Date on which Order/Judgment was reserved	:	06.08.2026
Date on which Order/Judgment was pronounced	:	08.10.2026
Date on which Order/Judgment was uploaded on the website of the High Court	:	08.10.2026

APHC010223702021

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3327]
(Special Original Jurisdiction)

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION TRANSFERED FROM APAT NO: 181/2021

Between:

1. DR. P LOKESWARA REDDY, S/O.P.BOMMI REDDY AGED ABOUT 41 YEARS, ASSISTANT PROFESSOR DEPARTMENT OF PSYCHIATRY, SV MEDICAL COLLEGE, TIRUPATHI, CHITTOR DISTRICT.

...PETITIONER

A N D

1. STATE OF ANDHRA PRADESH, , REP.BY ITS PRINCIPAL SECRETARY, MEDICAL EDUCATION DEPARTMENT SECRETARIAT BUILDINGS, A.P., HYDERABAD-SOO 022.
2. THE DIRECTOR OF MEDICAL EDUCATION, , STATE OF AP., HYDERABAD
3. THE PRINCIPAL, , SV MEDICAL COLLEGE, TIRUPATHI, CHITTOOR DISTRICT.
4. THE DIRECTOR OF TREASURIES, ACCOUNTS STATE OF AP., HYDERABAD.

...RESPONDENT(S):

to call for the records pertaining to the Proceedings Rc.No. Sp1lEIA12016 dated 4.6.2016 of the 3rd Respondent in revising and re-fixing the pay of the applicant and for seeking to recover the amounts from the salary of the applicant and set aside the same as i1legal, arbitrary and contrary to the rules and violative of principles of natural justice and consequently direct the respondents not to recover the amounts from the salary of the applicant

Counsel for the Petitioner:

1. HARINATH REDDY SOMAGUTTA

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

WRIT PETITION (AT) NO.181 OF 2021

O R D E R

Since the Andhra Pradesh Administrative Tribunal was abolished in the year 2020, O.A.No.2164 of 2016 which was filed by the petitioner herein, was transferred to this Court, and the same was renumbered as Writ Petition (AT) No.181 of 2021.

2. This Writ Petition (AT) is filed seeking the following relief:

> *"….to call for the records pertaining to the Proceedings in Rc.No.Spl/E1A/2016, dated 04.06.2016 of 3rd respondent in revising and re-fixing the pay of the applicant and for seeking to recover the amounts from the salary of the applicant, and set-aside the same as illegal, arbitrary and contrary to the Rules and violative of principles of natural justice, and consequently, direct the respondents not to recover the amounts from the salary of the applicant and pass such other order or orders …"*

3. Contents of the Writ Petition (AT), in brief, are that, the petitioner was appointed as an Assistant Professor in the Department of Psychiatry, S.V. Medical College, Tirupati, through Direct Recruitment, and joined service on 18.10.2010; that at the time of his appointment, his pay was fixed in the UGC Revised Pay Scales, 2006 in the pay band of Rs.15,600-39,100 with Academic Grade Pay of

Rs.7,000/-; that the said fixation was not in accordance with the Government Orders governing the implementation of the UGC Revised Pay Scales, 2006. The Government had earlier issued G.O.Ms.No.816, Health, Medical and Family Welfare Department, dated 02.11.2006, extending UGC pay scales to the Teaching Faculty of the Government Medical and Dental Colleges. The Government subsequently issued G.O.Ms.No.242, dated 04.09.2010, implementing the UGC Revised Pay Scales, 2006 for the Teaching Faculty of the Government Medical and Dental Colleges. Thereafter, the Government issued G.O.Ms.No.132, Health, Medical and Family Welfare Department, dated 13.10.2014, clarifying certain anomalies arose in the implementation of the UGC Revised Pay Scales, 2006; that it was clarified that where the pre-revised UGC scale applicable to the post of the Assistant Professor was Rs.10,000–15,200, the fitment table prescribed under the UGC Revised Pay Scales, 2006 would result in fixation at Rs.18,600/- plus Rs.7,000/- Academic Grade Pay. The Government specifically extended this benefit to Teaching Faculty appointed as Assistant Professors on or after 01.11.2006.

