

**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI**

W.P.No. 9425 OF 2022

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Date: 28.3.2022
Amaravathi.

Counsel for the Petitioner

3

MEMORANDUM OF WRIT PETITION
(SPECIAL ORIGINAL JURISDICTION)
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI

W.P. NO.

OF 2022.

Between:

Ch.Venkata Satya Prakash,
S/o Chandra Rao, Age 36 years,
Working as a Special Protection Force
Constable(5337),
Bhimavaram, West Godavari District.

...Petitioners.

AND

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Home (Service) Administration Department,
Secretariat Buildings,
Velagapudi, Amravati, Guntur District.

2.The Director General,
Andhra Pradesh Special Protection Force,
Vijayawada, Andhra Pradesh.

3.The Deputy Inspector General,
Andhra Pradesh Special Protection Force,
Vijayawada, Andhra Pradesh.

4.The Commandant,
Andhra Pradesh Special Protection Force,
Rajamahendravaram,
East Godavari District.

5.The Assistant Commandant,
Andhra Pradesh Special Protection Force,
Rajamahendravaram.

6.The Divisional Sub Treasury Office,
Rajahmahendravaram.

... Respondents.

(4)

The address for service on the above-named Petitioners is that of their counsel M/S **S.SRINIVASA RAO** (13046), Advocate, Flat No. 208, Block-B, Prime Galaxy Apartments, Prakasham Barrage to Mangalagiri Road, Amaravathi. Cell: 944-1032446, srinivas82advocate@gmail.com

For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT of MANDAMUS to declare the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 in unilaterally cancelled the pay protection and regularization of increments and recovering the salary is without issuing any prior notice and without any authority under law the same is illegal, arbitrary, unjust, irrational and contrary to law and violations of Principles of Natural Justice and contrary Articles 300-A, 14, 16 & 21 of Constitution of India and consequently set aside the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents to continue the pay fixation and increments given under the proceedings of 2nd Respondent in Rc.No P5/08/SPF/2011 Dated 27.2.2012 & 3rd Respondent in Rc.No B4/07/SPF/PP/2014-15 Dated 19.3.2015 and pass such other order or orders as this Hon'ble Court may deem just and proper in facts and circumstances of case to meet the ends of justice.

AMARAVATHI


Counsel for the Petitioner.

DATE: 28.03.2022

DISTRICT: WEST GODAVARI
IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATHI

W.P. NO.

OF 2022

WRIT PETITION

Filed By:

M/S S.SRINIVASA RAO
(13046)
ADVOCATE

Counsel for Petitioners.

(8)

**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI**

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**Ch.Venkata Satya Prakash,
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Rajamahendravaram,
East Godavari District.**

**5.The Assistant Commandant,
Andhra Pradesh Special Protection Force,
Rajamahendravaram.**

**6.The Divisional Sub Treasury Office,
Rajahmahendravaram.**

... Respondents.

AFFIDAVIT FILED BY THE PETITIONER

I, Ch.Venkata Satya Prakash, S/o Chandra Rao, Age 36 years, Working as a Special Protection Force Constable(5337), Bhimavaram, West Godavari District, do hereby solemnly affirm and sincerely state on oath as follows:

1. I submit that I am the petitioner herein as such well acquainted with the facts of the case..
2. I submit that the present Writ Petition is filed being aggrieved by the impugned Proceedings of the 4th Respondent vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 in unilaterally cancelling pay protection and increments and re-fixed the Petitioner pay and recovering the salary is without any notice and without any authority under law and consequently set aside the above impugned proceedings.
3. I submit that presently I am working as Constable at Special Protection Force, at Bhimavaram. Initially, I was joined as Constable at Andhra Pradesh Special Police (APSP) in the year of 2007. Thereafter, I

got selected as Constable in present Special Protection Force in the year of 2010. I am discharging my duties without any blemish and utmost satisfaction of my superiors.

4. I submit that after joining into present service, I made representation to the respondents to benefit the pay protection as per rules by considering the past service rendered in APSP battalions. Accordingly, the 2nd Respondent protected my pay in terms of Rule FR-22A (IV) read with Rule 26 of AP Revised Pension rules, 1980 note-1 and Rule 30(c) of AP State Subordinate Service rules, 1996 vide Proceedings Rc.No P5/08/SPF/2011 Dated 27.2.2012. In terms of above said proceedings, my pay was protected by considering the past service.
5. I submit that thereafter, the I made representation to the 3rd Respondent to regularize the increments by considering the past service rendered at APSP and also considered training period rendered in SPF for the purpose of increments as per rules. Upon our request, the 3rd respondent has considering my case and regularized the

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increments as per the proceedings in
RC.NO.B4/07/SPF/PP/2014-15 Dated
19.3.2015.

6. It is submitted to that, while the things stood thus, all of a sudden, the 4th Respondent communicated the impugned proceedings herein vide Rc. no 30/V/Comdt Hqrs/APSPF/TPT/Payfix/2021 Dated 13.12.2021 informed that our pay fixation of APSPF Personnel was made under proceedings dated 19.3.2015 is without any prior notice and erroneous and not as per rules and accordingly orders issued vide dated 19.3.2015 is cancelled protection as cancelled and the pay of APSPF Personnel is re-fixed in accordance with rules, by protecting their substantive pay law drawn in the previous department and they eligible for next increment only after completion of one year service from the date of appointment in APSPF.
7. I submit that the 4th respondent without any prior notice and without any authority under law and illegally cancelled our pay protection and regularization of

increments vide its impugned proceedings. The action of the respondent is in haste and unjust manner.

8. I submit that I am righteously entitled to get pay protection as per Fundamental Rules 22 para (a) IV. That the fundamental rules are protected the Government Servant directly to another post under the Govt on selection is entitled to fix in the new post at a stage where he left from previous post. Accordingly my pay was protected and regularized the increments vide proceedings of 2nd and 3rd Respondents Dated 27.2.2012, 19.3.2015. But the 4th respondent has been unilaterally cancelled my pay protection guaranteed under the above said proceedings and issued the present impugned proceedings without issuing any prior notice. In the guise of said impugned proceedings, the respondents are going to recover excess payments from my salary in hasty manner. I didn't make any mistake while my drawing my salary. I didn't made any misrepresentation or fraud on my part. The unilateral arbitrary recovery is creates

hardship. More so I was paid my salary after fixing of pay scale and regularizing increments by the respondents only. Beyond that I didn't receive any unauthorized amounts from the respondents.

9. It is submit that the Hon'ble Supreme Court of India has been categorically dealt with this type situations and framed guidelines in Judgment of Supreme Court of India in State of Punjab and Others vs Rafiq Masih(White Washer) and others reported in (2015) 4 SCC 334 and confirmed that *"it is impermissible in law any type of recovery from the employees belonging to Class III and Class IV services"*. I am working as SPF constable which is class III Service. So therefore the respondents are acted in contrary to Judgment of Hon'ble Supreme Court of India judgment. The respondents are illegally cancelled my pay fixation and regularization of increments without any notice. Earlier, I was given a pay fixation and regularization of increments on the strength of lawful orders of the respondents only, beyond that I didn't take any pay benefits from the respondents.

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The respondents are now recovering my salary without any fault of mine. The cancellation of pay fixation and recovery of salary is impermissible. I am a poor gullible employee. Hence, this Writ Petition.

10. I submit that I am a poor gullible employee. In the guise of aforementioned, the 4th Respondent is started recovering of Rs 2,32,351/- from my salary and started deducting. The illegal recovery which adversely affected my right of livelihood. Hence, this Writ Petition.
11. I submit that in the similar circumstances, this Hon'ble Court has been suspended the impugned proceedings in WP I.A. No 1 of 2022 in WP No 6896 OF 2022 Dated 22.3.2022.
12. I submit that in these circumstances that I have no other alternative and effective remedy for grievance redresses other than to knock the doors of this Hon'ble Court by invoking its extraordinary jurisdiction under Article 226 of the Constitution of India.

13. The Petitioner has not filed any application or petition seeking the same relief claimed hereunder and no application/petition is pending before any other Court or authority.

It is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature in WRIT of MANDAMUS to declare the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 in unilaterally cancelled the pay protection and regularization of increments and recovering the salary is without issuing any prior notice and without any authority under law the same is illegal, arbitrary, unjust, irrational and contrary to law and violations of Principles of Natural Justice and contrary Articles 300-A, 14, 16 & 21 of Constitution of India and consequently set aside the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents to continue the pay fixation and increments given under the

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proceedings of 2nd Respondent in Rc.No P5/08/SPF/2011 Dated 27.2.2012 & 3rd Respondent in Rc.No B4/07/SPF/PP/2014-15 Dated 19.3.2015 and pass such other order or orders as this Hon'ble Court may deem just and proper in facts and circumstances of case to meet the ends of justice.

It is further prayed that this Hon'ble Court may be pleased to Suspend the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents not to recover the petitioner salary, pending disposal of the writ petition and pass such other order or orders as this Honorable Court may deem just and proper in facts and circumstances of case to meet the ends of justice.

Sworn and signed before me
On the 27th day of March, 2022

Deponent

ADVOCATE: AMARAVATHI

(17)

VERIFICATION STATEMENT

I, Ch.Venkata Satya Prakash, S/o Chandra Rao, Age 36 years, Working as a Special Protection Force Constable(5337), Bhimavaram, West Godavari District, do hereby declare that the information mentioned in the above paragraphs are true and correct to the best of my knowledge and belief and on the legal advice and the same is believed to be true and correct.

Hence verified at Amravati, on this day of 27th day of March, 2022


Counsel for the Petitioners

Deponent.

