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O.A. No.7124/2013

[ORAL ORDER AS PER HON'BLE SHRI M.V.P.C.SASTRY,
ADMINISTRATIVE MEMBER ON BEHALF OF THE DIVISION BENCH]

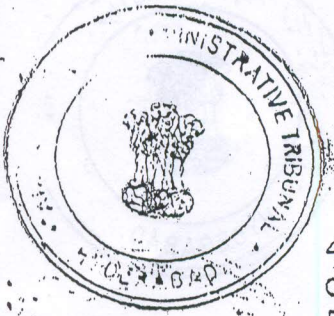
The applicants have filed the present O.A., seeking to declare the action of the respondents in not fixing their pay at Rs.4070/- in the scale of pay of Rs.3750-7650 in PRC 1999 by considering their pay at Rs.2075 in PRC 1993, as illegal, arbitrary and against the Government orders issued in G.O.Ms.No.2, dated 05.01.2009 and the clarification issued in Government Memo No.8663/Ser.I/2010, dated 01.07.2010 and consequently, hold that the applicants are entitled for fixation of their pay at Rs.4070/- in the scale of pay of Rs.3750-7650 in PRC 1999 by taking into consideration of applicants pay at Rs.2070 in 1993 PRC with all consequential benefits.

2. When similar cases came up for consideration before this Tribunal in O.A.Nos.8337/2010 and batch, this Tribunal passed an order on 19.12.2012.

The operative portion of the order reads as follows:

"3.The seventh respondent filed counter in OA.No.8337/2010. Para 3 of the counter reads as follows:

It was also stated in the said U.O. Note that in the case of the applicants, the circumstances on the date of option of RPS 1999 were materially changed by issuing orders in GO.Ms.No.2, Education Department, dated 5.1.2009 i.e., retrospectively. Hence the applicants claim is correct and the School Education Department were requested by the Finance Department to take action keeping in view of the above rule position.



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4. In the light of the admission by the 7th respondent, the claims of the applicants are correct and the School Education Department was requested by the Finance Department to take action keeping in view of the above rule position.

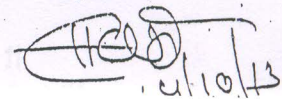
5. In the light of the above facts and circumstances of the case, O.A.s. are disposed of directing the 3rd respondent to give instructions to the concerned District Educational Officer to release the benefits of PRC 1999 by taking into consideration the pay of the applicants at Rs.2075/- in 1993 PRC and release monetary benefits, within a period of two months from the date of receipt of a copy of this order."

3. Since the present case is squarely covered by the above order, the applicants herein are entitled for the similar order.

PRTU GNT

4. The OA is accordingly disposed of directing the 3rd respondent to give instructions to the concerned District Educational Officer to release the benefits of PRC 1999 by taking into consideration the pay of the applicants at Rs.2075/- in 1993 PRC and release monetary benefits, within a period of two months from the date of receipt of a copy of this order.

Sd/- T.VENKATESWARLU
Assistant Registrar



21/10/13

PROCEEDINGS OF THE MANDAL EDUCATIONAL OFFICER, MP BHONGIR

Present: B. Ravi Varadhan, B.Sc., B.Ed.

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Proc. No. 27/2011

Date: 5.12.2011.

Sub:- A.P.S.E.S.S.- Primary Education- MP Bhongir - Re-fixation of teaching Staff admission into two notional increments of sri A Jayalaxmi, SGT PS Anajipur, MP Bhongir
Orders - Issued.

Ref:- 1. GO Ms No. 2, Edn (SE; Ser- III) Dept. Dated: 05.01.2009
2. Memo No. 8663/Ser-I/2010, Dated: 01.07.2010.
3. Application concerned.

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ORDERS

On persuasion of the proposal under ref. 4th cited the incumbent has been appointed on stipendary basis as an apprentice teacher for the period of two years as per 1st read above, now the incumbent has been sanctioned two(2) notional increments from date of assigning regular scale as per government orders ref.2, and his/her Re-fixation is as follows.

Date	Pay drawn	Pay Fixed	Remarks
17.09.1996	1200	1200	
17.09.1997	1500	1500	
17.09.1998		2075	Completion of two years apprentice service added (2) Notional Increments.