(b) In view of the said clarification, the petitioner made a representation to the Principal, S.V. Medical College, Tirupati, seeking

proper fixation of his pay, and thereafter, the petitioner's pay was re-fixed at Rs.18,600/- plus Rs.7,000/- Academic Grade Pay with effect from 18.10.2010 and the consequential benefits were released; that such re-fixation was made by the competent Departmental Authorities on the basis of the Government Orders and the clarification issued by the Director of Medical Education. The Director of Medical Education, *vide* Proceedings dated 30.01.2016, specifically communicated that the fitment-table provision resulting in fixation at Rs.18,600/- plus Rs.7,000/- Academic Grade Pay was applicable to Assistant Professors appointed on or after 01.11.2006.

(c) It is the further case of petitioner that similar fixation was extended to other Assistant Professors appointed during the same period. Therefore, the petitioner claims that his pay was correctly re-fixed and that, he was entitled to the consequential benefits. However, subsequently, objections were raised by the Treasury authorities. The Director of Treasuries and Accounts took the view that a directly recruited Assistant Professor appointed on or after 01.11.2006 was entitled only to the minimum of the pay band, namely Rs.15,600/- plus Rs.7,000/- Academic Grade Pay, but not Rs.18,600/- plus Rs.7,000/- Academic Grade Pay, and on the basis of the said view, 3rd respondent issued Proceedings dated 04.06.2016 revising and re-

fixing the petitioner's pay at Rs.15,600/- plus Rs.7,000/- Academic Grade Pay and directed to recover the alleged excess amount already paid to him. The *impugned* proceedings are illegal and unsustainable; that the Treasury authorities could not interpret the Government Orders in a manner contrary to the specific clarification issued by the Government and the Director of Medical Education.

(d) The earlier fixation of petitioner’s pay at Rs.18,600/- plus Rs.7,000/- Academic Grade Pay was made by the Department itself, and was not the result of any fraud, misrepresentation or incorrect information furnished by him, and he had merely received the salary fixed and paid by the competent authorities. Therefore, recovery of the alleged excess payment from the petitioner is unjustified. The *impugned* Order was passed without issuing any prior notice to him or giving him an opportunity to explain his case. The reduction of his pay and the consequential recovery, therefore, violate the principles of natural justice. The petitioner accordingly seeks setting-aside of the Proceedings, dated 04.06.2016 insofar as they re-fix his pay at Rs.15,600/- plus Rs.7,000/- Academic Grade Pay and direct recovery of the amounts already paid to him, and consequently, seeks protection of the pay fixation at Rs.18,600/- plus Rs.7,000/- Academic Grade Pay.

4. Respondent No.2 filed counter-affidavit denying the contents of the Writ Petition (AT), contending *inter alia* that the petitioner is working as the Assistant Professor of Psychiatry in S.V.Medical College, Tirupathi, and he was recruited by 2nd respondent in the year 2010; that the petitioner was appointed as the Assistant Professor on 18.10.2010 in the pay scale of Rs.15,600/- – Rs.39,100/- with Academic Grade pay of Rs.7,000/-. The Government issued G.O.Ms.No.816, dated 02.11.2006, UGC Scales to improve the quality of Medical Education, and also to fulfil the MCI Norms by considering with desirable, to pay better pay scales to the Teaching Faculty in the Medical Colleges and Dental Colleges under the Directorate of Medical Education.

(b) The Government also issued G.O.Ms.242, dated 04.09.2010 implementing the UGC Revised Pay Scales-2006 to the Teaching Faculty of the Government Medical and Dental Colleges. The Government further issued G.O.Ms.No.132, HM & FW (A1) Department, dated 13.10.2014, concerning the implementation of the UGC Revised Pay Scales-2006 to the Teaching Faculty of the Government Medical Colleges and Dental Colleges; that the UGC Scales were made applicable to the Teaching Faculty of the Government Medical Colleges and Dental Colleges with effect from

01.11.2006 *vide* G.O.Ms.No.242 HM & FW (A2) Department, dated 04.09.2010, and the pay scale assigned to the Assistant Professors of the Medical and the Dental Colleges is Rs.15,600/- - Rs.39,100/- with Academic Grade Pay of Rs.7,000/-.