PROCEEDINGS OF THE DIRECTOR GENERAL: SPF: AP: SEC-BAD.
PRESENT: SRI. T.P DAS, IPS.

EXH 18

RC.NO.P5/08/SPF/2011
O.O.NO.P-15/2012.

Dated.27.02.2012.

Sub:-SPT-Pay protection of certain Constables who were selected in SPT while in Service in other Departments-Regarding.

Ref:- 1. Representation of Sri S Srinivas, CT-3682 SPF,ONGC dt.nil
2. Representation of Sri.G.S.Narayana, CT-4019, SPF, APHC dt.nil
3. Representation of Sri.G.Rajesh, CT-4043, SPF, Secreatariat, dt.nil
4.Representation of Sri.Ch.V.S.Prakash, CT-5337, SPF, Academy, dt.nil
5.Representation of Sri.K.Hari Babu, CT-4862, SPF, KKD, dt.nil
-&&&-

ORDER:-

The following Constables those who were selected in SPT while in Service in APSP Battalions have submitted their representations duly requesting to protect their pay as per Rules by considering their past Service rendered in APSP Battalions.

2. The pay of the following personnel may be protected in terms of Rule FR-22a (iv) read with Rule 26 of AP Revised Pension Rules 1980 note-I and Rule 30(C) of AP State Subordinate Service Rule 1996.

Sl no	Rank & G.No in APSP	Rank& G.No in SPF	Name	Date of appointment in APSP Battalions	Date of appointment in SPF	Basic pay in parent unit in RPS-05 Rs.	Pay fixed in RPS-10 w.e.f. 28.8.10	NTD Released and pay raised to Rs. w.e.f
01	PC-2329	CT-3682	S.Srinivas	24.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
02	PC-2337	CT-4019	G.S.Narayana	24.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
03	PC-1870	CT-4043	G.Rajesh	17.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
04	PC-1847	CT-5337	Ch.V.S.Prakash	17.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
05	PC-1053	CT-4862	K.Hari Babu	24.12.07	28.8.10	4950	9200/-	9460 / 1.9.11

3. As per the said Rules shown in Para No.2, the applicants are entitled to treat their past Service rendered in the departments for the purpose of benefits like continuity of Service, and pay protection, but the applicants are not entitled for any seniority protection and increment date in previous Service.

The above candidates are here by informed that if any excess payment noticed at later date, the same will be recovered in lumpsum without any notice.

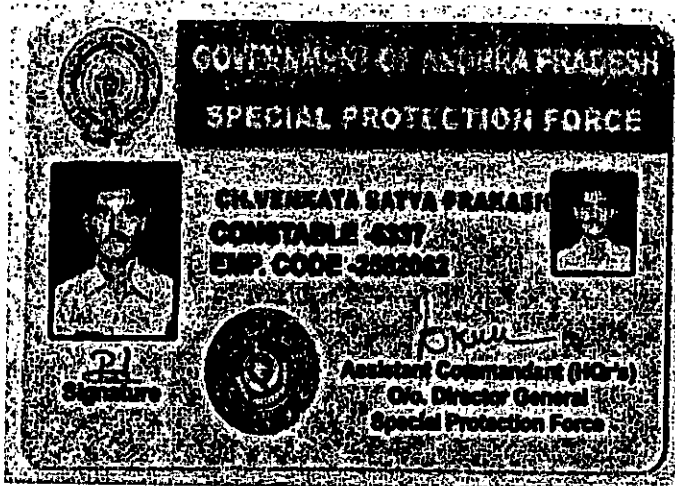
Sd/-
DIRECTOR GENERAL
SPF: AP: SEC'BAD

To,
The individuals through concerned unit officer,
Copy to: Pay/Computer/Order Book/Stock File
Copy to: The PAO, AP, Hyderabad

//t.c.//

ACCOUNTS OFFICER

As, Secreariat



Permanent Address:
 H.No.7-184, Ameen pur, Market
 Panumandra(M),
 W.G.Dist-534238

Date of Birth: 18-08-1988
Blood Group: B +ve

Scanned Left Thumb
 Impression of Applicant

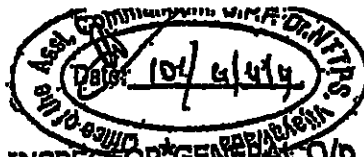
Identification Marks:

A mole on the left cheek, A mole on the right hand.

- It is requested that the holder of this card be extended all help in the discharge of his duties.
- If found, please return this card to the following Address:

Director General, SPF HQ's
 4th Floor, Budsha Bhavan Complex, Secunderabad
 Phone : 040 - 27838005

EXP2 20



PROCEEDINGS OF THE DY. INSPECTOR GENERAL O/o DG: SPF: API SEC-BAD.
PRESENT: SRI. CH. YESURATNAM

RC.No.B4/07/SPF/PP/2014-15
O.O.No.B-71/2015

Date:19.03.2015

Sub:- AP SPF - Regularization of Increment in r/o Constables who were
selected to SPF while in service in Police Department - Regarding.

Ref:- Representations of Individual, Dated: Nil.

-oOo-

The (16 Members) Constables have submitted representations and requested to regularize their increments by considering past service rendered in APSP department and also consider training period rendered in SPF for the purpose of increments as per rules and also stated that their batch mates working in Police department like Civil/AR and other DPO's have got increments by counting past service and training period.

Finally, they have requested to consider their past Service/Training period and regularize their increments as per rules and as was done in the cases of PC's working in the DPO's/Civil/AR.

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all
Guthas*

On careful examination of the matter, the request of the said Constables is considered under Rule 22 (a) (iv) read with Rule 26 of AP Revised Pension Rules 1980 Note-(I) and Rules 30(C) of AP Subordinate service Rules 1996 and with reference to Govt. Memo-22949/Ser-II/A1/2002, Home Dept., Dated: 09.12.2002, their increments regularized and released notionally as per Rules, but they are not entitle for Service/Seniority benefits in Andhra Pradesh Special Protection Force as per AP State subordinate service Rules 1996. A statement showing regularization of increments in Annexure-I is appended to this order.

The list of personnel mentioned in Annexure-A are hereby informed that, if any excess payment is noticed at later date, the same will be recovered in lumpsum without any notice.

-Sd/-

Deputy Inspector General
AP Special Protection Force

To:
The Individuals thro' Unit Officers.
Copy to: Pay/Computer/Order Book/Stock File.
Copy to: B3 Seat, SPF, AP Hyderabad
Copy to: The PAO, AP, Hyderabad

//cc/f/

Accounts Officer
AP SPF, Secunderabad

RE-NO-136/2015/SP/2014-11-
 O.A.No-13-21/2015- Dated-19/3/2015

ANNEXURE-I

Sl. No.	Grade in APSF	Name	Date of Appointment in APSF	Date of Appointment in SPF	Basic Pay in APSF	PRD-2003			PRD-2010							Date of Promotion in SPF
						NDI	NDI	NDI	PRD-2010 M-1 w.e.f 01.02.10	NDI	NDI	NDI	NDI	NDI	NDI	
1	PG-1951	CT-3472	G. S. V. Venkatesh	22.03.2004	08.02.2008	5200 w.e.f 01.03.2007	5335 w.e.f 01.03.2008	5470 w.e.f 01.03.2009	10020 w.e.f 01.03.2010	10900 w.e.f 01.03.2011	10600 w.e.f 01.03.2012	11200 w.e.f 01.03.2013	11530 w.e.f 01.03.2014	11860 w.e.f 01.03.2015	12200 w.e.f 01.03.2016	05.02.2009
2	PG-1012	CT-3422	A. Anur Kumar	12.08.2005	06.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.08.2008	5335 w.e.f 01.08.2009	10020 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	11860 w.e.f 01.08.2015	18.03.2010
Shifted increment from 17/01.08.2007 to 08/01.09.2007 due to (23) days LWP																
Shifted increment from 08/01.09.2008 to 18/01.10.2008 due to (29) days LWP																
3	PG-1025	CT-3480	S. Suresh	12.08.2005	07.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.08.2008	5335 w.e.f 01.08.2009	10020 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	PP1 without effect	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	25.03.2010
Shifted increment from 17/01.08.2009 to 18/01.09.2009 due to (24) days LWP																
Shifted increment from 18/01.09.2011 to 06/01.11.2011 due to (49) days LWP																
4	PG-249	CT-3432	M. Ramesh	12.08.2005	06.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.08.2008	5335 w.e.f 01.08.2009	10020 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	11860 w.e.f 01.08.2015	25.02.2010
Shifted increment from 17/01.08.2008 to 05/01.09.2008 due to (20) days LWP/EOL																
5	PG-189	CT-4137	M. Venkata Shyam	12.08.2005	28.08.2010	5335 w.e.f 01.08.2009	-	-	10020 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	-	-	27.08.2012
6	PG-2086	CT-5350	M. S. R. S. Kumar	12.08.2005	28.08.2010	5335 w.e.f 01.08.2009	-	-	10020 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	-	-	28.08.2012
7	PG-2328	CT-3653	B. Chidambaram	24.12.2007	28.08.2010	4950 w.e.f 24.12.2008	5075 w.e.f 01.12.2009	-	9460 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10600 w.e.f 01.01.2013	10900 w.e.f 01.01.2014	11200 w.e.f 01.01.2015	-	-	15.09.2012
Shifted increment from 24/01.12.2011 to 02/01.01.2012 due to (18) days LWP/EOL																
8	PG-2329	CT-3682	S. S. V. S. S. S. S.	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	9460 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10600 w.e.f 01.02.2013	10900 w.e.f 01.02.2014	11200 w.e.f 01.02.2015	-	-	27.08.2012
Shifted increment from 24/01.12.2012 to 11/01.02.2013 due to (49) days LWP																
9	PG-1978	CT-4581	V. S. S. S. S. S.	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	9460 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10600 w.e.f 01.01.2013	PP1 without effect	10900 w.e.f 01.01.2014	11200 w.e.f 01.01.2015	-	26.09.2012
Shifted increment from 24/01.12.2011 to 07/01.01.2012 due to (15) days LWP																
10	PG-1111	CT-4509	S. S. S. S. S. S.	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	9460 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10600 w.e.f 01.12.2012	10900 w.e.f 01.12.2013	11200 w.e.f 01.12.2014	-	-	30.09.2012

