



**The Andhra Pradesh Educational Service (Regulation of Pay Fixation of
Principals and Lecturers) Act, 1990**

Act 10 of 1990

Keyword(s):
Pay Fixation, Lectures, Untenable Claim

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

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 11th May, 1990 and the said assent is hereby first published on the 14th May, 1990 in the Andhra Pradesh Gazette for general information:-

ACT NO. 10 OF 1990.

An Act to provide for the regulation of Pay Fixation of Lecturers in the Andhra Pradesh Educational Service in order to avoid untenable claims.

Whereas, the post of Principal in M.R. Government Sanskrit College, Vizianagaram has been included in Category-I

of Class-I of the Andhra Pradesh Educational Subordinate Service along with the Assistant Lecturers of Arts, Engineering and Medical Colleges;

And whereas, Sri P.B.S. Appalacharyulu who held the post of Principal in M.R. Government Sanskrit College, Vizianagaram and who was subsequently transferred as Assistant Lecturer in Sanskrit Government Arts College, Rajahmundry was allowed the University Grants Commission scale of pay of Rs. 700-1100 with effect from the 1st April, 1966 as he was holding the said post on that date and in accordance with the orders of the Hon'ble High Court of Andhra Pradesh in W.P.No. 4357 of 1971;

And whereas, the other Assistant Lecturers in Sanskrit who are seniors to Sri Appalacharyulu were also allowed the scale of pay of Rs. 700-1100 on grounds of equity and on the ground that they too are eligible to be appointed as Principal, M.R. Government College, Vizianagaram;

And whereas, the lecturers teaching subjects other than Sanskrit also filed Representation petitions before the Andhra Pradesh Administrative Tribunal claiming parity in scale of pay with Sri Appalacharyulu, though they are not lecturers in Sanskrit and consequently ineligible to be appointed as Principal, M.R. Government Sanskrit College, Vizianagaram to which post Sri Appalacharyulu was originally appointed and consequently got the scale of pay of Rs. 700-1100;

And whereas the contention of the Government that the Lecturers in subjects other than Sanskrit are not entitled to the scale of pay of Rs. 700-1100 on par with Sri Appalacharyulu was rejected by the Andhra Pradesh Administrative Tribunal on the ground that all Lecturers belong to the same category in the Andhra Pradesh Educational Service Rules;

And whereas, the Lecturers in subjects other than Sanskrit are not eligible to be appointed as Principal of M.R. Government Sanskrit College, Vizianagaram to which Sri Appalacharyulu was appointed and allowed the scale of pay of Rs. 700-1100 and the mere fact that all lecturers are in the same category in the Andhra Pradesh Educational Service Rules has given rise to the untenable claim of lecturers in other subjects for parity with the scale of pay allowed to Sri Appalacharyulu;

And whereas, acceding to such untenable claims by lecturers other than those teaching Sanskrit would result in a enormous drain on the State Finance to the tune of more than thirteen crores of rupees, thus seriously affecting the developmental programmes of the State;

And whereas the Government have constituted the Principal of Government Oriental Colleges including M.R. Government Sanskrit College, Vizianagaram and lecturers, in Sanskrit in Government Degree Colleges and Oriental Colleges as

a distinct class by an amendment to the Special rules in the Andhra Pradesh Educational Service by an amendment issued in G.O.Ms.No. 340, Education (HE. 1) Department dated the 27th October, 1989 with retrospective effect from the 1st April, 1966;

And whereas, in view of the afore-said amendment, the lecturers in Degree Colleges teaching subjects other than Sanskrit cannot have common seniority with lecturers teaching Sanskrit language and cannot consequently claim parity of scale of pay with Sri Appalacharyulu on the ground that they are seniors to him;

And whereas, several lecturers teaching subjects other than Sanskrit have approached the Hon'ble Andhra Pradesh Administrative Tribunal and are pressing their claims;

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

Short title
and Commencement.

1. (1) This Act may be called the Andhra Pradesh Educational Service (Regulation of Pay Fixation of Principals and Lecturers) Act, 1990.

(2) It shall be deemed to have come into force on the 1st April, 1966.

Declaration
of principals and
lecturers
in Sanskrit
Colleges as
a distinct
class.

2. Notwithstanding anything contained in any Rule or Order of the Government or any judgement of any court, Tribunal or other authority, the Principals of

Government Oriental Colleges including the M.R. Government Sanskrit College, Vizianagaram and the Lecturers in Sanskrit in Government Degree Colleges and Oriental Colleges shall form a distinct class by themselves and no Principal or Lecturer teaching any subject other than Sanskrit in any College shall be entitled to claim common seniority with the Lecturers in Sanskrit or pay fixation on par with the Principals of Oriental Colleges and lecturers aforesaid merely on the ground that before the issue of amendments to the Andhra Pradesh Educational Service in G.O.Ms.No. 340, Education (HE. 1) Department dated the 27th October, 1989 they were seniors to the said Principals of Oriental Colleges and lecturers in Sanskrit.

3. Notwithstanding any Government Order, any judgment, decree or Order of any Court, Tribunal, or other authority, the claims of all lecturers, under the Andhra Pradesh Educational Service teaching any subject other than Sanskrit claiming parity of scale of pay with Sri P.B.S. Appalacharyulu shall stand extinguished from the date of Commencement of this Act and accordingly.--

Abatement of
Claims.

(a) all orders issued by the Government or any other authority ordering fixation of pay to any lecturer other than a lecturer teaching Sanskrit, on par with Sri P.B.S. Appalacharyulu shall stand cancelled;

(b) no suit or other proceeding shall be maintained or continued in any Court, Tribunal or other authority

against the Government or any person or other authority whatsoever for fixation of pay on par with Sri P.B.S. Appalacharyulu;

(c) no Court shall enforce any decree or order directing the pay fixation on par with Sri P.B.S. Appalacharyulu to the lecturers teaching subjects other than Sanskrit; and

(d) any amount paid under an order which is rendered un-enforceable by this Act shall be recovered in such manner and in such number of instalments as the Commissioner for Collegiate Education may, by order, direct.

P.V.VIDYA SAGAR,
Secretary to Government,
Law and Legislative Affairs,
Law Department.