Sl. No.	Category	Existing Scales 1996	Revised Scales 2006	Academic Grade Pay
1.	Tutors	8000 – 13500	15600 – 39100	6000
2.	Assistant Professors	10000 - 15200	15600 – 39100	70000
3.	Associate Professors	12000 – 18300	15600 – 39100	8000
4.	Associate Professors (After 3 years)	12000 – 18300	15600 – 39100	9000
5.	Professor	16400 – 22400	37400 – 67000	10000
6.	Addl. DME	16400 – 22400	37400 – 67000	10000
7.	DME	16400 – 22400	37400 – 67000	10000

(c) That at the time of transition of the Medical Teachers from the State Government Scales to UGC Scales as on 01.11.2006 one batch of the Assistant Professors were recruited in the month of October, 2006 in the time scale of Rs.10,000/- - Rs.15,200/-, allowing them 15 days' time to join; that some Assistant Professors in the batch joined in the month of November, 2006 fully utilizing the 15 days' time, and consequent to implementation of UGC scales, 2006 to the Medical Teachers as on 01.11.2006, the pay of the Assistant Professors, who joined after availing 15 days joining time in the month of November, 2006 (*i.e.* after 01.11.2006) was fixed at minimum of the

time scale *i.e.* Rs.15,600/- + Rs.7,000/- AGP; that this led to anomaly of some Assistant Professors drawing more pay than the others of the same batch; that the Government appointed a Four Member Committee for rectification of anomalies in implementation of UGC Pay Scales – 2006 to the Teaching Faculty of the Government Medical Colleges and Dental Colleges, and basing on the recommendations of the said Committee, the Government issued G.O.Ms.No.132 HM & FW (A1) Dept., dated 13.10.2014 allowing pay of Rs.18,600/- + Rs.7,000/- AGP to the Assistant Professors, who were issued appointment orders before 01.11.2006, but joined after 01.11.2006.

(d) Basing on G.O.Ms.No.132, dated 13.10.2014, 2nd respondent issued a clarification that the pay Rs.18,600/- + Rs.7,000/- AGP is applicable to all the Teaching Faculty, who were appointed as the Assistant Professors in the Medical and Dental Colleges on or after 01.11.2006, and this scale is applicable to the newly recruited Assistant Professors on 22.07.2015 and 23.07.2015, and 15.09.2015 and 16.09.2015, and this is objected by many of the Treasury Officers in the State.

(e) The Assistant Professors of RIMS, Kadapa claim that their educational qualification, and nature of work in the post of Assistant Professor is different from that of the other Assistant Professors of other Universities, and claim a higher start of basic pay of Rs.18,600/- instead of Rs.15,600/-; that in addition to teaching, they attend to the Hospital work, and night duties unlike other Assistant Professors. They argue that the minimum entry pay for DRs is a new concept introduced by 6th Central Pay Commission (CPC), and prior to 6th CPC, DRs were fitted at the minimum of the scale of pay applicable to the grade, in which they were recruited; that 6th CPC, however, merged the pay scales at certain levels and introduced the concept of pay band, and grade pay to distinguish between the hierarchy of posts sitting within a particular pay band, while the pay scales have been merged into pay bands, the hierarchy of posts continued to exist, as a result thereof, if direct recruitment takes place for a certain post, which is above the minimum of the pay band, the pay can obviously not be fixed at the minimum of the pay band.

(f) The Director, Department of Treasuries and Accounts, Andhra Pradesh addressed to the Government, for clarification for concurrence of the Finance HRM.V Department for issue of G.O.Ms.No.132, dated 13.10.2014, the minimum entry pay to the

allowed (Rs.15,600/- or Rs.18,600/-) to the directly recruited Assistant Professors of the Medical and Dental Colleges, who are recruited after 01.11.2006 in revised UGC Pay Scales, 2006 *vide* Lr.Rc.No.H1/3662/2016, dated 24.06.2016, and after receipt of clarification, additional counter-affidavit will be submitted to the Court. Hence, it is prayed to dismiss the Writ Petition (AT).

5. Learned counsel for the petitioner would contend that after considering the relevant Government Orders and Departmental instructions, the pay of the petitioner was re-fixed by the competent authorities, and the petitioner had no role in fixation of his pay and that he had not furnished any incorrect information or practiced fraud or misrepresentation. He further contends that the respondent No.2-Director of Medical Education had specifically clarified that the fitment-table provision resulting in fixation at Rs.18,600/- + Rs.7,000/- Academic Grade Pay was applicable to the Assistant Professors appointed on or after 01.11.2006. Therefore, the petitioner cannot be made to suffer on account of a subsequent difference of opinion between the Department and the Treasury authorities. Learned counsel further contends that the reduction of petitioner's pay and recovery of amounts already paid, could not have been ordered

without putting the petitioner on notice and affording him an opportunity of hearing.