VJD

11	PG-2363	CT-3673	P. Madhu Babu	24.12.2007	28.08.2010	4550 w.e.f 01.12.2008	5075 w.e.f 01.01.2010	9200	9450 w.e.f 01.01.2010	9740 w.e.f 01.01.2011	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015	04.01.2011
Shifted increment from 24/01.12.2009 to 05/01.01.2010 due to (23) days LWP/ED															
12	PG-1235	CT-4835	P. Venkatesh Babu	24.12.2007	28.08.2010	4550 w.e.f 01.12.2008	5075 w.e.f 01.01.2010	9200	9450 w.e.f 01.01.2010	9740 w.e.f 01.01.2011	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015	27.08.2012
Shifted increment from 24/01.12.2008 to 15/01.01.2009 due to (24) days LWP/ED															
13	PG-1053	CT-4852	K. Hari Babu	24.12.2007	28.08.2010	4550 w.e.f 01.12.2008	5075 w.e.f 01.01.2010	9450	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.12.2012	10600 w.e.f 01.12.2013	10900 w.e.f 01.12.2014		22.08.2012
14	PG-1847	CT-5339	Ch. V. S. Prakash	24.12.2007	28.08.2010	4550 w.e.f 01.12.2008	5075 w.e.f 01.12.2008	9450	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015		12.09.2012
Shifted increment from 24/01.12.2012 to 28/01.01.2013 due to (35) days LWP/ED															
15	PG-667	CT-5339	P. Brahmanth	24.12.2007	28.08.2010	4550 w.e.f 01.12.2008	5075 w.e.f 01.01.2010	9450	9450 w.e.f 01.01.2011	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015		11.09.2012
Shifted increment from 24/01.12.2009 to 04/01.01.2010 due to (12) days LWP/ED															
16	PG-2096	CT-5373	V. Uma Maheswari Bai	24.12.2007	28.08.2010	4550 w.e.f 01.12.2008		9200	9450 w.e.f 01.05.2010	9740 w.e.f 01.05.2011	10020 w.e.f 01.06.2012	10300 w.e.f 01.06.2013	10600 w.e.f 01.06.2014		27.08.2012
Shifted increment from 24/01.12.2008 to 02/01.02.2009 due to (70) days LWP/ED															
Shifted increment from 02/01.02.2010 to 25/01.05.2010 due to (84) days LWP/ED															
Shifted increment from 25/01.05.2012 to 03/01.06.2012 due to (15) days LWP/ED															

- 22
- Note:- 1. The due increments are now released nationally with M.B from the date of declaration of probation in AP SPF
 2. No seniority/service protection is entitled in AP SPF as per AP State Subordinate Rules-1955
 3. The above individual are hereby informed that if any excess payment notice at later the same will be recovered in lumpsum without notice.

11/11/11
 Accounts Officer
 AP-SPF-Secy

Deputy Inspector General
 AP Special Protection Force

EX 13 23

PROCEEDINGS OF THE i/c COMMANDANT, APSPF, RAJAMAHENDRAVARAM
PRESENT : Sri D.K.S.Ramachandra Raju

Rc.No.501/P/Re-Fixation/APSPF/RJM/2022
O.o.No.P-7/RJM/2022

Dated 18-1-2022

Sub:- APSPF – Re-Fixation of pay in r/o Sri CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram - Orders Issued- Regarding.

- Ref:- 1) Proceedings Rc.No.P5/08/SPF/PP/2011-14, O.o.No.P-30/2014, dt: 30.05.2014 of the Dy.Inspector General, APSPF, Sec'bad.
2) Proceedings Rc.No.B4/7/SPF/PP/2014-15, O.o.No.B-71/2015, dt: 19.03.2015 of the Dy.Inspector General, APSPF, Sec'bad.
3) Proceedings Rc.No.A4/APSPF/Genl/2021, O.o.No.A-87/2021, dt: 23.11.2021 of the DG APSPF, Vijayawada.

ORDER.:

In the reference 1st cited above, pay protection orders were issued to the APSPF Personnel who were appointed through direct recruitment on relief from other departments under FR22 a (IV) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30(C) of AP State and Subordinate Service Rules, 1996, taking into account their last pay drawn in previous Department i.e., APSP.

In the reference 2nd cited above, pay protection Orders were issued to APSPF personnel who were appointed through direct recruitment on relief from other departments taking into account of their previous Service duly counting the training period of APSPF.

Vide reference 3rd cited above, now the Orders were issued that the pay fixation of the APSPF personnel made vide reference 2nd cited above is erroneous and not as per rules. Therefore the orders issued in the reference 2nd cited are cancelled and the pay of APSPF Personnel is re-fixed in accordance with rules, by protecting their substantive pay last drawn in the previous department. They are eligible for next increment only after completion of one year service from the date of appointment in APSPF and SGP/SPP-I, SPP-II scales after completion of required service in APSPF in terms of Rules FR22 a (IV) read with Rule 26 of AP Revised Pension Rules, 1980 Note - 1 and Rule 30(C) of AP State and Subordinate Service Rules, 1996.

Accordingly, in pursuance of the orders issued in the reference 3rd cited the pay of Sri CH.V.S.Prakash, Ct 5337 is re-fixed as follows.

- | | |
|------------------------------------------------------------------------------------|----------------|
| a) Date of Appointment in APSP on | : 24-12-2007 |
| b) Last basic pay drawn in APSP w.e.f. 24-12-2008 in PRC -2005 (TSP 4825-10845). | : Rs. 4,950/- |
| c) Date of Appointment in APSPF on | : 28-8-2010 |
| d) Basic pay fixed in RPS-2010 w.e.f. 28-8-2010 in APSPF (TSP 8440-24950). | : Rs. 9,200/- |
| e) Monetary benefit w.e.f. the date of declaration of probation in APSPF. | : 12-9-2012 AN |

Type of Increment	Existing			Revised		
	Date of Increment	Basic Pay Rs.	Scale of pay	Date of Increment	Basic Pay Rs.	Scale of pay
AGI	1-12-2011	10020	8440-24950	28-8-2011	9460	8440-24950
AGI	1-12-2012	10300	8440-24950	1-8-2012	9740	8440-24950
AGI	1-12-2013	10600	8440-24950	1-8-2013	10020	8440-24950
SGP	29-1-2014	10900	9200-27000	1-8-2014	10300	8440-24950
AGI	1-12-2014	11200	9200-27000	-	-	-
PRC-2015, Pay fixed (Monetary benefit w.e.f. 2-6-2014)	1-7-2013	21820	16400-49870	1-7-2013	20640	16400-49870
AGI	1-12-2013	22460	16400-49870	1-8-2013	21230	16400-49870
SGP	29-1-2014	23100	17890-53950	-	-	-
AGI	1-12-2014	23740	17890-53950	1-8-2014	21820	16400-49870
AGI	1-12-2015	24440	17890-53950	1-8-2015	22460	16400-49870
AGI	1-12-2016	25140	17890-53950	1-8-2016	23100	16400-49870
SGP	-	-	-	28-8-2016	23740	17890-53950
AGI	1-12-2017	25840	17890-53950	1-8-2017	24440	17890-53950
AGI	1-12-2018	26600	17890-53950	1-8-2018	25140	17890-53950
AGI	1-12-2019	27360	17890-53950	1-8-2019	25840	17890-53950
AGI	1-12-2020	28120	17890-53950	1-8-2020	26600	17890-53950
AGI	-	-	-	1-8-2021	27360	17890-53950


Sri CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram unit is hereby informed that, the excess amount of Rs. 2,32,351/- claimed by the individual due to wrong fixation of his pay will be recovered in (17) installments for Rs. 13,740/- per month and Rs.12,511/- being last installment from the Pay and Allowances of January 2022 Payable in February 2022 .

Encl: Over drawn particulars statement.

Sd/-
i/c Commandant,
AP Special Protection Force,
Rajamahendravaram.

To
Sri CH.V.S.Prakash, Ct 5337, SPF through AC,SPF,ONGC Rajahmundry.
Copy to Pay section.
Copy to Divisional Sub Treasury, Rajamahendravaram.
Copy to Order Book / Stock File.