As per the GO(P) No. 114, Pay fixation in Revised Pay Scales - 1999

Pay fixed as: 17.09.1998	3950	Pay DA 66% Filtment 25% Total Emaluments	2075 1250 1375 3964	Opted to Increment date i.e 17.09.1998.
				Next stage fixed in 4070.

PRTU GNT

in the scale of 3750-100-3950-120-4550-150-5300-170-6150-200-7150-250-7650

17.09.1999	4070	4190	
	3750-7650	3750-7650	
17.09.2000	4190	4310	
	3750-7650	3750-7650	
17.09.2001	4310	4430	
	3750-7650	3750-7650	
17.09.2002	4430	4550	
	3750-7650	3750-7650	

As per the GO(P) No. 180, Pay fixation in Revised Pay Scales - 2005,

Pay fixed as: 17.09.2003	Pay DA 30.266% Filtment 16% Total Emaluments	4550 1377 728 6655	4700 1423 752 6875	Opted to Increment date i.e. 17.09.2003 GO (P) 180, OMC
				Next stage fixed in 7015

Next stage fixed in 6675

Next stage fixed in 7015

in the scale of 5470-135-5605-145-6040-155-6505-170-7015-185-7570-200-8170-215-8815-235-9520-255-10285-280-11125-315-12385.

17.09.2004	6845	7200	
	5470-12385	5470-12385	

As per the GO (P) 241, SGP Scale fixation for completion of 8 Yrs. Service on 16.09.2004 in the time scale of 5750-145-6040-155-6505-170-7015-185-7570-200-8170-215-8815-235-9520-255-10285-280-11125-315-12700-330-13030.

8 years scale	<u>7015</u>	<u>7385</u>	GO (P) 241, A.A.S.
17.09.2004	5750-13030	5750-13030	
17.09.2005	<u>7200</u>	<u>7570</u>	
	5750-13030	5750-13030	
17.09.2006	<u>7385</u>	<u>7770</u>	
	5750-13030	5750-13030	
17.09.2007	<u>7570</u>	<u>7970</u>	
	5750-13030	5750-13030	

As per the GO Ms No. 52, Pay fixation in Revised Pay Scales - 2010,

Pay fixed as:

01.07.2008	Pay	7570	7970
	DA 42.39%	3209	3378
	Filment 39%	2952	3108
	Total Emoluments	13731	14456

Next stage fixed in 14050

Next stage fixed in 14860

in the scale of 11530-330-12190-360-13270-390-14440-420-15700-450-17050-490-18520-530-20110-570-21820-610-23650-650-25600-700-27700-750-29950-800-32350-850-33200

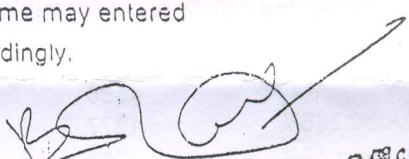
17.09.2008	<u>14440</u>	<u>15280</u>	
	11530-33200	11530-33200	
17.09.2008	<u>14860</u>	<u>15700</u>	Due to 12 Yrs scale GO Ms No. 96
	14860-39540	14860-39540	
17.09.2009	<u>15280</u>	<u>16150</u>	
	14860-39540	14860-39540	
17.09.2010	<u>15700</u>	<u>16600</u>	
	14860-39540	14860-39540	
17.09.2011	<u>16150</u>	<u>17050</u>	
	14860-39540	14860-39540	

Next AGI due on 01.09.2012.

Monitory benefits will be allowed from 1-02-2010. From 1-02-2010 credit into GPF Account and pay by cash from 1-3-2010.

If any excess payment is noticed due to erroneous fixation shall be recovered from the incumbent in lump sum with out any notice. The same may entered in Service Register of incumbent. Action may be taken accordingly.

Copy to
The concerned,
The A.T.O. Bhongir
Stock file.


MANDAL EDUCATIONAL OFFICER, O.P. BHONGIR
MANDAL EDUCATIONAL OFFICER, O.P. BHONGIR
MANDAL BHONGIR Dt. 16/09/2011

T. V. Rao