6. Learned Government Pleader for Services-I would contend that the petitioner was appointed only on 18.10.2010 and, therefore, his case is governed by the Revised UGC scale applicable to the Assistant Professors after implementation of the Revised Scales. It is further contended that G.O.Ms.No.132, dated 13.10.2014, was intended to remove an anomaly relating to the Assistant Professors who had been appointed before 01.11.2006 but joined thereafter, and the same cannot be treated as a general order granting an enhanced initial pay of Rs.18,600/- to every Assistant Professor appointed after 01.11.2006. Learned Government Pleader further contends that there is a genuine dispute regarding the interpretation and implementation of the Government Orders and that the Director of Treasuries and Accounts had already sought clarification from the Government, and the said issue requires consideration by the competent Government authority.

7. Heard the learned counsel for the petitioner, and the learned Government Pleader for Services-I. Perused the entire material available on record.

8. A perusal of the contentions and rival contentions goes to show that the dispute essentially relates to appropriate initial fixation of pay under the UGC Revised Pay Scales, 2006 of a directly recruited Assistant Professor appointed after 01.11.2006, particularly in the context of G.O.Ms.No.242, dated 04.09.2010, G.O.Ms.No.132, dated 13.10.2014, and the subsequent departmental clarification. It is not in dispute that the petitioner was appointed on 18.10.2010 and that, his pay was initially fixed at Rs.15,600/- + Rs.7,000/- Academic Grade Pay. It is also not in dispute that subsequently, his pay was re-fixed at Rs.18,600/- + Rs.7,000/- Academic Grade Pay and consequential monetary benefits were paid to him by the Department.

9. A perusal of the material on record goes to show that there is a difference of opinion between the Departmental Authorities and the Treasury authorities regarding the interpretation and scope of G.O.Ms.No.132, dated 13.10.2014, particularly as to whether the benefit of fixation at Rs.18,600/- + Rs.7,000/- Academic Grade Pay is confined to the Assistant Professors whose appointment orders were issued before 01.11.2006 but who joined thereafter, or whether the same benefit is available to the Assistant Professors directly appointed on or after 01.11.2006. The material on record goes to

show that respondent No.4-the Director of Treasuries and Accounts had sought clarification from the Government on the issue.

10. In these circumstances, this Court is of the view that the dispute involves interpretation of the Government Orders and determination of the entitlement of the petitioner by the competent authority, and it would, therefore, not be appropriate for this Court, in exercise of jurisdiction under Article 226 of the Constitution of India, to undertake the initial determination of the disputed pay-fixation issue, particularly when the competent Government authority has already been approached for clarification. At the same time, the *impugned* Proceedings have civil consequences insofar as they reduce the petitioner's pay and seek recovery of amounts already paid. The petitioner asserts that the earlier fixation was made by the competent authorities, and that there was neither fraud nor misrepresentation on his part. These aspects also require consideration by the competent authority before any final decision regarding recovery is taken.

11. In view of the aforesaid facts and circumstances of the case, without going into merits of the of the rival claims regarding the petitioner's entitlement to fixation at Rs.18,600/- + Rs.7,000/- Academic Grade Pay, the petitioner is at liberty to make an

application before 1st respondent, along with all relevant documents, seeking determination of his entitlement to fixation of pay under the UGC Revised Pay Scales, 2006, with reference to G.O.Ms.No.242, dated 04.09.2010, G.O.Ms.No.132, dated 13.10.2014, and the subsequent departmental clarifications, within a period of four (04) weeks from the date of receipt of a copy of this Order, and on receipt of such application, 1st respondent is directed to consider and dispose of, the same by passing a reasoned order, within a period of four (04) weeks thereafter, after examining the relevant Government Orders, departmental proceedings, Treasury objections and the claim of the petitioner, and after affording the petitioner an opportunity of hearing, in accordance with law. Till such time, respondent authorities are directed not to take any coercive steps for recovery of the alleged excess amount from the petitioner.

12. It is made clear that this Court has not expressed any opinion on the merits of the petitioner's claim for fixation at Rs.18,600/- + Rs.7,000/- Academic Grade Pay.

13. With the above observation, the Writ Petition (AT) is disposed of.

There shall be no order as to costs of the Writ Petition (AT).

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition (AT), shall stand closed.

JUSTICE K. SREENIVASA REDDY

8th October, 2026.

DNB

Whether the Order is:

Speaking	✓	Reasoned	
Reportable		Non-reportable	✓