// t.c.f.b.o //


Accounts Officer,
APSPF, Rajamahendravaram


Over drawn particulars statement in r/o CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram

DA %	Period				BASIC PAY				Total	DA				Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 20 %)				Total	AHRA (8%)				Total	IR (27%)				Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff			Drawn	Due	Diff			Drawn	Due	Diff			Drawn	Due	Diff			Drawn	Due	Diff			
47.936		13-09-2012	30-09-2012	18 D	10020	9740	280	168		4803	4669	134	80		1202	1169	33	20		802	779	23	14							282
47.936		01-10-2012	30-11-2012	2 M	10020	9740	280	560		4803	4669	134	268		1202	1169	33	66		802	779	23	46							940
47.936		01-12-2012	31-12-2012	1 M	10300	9740	560	560		4937	4669	268	268		1236	1169	67	67		824	779	45	45							940
54.784		01-01-2013	30-06-2013	6 M	10300	9740	560	3360		5643	5336	307	1842		1236	1169	67	402		824	779	45	270							5874
54.784	ASLS	02-01-2013	11-01-2013	10 D	10300	9740	560	187		5643	5336	307	102		1236	1169	67	22		824	779	45	15							326
63.344		01-07-2013	31-07-2013	1 M	10300	9740	560	560		6524	6170	354	354		2060	1948	112	112		824	779	45	45							1071
63.344	ASLS	02-07-2013	16-07-2013	15 D	10300	9740	560	280		6524	6170	354	177		2060	1948	112	56		824	779	45	23							536
63.344		01-08-2013	30-11-2013	4 M	10300	10020	280	1120		6524	6347	177	708		2060	2004	56	224		824	802	22	88							2140
63.344	SLS	01-11-2013	30-11-2013	30 D	10300	10020	280	280		6524	6347	177	177		2060	2004	56	56		824	802	22	22							535
63.344		01-12-2013	31-12-2013	1 M	10600	10020	580	580		6714	6347	367	367		2120	2004	116	116		848	802	46	46							1109
71.904		01-01-2014	28-01-2014	28 D	10600	10020	580	524		7622	7205	417	377		2120	2004	116	105		848	802	46	42		2862	2705	157	142		1190
71.904	ASLS	02-01-2014	14-01-2014	13 D	10600	10020	580	251		7622	7205	417	181		2120	2004	116	50		848	802	46	20							502
71.904		29-01-2014	31-01-2014	3 D	10900	10020	880	85		7838	7205	633	61		2180	2004	176	17		872	802	70	7		2943	2705	238	23		193
71.904		01-02-2014	30-06-2014	5 M	10900	10020	880	4400		7838	7205	633	3165		2180	2004	176	880		872	802	70	350		2943	2705	238	1190		9985
77.896		01-07-2014	31-07-2014	1 M	10900	10020	880	880		8491	7805	686	686		2180	2004	176	176		872	802	70	70		2943	2705	238	238		2050
77.896	ASLS	02-07-2014	16-07-2014	15 D	10900	10020	880	440		8491	7805	686	343		2180	2004	176	88		872	802	70	35							906
77.896		01-08-2014	30-11-2014	4 M	10900	10300	600	2400		8491	8023	468	1872		2180	2060	120	480		872	824	48	192		2943	2781	162	648		5592
77.896	SLS	02-11-2014	16-11-2014	15 D	10900	10300	600	300		8491	8023	468	234		2180	2060	120	60		872	824	48	24							618
77.896		01-12-2014	31-12-2014	1 M	11200	10300	900	900		8724	8023	701	701		2240	2060	180	180		896	824	72	72		3024	2781	243	243		2096
77.896		01-01-2015	31-03-2015	3 M	11200	10300	900	2700		8724	8023	701	2103		2240	2060	180	540		896	824	72	216		3024	2781	243	729		6288
77.896	ASLS	02-01-2015	15-01-2015	14 D	11200	10300	900	420		8724	8023	701	327		2240	2060	180	84		896	824	72	34							865
12.052		01-04-2015	30-06-2015	3 M	23740	21820	1920	5760		2861	2630	231	693		4748	4364	384	1152		1899	1746	153	459							8064
15.196		01-07-2015	31-07-2015	1 M	23740	21820	1920	1920		3608	3316	292	292		4748	4364	384	384		1899	1746	153	153							2749
15.196	ASLS	02-07-2015	16-07-2015	15 D	23740	21820	1920	960		3608	3316	292	146		4748	4364	384	192		1899	1746	153	77							1375
15.196		01-08-2015	30-11-2015	4 M	23740	22460	1280	5120		3608	3413	195	780		4748	4492	256	1024		1899	1797	102	408							7332
15.196	SLS	02-11-2015	16-11-2015	15 D	23740	22460	1280	640		3608	3413	195	98		4748	4492	256	128		1899	1797	102	51							917
15.196		01-12-2015	31-12-2015	1 M	24440	22460	1980	1980		3714	3413	301	301		4888	4492	396	396		1955	1797	158	158							2835

DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 20 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
18.34		01-01-2016	30-06-2016	6 M	24440	22460	1980	11880	4482	4119	363	2178	4888	4492	396	2376	1955	1797	158	948					17382
18.34	ASLS	02-01-2016	16-01-2016	15 D	24440	22460	1980	990	4482	4119	363	182	4888	4492	396	198	1955	1797	158	79					1449
22.008		01-07-2016	31-07-2016	1 M	24440	22460	1980	1980	5379	4943	436	436	4888	4492	396	396	1955	1797	158	158					2970
22.008	ASLS	02-07-2016	16-07-2016	15 D	24440	22460	1980	990	5379	4943	436	218	4888	4492	396	198	1955	1797	158	79					1485
22.008		01-08-2016	27-08-2016	27 D	24440	23100	1340	1167	5379	5084	295	257	4888	4620	268	233	1955	1848	107	93					1750
22.008		28-08-2016	31-08-2016	4 D	24440	23740	700	90	5379	5225	154	20	4888	4748	140	18	1955	1899	56	7					135
22.008		01-09-2016	30-11-2016	3 M	24440	23740	700	2100	5379	5225	154	462	4888	4748	140	420	1955	1899	56	168					3150
22.008	SLS	02-11-2016	16-11-2016	15 D	24440	23740	700	350	5379	5225	154	77	4888	4748	140	70	1955	1899	56	28					525
22.008		01-12-2016	31-12-2016	1 M	25140	23740	1400	1400	5533	5225	308	308	5028	4748	280	280	2000	1899	101	101					2089
24.104		01-01-2017	30-06-2017	6 M	25140	23740	1400	8400	6060	5722	338	2028	5028	4748	280	1680	2000	1899	101	606					12714
24.104	ASLS	02-01-2017	16-01-2017	15 D	25140	23740	1400	700	6060	5722	338	169	5028	4748	280	140	2000	1899	101	51					1060
25.676		01-07-2017	31-07-2017	1 M	25140	23740	1400	1400	6455	6095	360	360	5028	4748	280	280	2000	1899	101	101					2141
25.676	ASLS	02-07-2017	16-07-2017	15 D	25140	23740	1400	700	6455	6095	360	180	5028	4748	280	140	2000	1899	101	51					1071
25.676		01-08-2017	30-11-2017	4 M	25140	24440	700	2800	6455	6275	180	720	5028	4888	140	560	2000	1955	45	180					4260
25.676	SLS -	02-11-2017	16-11-2017	15 D	25140	24440	700	350	6455	6275	180	90	5028	4888	140	70	2000	1955	45	23					533
25.676		01-12-2017	31-12-2017	1 M	25840	24440	1400	1400	6635	6275	360	360	5168	4888	280	280	2000	1955	45	45					2085
27.248		01-01-2018	30-06-2018	6 M	25840	24440	1400	8400	7041	6659	382	2292	5168	4888	280	1680	2000	1955	45	270					12642
27.248	ASLS	02-01-2018	16-01-2018	15 D	25840	24440	1400	700	7041	6659	382	191	5168	4888	280	140	2000	1955	45	23					1054
30.392		01-07-2018	31-07-2018	1 M	25840	24440	1400	1400	7853	7428	425	425	5168	4888	280	280	2000	1955	45	45					2150
30.392	ASLS	02-07-2018	16-07-2018	15 D	25840	24440	1400	700	7853	7428	425	213	5168	4888	280	140	2000	1955	45	23					1076
30.392		01-08-2018	30-11-2018	4 M	25840	25140	700	2800	7853	7641	212	848	5168	5028	140	560	2000	2000	0	0					4208
30.392	SLS	02-11-2018	16-11-2018	15 D	25840	25140	700	350	7853	7641	212	106	5168	5028	140	70	2000	2000	0	0					526
30.392		01-12-2018	31-12-2018	1 M	26600	25140	1460	1460	8084	7641	443	443	5320	5028	292	292	2000	2000	0	0					2195
33.536		01-01-2019	30-06-2019	6 M	26600	25140	1460	8760	8921	8431	490	2940	5320	5028	292	1752	2000	2000	0	0					13452
33.536	ASLS	02-01-2019	16-01-2019	15 D	26600	25140	1460	730	8921	8431	490	245	5320	5028	292	146	2000	2000	0	0					1121
33.536		01-07-2019	31-07-2019	1 M	26600	25140	1460	1460	8921	8431	490	490	5320	5028	292	292	2000	2000	0	0					2636
33.536	ASLS	02-07-2019	16-07-2019	15 D	26600	25140	1460	730	8921	8431	490	245	5320	5028	292	146	2000	2000	0	0					1121
33.536		01-08-2019	30-11-2019	4 M	26600	25840	760	3040	8921	8666	255	1020	5320	5168	152	608	2000	2000	0	0					5488

DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 20 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
33.536	SLS	02-11-2019	16-11-2019	15 D	26600	25840	760	380	8921	8666	255	128	5320	5168	152	76	2000	2000	0	0					584
33.536		01-12-2019	31-12-2019	1 M	27360	25840	1520	1520	9175	8666	509	509	5472	5168	304	304	2000	2000	0	0	7387	6977	410	410	2743
33.536		01-01-2020	30-06-2020	6 M	27360	25840	1520	9120	9175	8666	509	3054	5472	5168	304	1824	2000	2000	0	0	7387	6977	410	2460	16458
33.536	ASLS	02-01-2020	15-01-2020	14 D	27360	25840	1520	709	9175	8666	509	238	5472	5168	304	142	2000	2000	0	0					1089
33.536		01-07-2020	31-07-2020	1 M	27360	25840	1520	1520	9175	8666	509	509	5472	5168	304	304	2000	2000	0	0	7387	6977	410	410	2743
33.536	ASLS	02-07-2020	16-07-2020	15 D	27360	25840	1520	760	9175	8666	509	255	5472	5168	304	152	2000	2000	0	0					1167
33.536		01-08-2020	30-11-2020	4 M	27360	26600	760	3040	9175	8921	254	1016	5472	5320	152	608	2000	2000	0	0	7387	7182	205	820	5484
33.536	SLS	02-11-2020	16-11-2020	15 D	27360	26600	760	380	9175	8921	254	127	5472	5320	152	76	2000	2000	0	0					583
33.536		01-12-2020	31-12-2020	1 M	28120	26600	1520	1520	9430	8921	509	509	5624	5320	304	304	2000	2000	0	0	7592	7182	410	410	2743
33.536		01-01-2021	30-06-2021	6 M	28120	26600	1520	9120	9430	8921	509	3054	5624	5320	304	1824	2000	2000	0	0	7592	7182	410	2460	16458
33.536	ASLS	02-01-2021	16-01-2021	15 D	28120	26600	1520	760	9430	8921	509	255	5624	5320	304	152	2000	2000	0	0					1167
33.536		01-07-2021	31-07-2021	1 M	28120	26600	1520	1520	9430	8921	509	509	5624	5320	304	304	2000	2000	0	0	7592	7182	410	410	2743
33.536	ASLS	02-07-2021	16-07-2021	15 D	28120	26600	1520	760	9430	8921	509	255	5624	5320	304	152	2000	2000	0	0					1167
33.536		01-08-2021	31-12-2021	5 M	28120	27360	760	3800	9430	9175	255	1275	5624	5472	152	760	2000	2000	0	0	7592	7387	205	1025	6860
33.536	SLS	02-11-2021	16-11-2021	15 D	28120	27360	760	380	9430	9175	255	128	5624	5472	152	76	2000	2000	0	0					584
Grand Total =																							232351		

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Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram

Ex 28

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

TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
WRIT PETITION NO: 6896 OF 2022



Between:

Srungarapu Srinivas, S/o Sai Babu, Age 34 years, Working as a Special
Protection Force Constable(3682), AP GENCO, Nellore.

... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Home (Service) Administration Department, Secretariat Buildings, Velagapudi, Amravati, Guntur District.
2. The Director General, Andhra Pradesh Special Protection Force, Vijayawada.
3. The Deputy Inspector General, Andhra Pradesh Special Protection Force, Vijayawada.
4. The Commandant, Andhra Pradesh Special Protection Force, Tirupati, AP.
5. The Assistant Commandant, Andhra Pradesh Special Protection Force, Nellore.
6. The District Treasury Office, Tirupati, Chittoor District.

... Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT of MANDAMUS to declare the impugned Proceedings of the 4th Respondent in vide Rc.No30/ B1/ ComdtHqrs/ APSPF/TPT/ Payfix/ 2021 Dated 13.12.2021 in unilaterally cancelled the pay protection and regularization of increments and recovering the salary is without issuing any prior notice and without any authority under law the same is illegal, arbitrary, unjust, irrational and contrary to law and violations of Principles of Natural Justice and contrary to Articles 300-A, 14, 16 & 21 of the Constitution of India and consequently set aside the impugned Proceedings of the 4th Respondent in vide Rc.No30/ B1/ ComdtHqrs/APSPF/ TPT/ Payfix/ 2021 Dated 13.12.2021 and direct the Respondents to continue the pay fixation and increments given under the proceedings of 2nd Respondent in Rc.No P5/08/SPF/2011 Dated 27.2.2012 86 3rd Respondent in Rc.No B4/07/SPF/PP/2014-15 Dated 19.3.2015.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Suspend the impugned Proceedings of the 4th Respondent in vide Rc. No30 / B1/ ComdtHqrs / APSPF/TPT/ Payfix/ 20 21 Dated 13.12.2021 and direct the Respondents not to recover the petitioner salary, Pending disposal of WP 6896 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri S SRINIVASA RAO Advocate for the Petitioner GP FOR Home for the Respondent Nos.1 to 5 and GP for Finance and Planning for Respondent No.6, the Court made the following.

ORDER:

"Heard the counsel for the petitioner. The Government Pleader for Services-I takes notice for the respondents for filing counter. As the impugned proceedings dated 13-12-2021 indicated that recovery would be made in lump sum without any further notice in case of any excess payment is noticed to the petitioner, there shall be an interim direction of stay of recovery of such excess payment if any for a period of four (04) weeks pending further orders.

In the meanwhile, the respondents shall file their counters.

List on 19.04.2022." ✓

//TRUE COPY//

A: M.RAMESH BABU
DEPUTY REGISTRAR

For A:

SECTION OFFICER

To,

1. The Principal Secretary, Home (Service) Administration Department, Secretariat Buildings, Velagapudi, State of Andhra Pradesh, Amravati, Guntur District.
2. The Director General, Andhra Pradesh Special Protection Force, Vijayawada.
3. The Deputy Inspector General, Andhra Pradesh Special Protection Force, Vijayawada.
4. The Commandant, Andhra Pradesh Special Protection Force, Tirupati, AP.
5. The Assistant Commandant, Andhra Pradesh Special Protection Force, Nellore.
6. The District Treasury Office, Tirupati, Chittoor District. (1 to 6 by RPAD) ✓
7. The District Treasury Office, Tirupati, Chittoor District. (by RPAD)
8. One CC to SRI. S SRINIVASA RAO Advocate [OPUC]
9. Two CCs to GP FOR Home, High Court Of Andhra Pradesh. [OUT] ✓
10. Two CCs to GP FOR Finance and Planning, High Court Of Andhra Pradesh. [OUT]
11. One spare copy

pr

60
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HIGH COURT

BKMJ

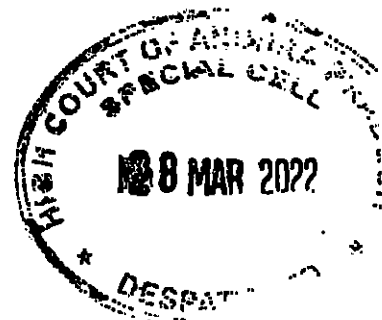
DATED:22/03/2022

LIST ON 19.04.2022

ORDER

WP.No.6896 of 2022

DIRECTION



**MEMORANDUM OF WRIT PETITION MISC. PETITION
(UNDER SEC. 151 OF THE C.P.C.)**

**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATHI**

I.A. NO. OF 2022

IN

W.P. NO. OF 2022

Between:

Ch.Venkata Satya Prakash,
S/o Chandra Rao, Age 36 years,
Working as a Special Protection Force
Constable(5337),
Bhimavaram, West Godavari District.

...Petitioners.

AND

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Home (Service) Administration Department,
Secretariat Buildings,
Velagapudi, Amravati, Guntur District.

2.The Director General,
Andhra Pradesh Special Protection Force,
Vijayawada, Andhra Pradesh.

3.The Deputy Inspector General,
Andhra Pradesh Special Protection Force,
Vijayawada, Andhra Pradesh.

4.The Commandant,
Andhra Pradesh Special Protection Force,
Rajamahendravaram,
East Godavari District.

5.The Assistant Commandant,
Andhra Pradesh Special Protection Force,
Rajamahendravaram.

6.The Divisional Sub Treasury Office,
Rajahmahendravaram.

... Respondents.

For the reasons stated in the affidavit filed in support of the above Writ Petition, it is hereby prayed that this Hon'ble Court may be pleased to Suspend the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPP/RJM/2022 Dated 18.1.2022 and direct the Respondents not to recover the petitioner salary, pending disposal of the writ petition and pass such other order or orders as this Honorable Court may deem just and proper in facts and circumstances of case to meet the ends of justice.

AMARAVATHI


Counsel for the Petitioners.

Date: 28.03.2022.

G.P

DISTRICT :: WEST GODAVARI
IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATHI

I.A.NO.

OF 2022

IN

W.P. NO. 9425 OF 2022

Ser-1

14262

DIRECTION PETITION

12/10/2022
Sfor 6 Recovery
P/S APIS Simu Vardhi
An Caris



Tuesday, Oct 25, 2022 10:30:50 AM

Filed By:

M/S **S.SRINIVASA RAO**
(13046)
ADVOCATE

Counsel for Petitioners.

6305947792

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.No.9425 of 2022

I N D E X

S.No.	Description of the document & reference	Page Nos.
1.	Counter Affidavit in the W.P. No. 9425 of 2022 & Verification.	01 - 09
2.	Proceedings of the Director General, SPF, AP, Secunderabad vide Rc.No.P5/08/SPF/2011, O.O.No.P-15/2012, dt:27-02-2012.	10 - 10
3.	Proceedings of the Dy. Inspector General, O/o DG, SPF, AP, Secunderabad vide Rc.No.B4/07/SPF/PP/2014-15, O.O. No.B-71/2015, dt:19-03-2015.	11 - 13
4.	Proceedings of the Director General, APSPF, Vijayawada vide Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dt:23-11-2021.	14 - 17
5.	Proceedings of the Commandant, APSPF, Rajamahendravaram vide Rc.No.501/P/Re-fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dt:18-1-2022.	18 - 22
6.	Extract copy of Rule F.R.22a(iv) of A.P. Fundamental Rules.	23 - 23
7.	Extract copy of Rule 26 of A.P. Revised Pension Rules, 1980 Note-I.	24 - 24
8.	Extract copy of Rule 30(C) of A.P.State and Subordinate Service Rules, 1996.	25 - 25

Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.

