in connection with the affairs of the State of Andhra shall be classified by him into the following two categories, namely :--

(i) officers whose allocation to the State of Andhra is final (hereinafter referred to in this section as "allotted officers"), and

(ii) officers required by the President to serve in connection with the affairs of the State of Andhra for a limited period as provided in sub-section (5) (hereinafter referred to in this section as "transferred officers").

(5) The period for which a transferred officer may be required to serve in connection with the affairs of the State of Andhra shall be two years:

Provided that the Government of Andhra may return any such officer to the State of Madras at any time before the expiration of the said period after giving three months' notice to him and to the Government of Madras.

(6) An officer shall be classified under sub-section (4) as an allotted officer or a transferred officer according as he is, or is not, in the opinion of the President, suitable for final allotment to the State of Andhra.

(7) A transferred officer shall, during the period he is required to serve in connection with the affairs of the State of Andhra,--

(a) continue to be in the service of the State of Madras and be deemed to be on deputation to the State of Andhra, and

(b) be entitled in addition to the remuneration which he would have drawn if he had continued during such period to serve in connection with the affairs of the State of Madras, to such allowances as the President may by general or special order determine.

(8) A transferred officer shall not be dismissed, removed or reduced in rank except with the previous concurrence of the Government of Madras, and if the Government of Madras does not concur in any such proposal of the Government of Andhra, then the Government of Andhra shall notwithstanding anything contained in sub-section (5) return the officer concerned to the State of Madras.

(9) Subject to the provisions of sub-sections (7) and (8), the conditions of service of a transferred officer shall be the same as they would have been if he had continued to serve in connection with the affairs of the State of Madras during the period he is required to serve in connection with the affairs of the State of Andhra.

(10) The foregoing provisions of this section shall not apply in relation to any person to whom the provisions of section 61 or section 62 apply.