
**ANDHRA PRADESH PRIVATE AIDED EDUCATIONAL STAFF
(REGULATION OF PAY) ACT, 2000**

9 of 2000

[25th April, 2000]

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An Act to provide for the Regulation of giving Weightage to the Service of the Teaching and Non-Teaching Employees in Private Aided Educational Institutions and to restrict the Benefit of Scheme of Advancement in Service, Automatic Advancement Scheme, Career Advancement Scheme and Pension in the State of Andhra Pradesh and matters connected therewith or incidental thereto. Whereas, the Government have admitted certain teaching and non-teaching posts in Private Educational Institutions to Grant-in-aid to improve the standards of education and to reduce the burden of the Managements to the extent of payment of salaries to the Staff; And whereas, in Government Memo No.3866/F2/78-6, Education, dated 10-1-1980, it has been directed that while releasing Grant-in-aid, the director of School Education shall take into account the increments earned by the incumbents working in the posts prior to the date of admission to Grant-in-aid subject to the condition that the staff are qualified and increments sanctioned are in accordance with the rules in force; And whereas, the Government in G.O. Ms. No.117, Finance and Planning (FW.PRC-1) Department, dated 25-5-1981 have formulated a Scheme of Advancement in service by the creation of Special Grade Posts to employees who have completed ten years of service in a particular scale of pay and

Special Temporary Promotion Posts/Special Ad hoc Promotion Posts to employees who have completed fifteen years of service in a particular scale of pay; and the benefit of the scheme has been extended inter alia to the teachers working under Private aided managements in G.O. Ms. No.164, Finance and Planning (FW.PRC-1) Department, dated 1-6-1982; And whereas, the Government in G.O. Ms. No.137, Education Department, dated 15-2-1982, created a new grade for Junior Lecturers in the Pay Scale of Rs.1050-1600 on completion of seven years of service; And whereas, the Government in Memo No.9279/Ser.IV-1/86-4, Education, dated 6-1-1987, have clarified that the service rendered prior to admitting a post to Grant-in-aid does not count for Automatic Advancement Scheme; And whereas, the Government in G.O. (P) No.2, Finance and Planning (FW.PRC-1) Department, dated 4-1-1988, liberalised the scheme of Advancement in service by creating another level of Automatic Advancement by creating Special Promotion Post-II, Special Ad hoc Promotion Post II on completion of twenty two years of service in a particular scale of pay and the benefit of the said scheme has been extended inter alia to the teachers working under Private Aided Managements in G.O. Ms. No.347, Finance and Planning (FW.PRC-1) Department, dated 17-11-1989; And whereas, the Government in G.O. Ms.No.343, Education Department, dated 31-10-1989, inter alia extended the said scheme to the Junior Lecturers; And whereas, the Government in G.O. Ms. No.520, Education Department, dated 15-12-1988 while extending the Revised University Grants Commission Scales, 1986, extended the Career Advancement Scheme inter alia to the teachers of the aided colleges; And whereas, the Government in G.O. Ms. No.169, Education Department, dated 7-7-1990 issued guidelines on the Career Advancement Scheme; And whereas, in G.O. Ms. No.41, Education (UE-II) Department, dated 11-2-1998, it has been clarified that for the purpose of computing the service to the Career Advancement Scheme of 8/16 years, the services rendered before the college or the post is admitted to aid shall not be taken into account; And whereas, the Government in G.O. (P) No.290, Finance and Planning (FW.PC-II) Department, dated 22-7-1993 modified the scheme by creation of Special Grades on completion of eight years of service in particular scale of pay and Special Promotion Posts, Special Ad hoc Promotion Posts on completion of sixteen years of service and one employee gets one increment in the Special Promotion Post Scale of Special Ad hoc Promotion Scale on completion of twenty four years of service in a

particular scale of pay and the said modified scheme has been extended to the teachers and Junior Lecturers in G.O. (P) No.311, Finance and Planning (FW.PC-II) Department, dated 20-8-1993 and G.O. Ms.No.382, Finance and Planning (FW.PC-II) Department, dated 16-11-1993 respectively; And whereas, the said schemes are formulated for the employees serving and drawing the pay from out of the State Funds; And whereas, the application of the said schemes to the employees in the private aided managements shall have to be made from the date of the admission of the posts to grant-in-aid; And whereas, the services rendered prior to the date of admission into grant-in-aid were also taken into consideration by an unintended interpretation of the clarification issued in Memo No.3866/F2/78-6, Education, dated 10-1-1980, which was issued with the intention of arriving at a pay for the purpose of admitting into grant-in-aid only; And whereas, in view of the gross mis-use of the said instructions, orders were issued in G.O. Ms. No.341, Education (PS-1) Department, dated 24-10-1997 cancelling the instructions issued in Memo No.3866/F2/78-6, Education Department, dated 10-1-1980; And whereas, the Government have to incur a huge expenditure which is likely to be rupees one hundred crores or more adversely hampering the developmental programmes of the State if this unintended financial commitment and misapplied expenditure is not effectively stopped; Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-first Year of the Republic of India, as follows

1. Short title :-

(1) This Act may be called "the Andhra Pradesh Private Aided Educational Staff (Regulation of Pay) Act, 2000".

(2) [xxx]

2. Eligible service for Government Schemes and Pension :-

Every employee of Private Aided Educational Institution shall, from the date of approval of his appointment in a post duly admitted to grant-in-aid be eligible to count his service rendered after such date of approval for fixation of his pay and also his Pension under the schemes formulated, made applicable or extended to the employees of Private Aided Institutions from time to time.

3. Abatement of Claims :-

(1) Notwithstanding anything contained in any rule, order, decree

or any judgment of any Court, Tribunal or other authority, no employee of a private Aided Educational Institution shall claim to count the service rendered, or as the case may be, the increments drawn in the respective post prior to the date of approval of his appointment in the post duly admitted to the grant-in-aid for the purpose of Automatic Advancement Scheme, Career Advancement Scheme and Pension.

(2) No suit or any other proceedings shall be maintained or continued in any Court against the Government or any person or authority whatsoever for extending the benefit of Automatic Advancement Scheme, Career Advancement Scheme and Pension by reckoning the service rendered by any employee of Private Aided Educational Institutions prior to the date of approval of appointment in a post duly admitted to grant-in-aid.

(3) No Court shall enforce any decree or order directing to count the service rendered in any unaided or aided post prior to the date of approval of his appointment in a post duly admitted to grant-in-aid for the purpose of the extending the Automatic Advancement Scheme, Career Advancement Scheme and Pension.

4. Repeal of Ordinance No.9 of 1999 :-

The Andhra Pradesh Private Aided Educational Staff (Regulation of Pay) Second Ordinance, 1999 is hereby repealed.