**IN THE HIGH COURT OF ANDHRA PRADESH
AT: AMARAVATHI**

W.P.No.9425 OF 2022

Between:

Ch.V.S. Prakash, S/o Chandra Rao,
Aged about 36 years,
Occ: Constable - 5337,
A.P. Special Protection Force,
UBI CC, Bhimavaram,
West Godavari District.

..... Petitioner

AND

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary, Home Department;
Secretariat, Velagapudi, Amaravathi,
Guntur District.
2. The Director General,
A.P. Special Protection Force,
Vijayawada.
3. The Dy. Inspector General,
A.P. Special Protection Force,
Vijayawada.
4. The Commandant,
Head Quarters,
A.P. Special Protection Force,
Rajamahendravaram,
East Godavari District-533 103.
5. The Assistant Commandant,
A.P. Special Protection Force,
ONGC, Rajahmundry.
6. The District Treasury Office,
Rajamahendravaram, East Godavari District.


..... Respondents

COUNTER AFFIDAVIT FILED BY THE 4th RESPONDENT

I, D.K.S. Raju, aged 50 years, S/o Sri D. Satyanarayana Raju, working as
i/c Commandant, Head Quarters, A.P. Special Protection Force,
Rajamahendravaram resident of Rajamahendravaram do hereby solemnly
affirm and sincerely state on oath as follows:-


Attestor

A.O.,SPF HQrs.,RJM


Deponent
i/c Commandant
AP Special Protection Force,
Rajamahendravaram.

1. It is respectfully submitted that, I am the 4th respondent in this writ petition working as i/c Commandant, Head Quarters, A.P. Special Protection Force, Rajamahendravaram and as such I am well acquainted with the facts of the case and filing this counter affidavit on behalf of 1st to 6th respondents also as I am authorized to do so. I have read the contents of the writ petition and submit that the petitioner did not disclose any valid or substantial grounds for issuance of any relief as prayed for by the petitioner.

2. It is respectfully submitted that, the petitioner herein not approached the Hon'ble Court with clean hands and has suppressed several material facts and as such, this writ petition is not maintainable and shall be liable to be dismissed on this ground alone.

3. It is respectfully submitted that, the petitioner was initially appointed as Constable in APSP (Andhra Pradesh Special Police) on 24-12-2007 and while he was in service in APSP, he was appointed as Constable in APSPF through direct recruitment on 28-8-2010.

4. It is respectfully submitted that, since the petitioner was appointed in APSPF while he was in service in other department (APSP), the pay in respect of the petitioner (along with other Constables) has been protected vide proceedings of the Director General, SPF, AP, Secunderabad in Rc.No.P5/08/SPF/2011 O.O.No.P-15/2012 dated: 27-2-2012 in terms of Rule FR-22a(iv) read with Rule 26 of AP Revised Pension Rules 1980 Note-I and Rule 30(C) of AP State Subordinate Service Rules, 1996.

5. It is respectfully submitted that, the increments of (16) Constables including the petitioner were regularized vide proceedings of the Dy. Inspector General, SPF, AP, Secunderabad in Rc.No.B4/07/SPF/PP/2014-15, O.O.No.B-


Attestor

A.O., SPF HQrs., RJM


Deponent
Commandant
AP Special Protection Force,
Rajamahendravaram.

71/2015, dated: 19-3-2015 by considering their past service and training period.

6. It is respectfully submitted that, some of the APSPF Constables, who were appointed through direct recruitment in 2013 on relief from other departments requested to regularize their pay fixations on par with the (16) Constables whose pay fixation done vide proceedings Rc.No.B4/07/SPF/PP/2014-15, O.O.No.B-71/2015, dated: 19-3-2015 duly considering their previous service and training period.

7. It is respectfully submitted that, the Director General, APSPF, Vijayawada has examined the whole issue as per Rule FR 22 a(iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-I and Rule 30(C) of AP State and Subordinate Service Rules, 1996 and noticed that, the pay fixation of (16) Constables (including the petitioner) made vide proceedings Rc.No.B4/07/SPF/PP/2014-15, O.O.No.B-71/2015, dated:19-3-2015 is erroneous and not as per rules. Therefore, the Director General, APSPF, Vijayawada vide proceedings Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dated: 23-11-2021 cancelled the earlier orders issued erroneously, duly re-fixing the pay of (16) APSPF personnel (including the petitioner) in accordance with the rules, by protecting their substantive pay last drawn in the previous department. Further, in the said proceedings, the Director General, APSPF, Vijayawada has also directed the Commandants concerned to re-fix their pay and regularize their increments and recover excess pay and allowances if any and remit the same to the Government account.

8. It is respectfully submitted that, as per the directions issued by the Director General, APSPF, Vijayawada vide proceedings Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dated: 23-11-2021, the pay in respect of the


Attestor

A.O.,SPF HQrs.,RJN


Deponent
Commandant
AP Special Protection Force,
Rajahmendravu

petitioner has been re-fixed and regularized his increments by the Commandant, APSPF, Rajamahendravaram vide Rc.No.501/P/Re-fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dated: 18-1-2022. Then, it was found that, the petitioner has drawn an excess amount of Rs.2,24,922/-. Further, the petitioner in his representation dated: 21-1-2022 requested the Director General, APSPF, Vijayawada to recover the said amount in 17-20 installments from his salary by considering his financial hardships. On that, the Deputy Inspector General, APSPF, Vijayawada has approved to recover the said amount in (20) installments on 21-1-2022. Consequently, the installments were increased from 17 to 20. Since the excess amount drawn by the petitioner belongs to the tax payers money/public money, the recovery has been started from his monthly salary w.e.f. February 2022. So far (03) installments have been effected up to April 2022. Therefore, the averments mentioned by the petitioner that, the respondents had cancelled his pay protection, regularized his increments and recovering his salary without prior notice are not true as the revised pay protection orders were issued as per rules and the petitioner is well aware about the matter and hence he also submitted representations on the recovery of excess amount.

9. It is respectfully submitted that, the petitioner has alleged that, his pay protection has been cancelled unilaterally vide Rc.No.501/P/Re-fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dated:18-1-2022 , which is not at all valid as his pay has been re-fixed only due to erroneous fixation done earlier.

10. It is respectfully submitted that, the main prayer of the petitioner is to set-aside the re-fixation orders issued vide Rc.No.501/P/Re-fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dated: 18-1-2022 and


Attestor

A.O.,SPFHQrs.,RJM


Deponent
Commandant
AP Special Protection Force,
Rajamahendravaram.

5

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restore his pay fixation and increments as per proceedings dated: 27-2-2012 and dated: 19-3-2015. Further the petitioner has also claimed that, regularizing his increments and recovering of excess salary by the 4th respondent (i.e., Commandant, APSPF, Rajamahendravaram) without any prior notice and without any authority is illegal, unjust and contrary to the law, which cannot be acceptable as the Commandant, being the appointing authority to the petitioner, has been authorized/ empowered to issue any orders or modify any orders if necessary, in respect of the petitioner. In the instance case, the 4th respondent (Commandant) has acted strictly as per the relevant rules and as per the directions issued vide Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dated: 23-11-2021 by the Head of the Department only, as the fixation done earlier was erroneous and not as per rules.

11. It is respectfully submitted that, it was clearly mentioned in the proceedings dated: 19-3-2015 issued by the DIG, SPF, AP that, **"if any excess payment is noticed at later date, the same will be recovered in lump sum without any notice"**. However, the excess amount recovery from the salary of the petitioner has been effected in installment basis commencing from February, 2022 duly informing to the petitioner, but not recovered in lumpsum in order to facilitate the petitioner from financial hardship. Hence, there is no illegality took place in this regard as contended by the petitioner.

12. It is respectfully submitted that, the Apex Court in **Chandi Prasad Uniyal And Ors vs State Of Uttarakhand And Ors on 17 August, 2012** by referring previous precedents opined that, the matter of excess payment recovery from the employees is realm of judicial discretion by considering the facts and circumstances of a particular case, which is reiterated as follows:-

"Such relief, restraining recovery back of excess payment,
is granted by courts **not because of any right in the**


Attestor
A.O., SPF HQrs., RJM


Deponent
-IC Commandant
AP Special Protection Force,
Rajamahendravaram.

employees, but in equity, in exercise of judicial discretion, to relieve the employees, from the hardship that will be caused if recovery is implemented. A Government servant, particularly one in the lower rungs of service would spend whatever emoluments he receives for the upkeep of his family. If he receives an excess payment for a long period, he would spend it genuinely believing that he is entitled to it. As any subsequent action to recover the excess payment will cause undue hardship to him, relief is granted in that behalf. But where the employee had knowledge that the payment received was in excess of what was due or wrongly paid, or where the error is detected or corrected within a short time of wrong payment, Courts will not grant relief against recovery. The matter being in the realm of judicial discretion, courts may on the facts and circumstances of any particular case refuse to grant such relief against recovery."

Hence, the Apex Court judgment in State Of Punjab & Ors vs Rafiq Masih (White Washer) on 18 December, 2014 quoted by the petitioner in his writ petition cannot be a precedent to all the cases and the matter is subjected to the judicial discretion as the facts and circumstances varies from case to case.

