

38. Postings and transfers :—(a) A member of a State Service or class of service anywhere in the State :

Provided that such postings and transfers shall be limited to the territorial jurisdiction of the local cadres specified in accordance with or in pursuance of the Presidential Order, where applicable, or to the units of appointment, if any, specified in the Special Rules.

(b) A member of a Subordinate Service or a class of such service may be posted to another post borne on the cadre of such service or class of such service, within the unit of appointment specified in the special rules and subject to the provisions of the Presidential Order :

(c) All transfers and postings of a member of State or Subordinate Service shall be made subject to sub-rules (a) and (b) by the appointing authority or such other authority subordinate to the appointing authority, specified in the special rules or to whom the appointing authority has delegated such powers of postings and transfers :

(i) Provided that such power will be exercised by the appointing authority or the authority to whom the power has been delegated, within their respective jurisdiction but subject to the units of appointment under the Presidential Order, applicable to the relevant post :

(ii) Provided further that the head of the department may transfer a member of a service from the unit of one appointing authority to the unit of another appointing authority, where the Presidential Order is not applicable :

(iii) Provided also that where the appointing authority is not the State Government, any authority to whom the appointing authority is administratively subordinate will, in respect of any post within the jurisdiction of the appointing authority, also be competent to effect transfers and postings to a post within the jurisdiction of such appointing authority within the units of appointment specified in the special rules and subject to the provisions of the Presidential Order :

(iv) Provided also that where the State Government are the appointing authority in respect of the members of the State Services, the head of the department who is competent to grant leave to such members under F.R. 66 or H.C.S.R. 374 shall also be competent to issue reposting order in respect of those members on return from leave :

(v) Provided also that unless otherwise stipulated in any special rules or *ad hoc* rules, the State Government may, on its own motion or on a proposal received from a head of the department, Order for sufficient reasons to be recorded in writing, the transfer of members of the State or Subordinate Services from the local cadres organised in pursuance of the Presidential Order, to the office of the concerned head of the departments and offices notified under the said Order as State Level Offices or Special Offices or Major Development Projects and *vice-versa*. The seniority of any member of the service who is so transferred on administrative grounds shall be fixed in the unit to which he is transferred with reference to the date of his appointment in the office from which he is transferred and the seniority of any member of the service who is transferred at his own request shall be fixed with reference to the date of his joining in the unit to which he is transferred.

(vi) Notwithstanding anything in these Rules, or the special or the *ad-hoc* rules, transfer of a person holding post in a category organised into local cadre, under paragraph 3 of the Andhra Pradesh Public Employment (Organisation of Local Cadres and Regulation of Direct Recruitment) Order, 1975, as amended, from one local cadre to another may be made by the Government :

(a) against a vacancy where no qualified or suitable person is available in the latter cadre or where such transfer is otherwise considered necessary in the public interest; and

(b) on reciprocal basis, subject to the condition that transferee shall be assigned seniority with reference to the date of transfer in the cadre to which he is transferred :

Provided also that the Head of the Department may transfer on tenure, from a local cadre, to a post to which the Presidential Order does not apply, where such posts are required to be filled on tenure basis from such local cadres and retransfer him to his local cadre.

(d) A member of a State or Subordinate Service or a class of such service may be required by the appointing authority or any other authority superior to such appointing authority, to serve in any post borne on the cadre of any body wholly or substantially owned or controlled by the Government.