

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.21991 of 2015

ORDER

This writ petition is filed seeking to call for the records relating to the impugned Memo dated 6.7.2010 issued by the 2nd respondent and quash the same by declaring that the petitioner is entitled to pay band of Rs.37400-67000 and direct the respondents to continue to pay the same scale.

The petitioner is a post-graduate and obtained Doctorate in 1999. Pursuant to the notification issued by the 1st respondent, the petitioner was selected and appointed directly as Associate Professor on 19.08.2009. The post of Associate Professor shall be in the pay band of Rs.37400-67000 with AGP of Rs.9,000/-, whereas, the pay scale of directly recruited professor shall be fixed at a stage not below Rs.43000/- in the pay band of Rs.37400-67000 with the applicable AGP of Rs.10,000/- at the appropriate stage in terms of conditions of appointment. While so, the Government issued G.O.Ms.No.15, dated 20.02.2010 implementing UGC Revised Pay Scales to the Teaching Staff of the University and Colleges

with effect from 1.1.2006 and certain terms and conditions were laid down *vide* G.O.Ms.No.20.02.2010. Thereafter, on the letter addressed by the A.P. Federation of University Teachers Association and also Director, State Audit, Andhra Pradesh, Hyderabad, the Government issued clarifications *vide* impugned Memo. According to it, Associate Professors/Readers recruited prior to 20.02.2010 shall be placed in the pay band of Rs.15600-39100 only, as and when they completed three years of service, they will be placed in the pay band of Rs.37400-67000 with AGP of Rs.9000/-.

It is the case of the petitioner that as per UGC guidelines and the clarification issued by the Ministry of Human Resource Development, the pay scales of directly recruited Associate Professor/Readers will be Rs.37400-67000 and the pay scale of directly recruited professors shall be fixed at a stage not below Rs.43000/- in the pay band of Rs.37400-67000 with the applicable AGP of Rs.10,000/-. If the Government felt that such of those Associate Professors/Readers appointed by direct recruitment prior to 1.1.2006 will get lesser

pay than those persons appointed on or after 1.1.2006, the Government ought to have extended the same pay scales to them also. But the Government denied the benefit to the persons appointed on or after 1.1.2006. Hence, this writ petition.

The issue involved in this writ petition is squarely covered by a judgment of this Court in W.P.No.18255 of 2010 & batch. While setting aside the very same impugned Memo dated 6.7.2010, learned Single Judge declared that the petitioners therein are entitled for pay band of Rs.37400-67000 with A.G.P Rs.9000/- which scale of pay is required to be paid to the petitioners.

As the petitioner stands on the same footing as that of the petitioners in W.P.No.18255 of 2010 & batch, she can be extended the same benefit.

Accordingly, the writ petition is allowed in terms of the Judgment passed in W.P.No.18255 of 2010 & batch, dated 23.06.2014. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE R. KANTHA RAO

21st July, 2015

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