13. It is respectfully submitted that, the Apex Court in the above said **Chandi Prasad Uniyal And Ors vs State Of Uttarakhand And Ors** has also given the following clarifications on the recovery "**tax payers money**", which has been drawn excessively by the employees due to erroneous pay fixation/ calculations:-

We are not convinced that this Court in various judgments referred to hereinbefore has laid down any proposition of law that only if the State or its officials establish that there was misrepresentation or fraud on the part of the recipients of the excess pay, then only the amount paid could be recovered. On the other hand, most of the cases referred to hereinbefore turned


Attestor

A.O.,SPF HQrs.,RJN


Deponent
Commandant
AP Special Protection Force,
Rajamahendravaram.

7

X

on the peculiar facts and circumstances of those cases either because the recipients had retired or on the verge of retirement or were occupying lower posts in the administrative hierarchy.

We are concerned with the excess payment of public money which is often described as "tax payers money" which belongs neither to the officers who have effected over-payment nor that of the recipients. We fail to see why the concept of fraud or misrepresentation is being brought in such situations. Question to be asked is whether excess money has been paid or not may be due to a bona fide mistake. Possibly, effecting excess payment of public money by Government officers, may be due to various reasons like negligence, carelessness, collusion, favouritism etc. because money in such situation does not belong to the payer or the payee. Situations may also arise where both the payer and the payee are at fault, then the mistake is mutual. Payments are being effected in many situations without any authority of law and payments have been received by the recipients also without any authority of law. **Any amount paid/received without authority of law can always be recovered barring few exceptions of extreme hardships but not as a matter of right, in such situations law implies an obligation on the payee to repay the money, otherwise it would amount to unjust enrichment.**

In view of the above observation made by the Hon'ble Apex Court, there is no legal bar on the recovery of excess payment received by the petitioner and remitting the same to the Government Exchequer as the said amount belongs to tax payers money/public money.

14. It is humbly submitted that, the writ petition is not maintainable as the proceedings dated: 18-1-2022 issued by the 4th respondent are strictly in accordance with the relevant rules and in pursuance of the proceedings dated: 23-11-2021 issued by the 2nd respondent only. In his pay fixation orders, it is very clearly stated that if any excess payment made erroneously is noticed at a


Attestor

A.O., SPFHQrs., RJM


Deponent
V/- Commandant
AP Special Protection Force,
Rajahmendravaram.

later date, the same will be recovered in future. Therefore, the petitioner cannot resort to litigation contending that there will be recovery of amount in lump sum. In fact, the recovery has been effected on installment basis only. Further, the petitioner has to state whether the re-fixation of pay is contrary to any rules or any procedure contemplated under law. Hence, the petitioner cannot obtain ex-parte stay on recovery without making substantive grounds in the writ petition. Therefore, obtaining stay on recovery is not permissible as the matter is absolutely premature at this juncture.


15. It is respectfully submitted that, revising pay protection orders and regularizing increments accordingly in respect of the petitioner and recovering excess salary dawn, are absolutely justifiable and there is no illegality or infirmity took place in this regard.

16. In view of the above facts and circumstances, it is, therefore, prayed that the Hon'ble Court may be pleased to dismiss the Writ Petition as it is devoid of merits in the interest of justice.

Solemnly and sincerely affirmed on
this the day of ____ June, 2022 and
Signed in my presence.


DEPONENT
YC Commandant
AP Special Protection Force,
Rajamahendravaram.

BEFORE ME


ATTESTOR
Account Officer
Drawing & Disbursing Officer
O/o Commandant Head Quarters
AP Special Protection Force
Rajamahendravaram.

VERIFICATION

I, D.K.S. Raju, aged 50 years, S/o Sri D. Satyanarayana Raju, working as i/c Commandant, A.P. Special Protection Force, Rajamahendravaram, do hereby declare that the contents what is stated in the afore said paras are true and correct to the best of my knowledge, information and belief.

Hence, verified on this day of June, 2022.



(Deponent)

i/c Commandant, HQrs.,
A.P. Special Protection Force,
Rajamahendravaram.

G.P. FOR HOME (SERVICES).

Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.

10

10

PROCEEDINGS OF THE DIRECTOR GENERAL: SPF: AP: SEC-BAD.
PRESENT: SRI T.P DAS, IPS.

RC.NO.P5/08/SPF/2011
O.O.NO.P-15/2012.

Dated.27.02.2012.

Sub:-SPF-Pay protection of certain Constables who were selected in SPF while in Service in other Departments-Regarding.

Ref:- 1 Representation of Sri S Srinivas,	CT-3682 SPF,ONGC	dt.nil
2. Representation of Sri.G.S.Narayana,	CT-4019, SPF, APHC	dt.nil
3. Representation of Sri.G.Rajesh,	CT-4043, SPF, Secreariat,	dt.nil
4.Representation of Sri.Ch.V.S.Prakash,	CT-5337, SPF, Academy,	dt.nil
5.Representation of Sri.K.Hari Babu,	CT-4862, SPF, KKD,	dt.nil

-&&&-

ORDER:-

The following Constables those who were selected in SPF while in Service in APSP Battalions have submitted their representations duly requesting to protect their pay as per Rules by considering their past Service rendered in APSP Battalions.

2. The pay of the following personnel may be protected in terms of Rule FR-22a (iv) read with Rule 26 of AP Revised Pension Rules 1980 note-I and Rule 30(C) of AP State Subordinate Service Rule 1996.

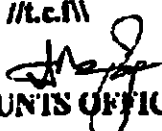
Sl no	Rank & G.No in APSP	Rank& G.No in SPF	Name	Date of appointment in APSP Battalions	Date of appointment in SPF	Basic pay in parent unit in RPS-05 Rs.	Pay fixed in RPS-10 w.e.f. 28.8.10	NTDI Released and pay raised to Rs. w.e.f
01	PC-2329	CT-3682	S.Srinivas	24.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
02	PC-2337	CT-4019	G.S Narayana	24.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
03	PC-1870	CT-4043	G.Rajesh	17.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
04	PC-1847	CT-5337	Ch V.S.Prakash	17.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
05	PC-1053	CT-4862	K Hari Babu	24.12.07	28.8.10	4950	9200/-	9460 / 1.9.11

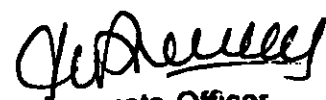
3. As per the said Rules shown in Para No.2, the applicants are entitled to treat their past Service rendered in the departments for the purpose of benefits like continuity of Service, and pay protection, but the applicants are not entitled for any seniority protection and increment date in previous Service.

The above candidates are here by informed that if any excess payment noticed at later date, the same will be recovered in lumpsum without any notice.

Sd/-
DIRECTOR GENERAL
SPF: AP: SEC'BAD

To,
The individuals through concerned unit officer,
Copy to: Pay/Computer/Order Book/Stock File
Copy to: The PAO, AP, Hyderabad

//l.c.M

ACCOUNTS OFFICER


Accounts Officer
Drawing & Disbursing Officer,
O/o. Command Head Quarters,
AP Special Protection Force,
Rajahmendravaram.

As, Secreariat

11

SPECIAL PROTECTION FORCE

In ward... 219

Dt. 30/3/15

PROCEEDINGS OF VIJAYAWADA DEPUTY INSPECTOR GENERAL O/o DG: SPF: AP: SEC-BAD.
PRESENT: SRI. CH. YESURATNAM

RC.NO.B4/07/SPF/PP/2014-15
O.o.No.B-71/2015

Date:19.03.2015

Sub:- AP SPF – Regularization of increment in r/o Constables who were selected to SPF while in service in Police Department – Regarding.

Ref:- Representations of Individual, Dated: Nil.

-o0o-

The (16 Members) Constables have submitted representations and requested to regularize their increments by considering past service rendered in APSP department and also consider training period rendered in SPF for the purpose of increments as per rules and also stated that their batch mates working in Police department like Civil/AR and other DPO's have got increments by counting past service and training period.

Finally, they have requested to consider their past Service/Training period and regularize their increments as per rules and as was done in the cases of PC's working in the DPO's/Civil/AR.

On careful examination of the matter, the request of the said Constables is considered under Rule 22 (a) (iv) read with Rule 26 of AP Revised Pension Rules 1980 Note-(I) and Rules 30(C) of AP Subordinate service Rules 1996 and with reference to Govt. Memo-22949/Ser-II/A1/2002, Home Dept., Dated: 09.12.2002, their increments regularized and released notionally as per Rules, but they are not entitle for Service/Seniority benefits in Andhra Pradesh Special Protection Force as per AP State subordinate service Rules 1996. A statement showing regularization of increments in Annexure-I is appended to this order.

The list of personnel mentioned in Annexure-A are hereby informed that, if any excess payment is noticed at later date, the same will be recovered in lumpsum without any notice.

-Sd/-

Deputy Inspector General
AP Special Protection Force

To.

The Individuals thro' Unit Officers.

Copy to: Pay/Computer/Order Book/Stock File

Copy to: B3 Seat, SPF, AP Hyderabad

Copy to: The PAO, AP, Hyderabad

Copy forwarded to individuals.

// t.c.f//

21

Accounts Officer
AP SPF:Secunderabad

ASSISTANT COMMANDANT
SPECIAL PROTECTION FORCE
VIJAYAWADA.

Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

R.G.N.H.-B4/107/2014-15
D.O.No-13-71/2015

Dated: 19/03/2015 12

ANNEXURE-I

ANNEXURE 1																		
Sl. No.	Rank/ G.No. in APSP	Rank/ G.No. in SPF	Name	Date of Appointment in APSP	Date of Appointment in SPF	Basic Pay in APSP	PRC-2005			PRC-2010 MB- w.e.f 01.02.10 notionaly	PRC-2010						M.B. - eligible from the Date of declaration of Probation in SP	
							NDI	NDI	NDI		NDI	NDI	NDI	SGP	NDI			
1	PC-1951	CT-3472	G.Kasi Viswanadham	12.03.2004	06.02.2008	5200 w.e.f 01.03.2007	5335 w.e.f 01.03.2008	5470 w.e.f 01.03.2009		10020	10300 w.e.f 01.03.2010	10600 w.e.f 01.03.2011	10900 w.e.f 01.03.2012	11200 w.e.f 01.03.2013	11530 w.e.f 01.03.2014	11860 w.e.f 01.03.2014	12190 w.e.f 01.03.2015	05.02.2010 /A
2	PC-1012	CT-3423	K.Arun Kumar	17.08.2005	06.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.09.2007	5200 w.e.f 01.10.2008	5335 w.e.f 01.10.2009	10020	10300 w.e.f 01.10.2010	10600 w.e.f 01.10.2011	10900 w.e.f 01.10.2012	11200 w.e.f 01.10.2013	11530 w.e.f 01.10.2014	11860 w.e.f 01.10.2014		10.03.2010 /A
Shifted increment from 17/01.08.2007 to 08/01.09.2007 due to (23) days LWP																		
Shifted increment from 08/01.09.2008 to 10/01.10.2008 due to (33) days LWP																		
3	PC-1028	CT-3480	L.Suresh	17.08.2005	07.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.08.2008	5335 w.e.f 01.09.2009	10020	10300 w.e.f 01.09.2010	10600 w.e.f 01.11.2011	PPI without effect	10900 w.e.f 01.11.2013	11530 w.e.f 01.11.2014	11860 w.e.f 01.11.2014		7.01.2010 /V
Shifted increment from 17/01.08.2009 to 19/01.09.2009 due to (34) days LWP																		
Shifted increment from 19/01.09.2011 to 06/01.11.2011 due to (49) days LWP																		
4	PC-949	CT-3492	M.Ramesh	17.08.2005	06.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.09.2008	5335 w.e.f 01.09.2009	10020	10300 w.e.f 01.09.2010	10600 w.e.f 01.09.2011	10900 w.e.f 01.09.2012	11200 w.e.f 01.09.2013	11530 w.e.f 01.09.2014	11860 w.e.f 01.09.2014		25.02.2010 /V
Shifted increment from 17/01.08.2008 to 05/01.09.2008 due to (20) days LWP/EOL																		
5	PC-189	CT-4137	N.Venkata Shudu	17.08.2005	28.08.2010	5335 w.e.f 01.08.2009				10020	10300 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014			27.01.2017 /V
6	PC-2096	CT-5350	N.Srinivas Kumar	17.08.2005	28.08.2010	5335 w.e.f 01.08.2009				10020	10300 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014			20.09.2012 /V
7	PC-2328	CT-3653	B.Charless	24.12.2007	28.08.2010	4950 w.e.f 24.12.2008	5075 w.e.f 01.12.2009			9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015			15.09.2012 /V
Shifted increment from 24/01.12.2011 to 02/01.01.2012 due to (10) days LWP/EOL																		
8	PC-2329	CT-3682	S.Srinivas	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009			9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.02.2013	10600 w.e.f 01.02.2014	10900 w.e.f 01.02.2015			27.08.2012 /V
Shifted increment from 24/01.12.2012 to 11/01.02.2013 due to (43) days LWP																		
9	PC-1979	CT-4681	V.Govinda Rao	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009			9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	PPI without effect	10600 w.e.f 01.01.2014			26.09.2012 /V
Shifted increment from 24/01.12.2011 to 07/01.01.2011 due to (15) days LWP																		
10	PC-1111	CT-4609	G.Satyanaarayana	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009			9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.12.2012	10600 w.e.f 01.12.2013	10900 w.e.f 01.12.2014			10.09.2012 /V

B. Balaji Inspector
ABSP AP High Court

13

11	PC-2303	CT-3673	P. Madhu Babu	24.12.2007	28.01.2010	4950 w.e.f. 01.12.2008	5075 w.e.f. 01.01.2010			9200	9460 w.e.f. 01.01.2010	9740 w.e.f. 01.01.2011	10020 w.e.f. 01.01.2012	10300 w.e.f. 01.01.2013	10600 w.e.f. 01.01.2014	10900 w.e.f. 01.01.2015	04.04.2013
Shifted Increment from 24/01.12.2009 to 05/01.01.2010 due to (13) days LWP/EOL																	
12	PC-1229	CT-4945	P. Veeranjanyulu	24.12.2007	28.01.2010	4950 w.e.f. 01.01.2009	5075 w.e.f. 01.01.2010			9200	9460 w.e.f. 01.01.2010	9740 w.e.f. 01.01.2011	10020 w.e.f. 01.01.2012	10300 w.e.f. 01.01.2013	10600 w.e.f. 01.01.2014	10900 w.e.f. 01.01.2015	27.08.2012
Shifted Increment from 24/01.12.2008 to 16/01.01.2009 due to (24) days LWP/EOL																	
13	PC-1053	CT-4862	K. Han Babu	24.12.2007	28.01.2010	4950 w.e.f. 01.12.2008	5075 w.e.f. 01.12.2009			9460	9740 w.e.f. 01.12.2010	10020 w.e.f. 01.12.2011	10300 w.e.f. 01.12.2012	10600 w.e.f. 01.12.2013	10900 w.e.f. 01.12.2014		27.08.2012
14	PC-1847	CT-5337	C. V. S. Prakash	24.12.2007	28.01.2010	4950 w.e.f. 01.12.2008	5075 w.e.f. 01.12.2009			9460	9740 w.e.f. 01.12.2010	10020 w.e.f. 01.12.2011	10300 w.e.f. 01.01.2013	10600 w.e.f. 01.01.2014	10900 w.e.f. 01.01.2015		12.09.2012
Shifted Increment from 24/01.12.2012 to 28/01.01.2013 due to (36) days LWP/EOL																	
15	PC-661	CT-5354	P. Brahmlah	24.12.2007	28.01.2010	4950 w.e.f. 01.12.2009	5075 w.e.f. 01.01.2010			9460	9460 w.e.f. 01.01.2011	10020 w.e.f. 01.01.2012	10300 w.e.f. 01.01.2013	10600 w.e.f. 01.01.2014	10900 w.e.f. 01.01.2015		11.09.2012
Shifted Increment from 24/01.12.2009 to 04/01.01.2010 due to (12) days LWP/EOL																	
16	PC-2096	CT-5323	V. U. S. Mageswara Rao	24.12.2007	28.01.2010	4950 w.e.f. 02.02.2009				9460 w.e.f. 01.05.2010	9740 w.e.f. 01.05.2011	10020 w.e.f. 01.06.2012	10300 w.e.f. 01.06.2013	10600 w.e.f. 01.06.2014			27.03.2012
Shifted Increment from 24/01.12.2009 to 02/01.02.2009 due to (30) days LWP/EOL																	
Shifted Increment from 02/01.02.2010 to 25/01.05.2010 due to (84) days LWP/EOL																	
Shifted Increment from 05/01.05.2012 to 03/01.06.2012 due to (15) days LWP/EOL																	

- Note: 1. The due increments are now released nationally with M.B. from the date of declaration of probation in AP SPF.
 2. No. seniority/service protection is entitle in AP SPF as per AP State Subordinate Rule-1996.
 3. The above individual are here by informed that if any excess payment notice at later the same will be recovered in lumpsum without notice.

Accounts Officer
AP SPF Sec Bad

Inspector
APSPF, AP High Court
Amaravati

Deputy Inspector General
AP Special Protection Force

14

14

Proceedings of the Director General, A. P. Special Protection Force, Vijayawada
Present: Sri N. V. Surendra Babu, IPS.

Rc.No.A4/APS PF/Genl/2021
O.o.No.A-87/2021

dt.23.11.2021

Sub: - Pay protection in respect of personnel appointed in APS PF on relief from other departments-Reg.

Ref: - 1. Proceedings Rc.No.P5/08/SPF/PP/2011-14, O.o.No.P-30/2014, dt.30.05.2014 of Dy. Inspector General, APS PF.
2. Proceedings Rc.No.B4/7/SPF/PP/2014-15, O.o.No.B-71/2015, dt.19.03.2015 of Dy. Inspector General, APS PF.
3. Representations of individuals received from Commandant, Tirupati vide Rc.No.18/B1/Comdt.Hqrs/APS PF/TPT/Incre.Genl/2021, dt.20.09.2021.

-:o0o:-


Order:

Through the reference 1st cited above, pay protection orders were issued to seven APS PF personnel who were appointed through direct recruitment in 2013 on relief from other departments under FR22 a (iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30 (c) of AP State and Subordinate Service Rules, 1996, taking into account their last pay drawn in previous service.

Through the reference 2nd cited above, pay protection orders were issued to sixteen other APS PF personnel who were appointed through direct recruitment in 2008 & 2010 on relief from other departments taking into account their previous service and counting the training period also.

Through the reference 3rd cited above, some of the APS PF personnel who were appointed through direct recruitment in 2013 on relief from other departments requested to regulate their pay fixations in line with the pay fixation given to the sixteen Constables vide reference 2nd cited duly considering their previous service and training period also.

Now, the whole issue has been examined as per Rule FR22 a (iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30 (c) of AP State and Subordinate Service Rules, 1996. It is noticed that, the pay fixation of sixteen


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

APSPF personnel made vide reference 2nd cited above is erroneous and not as per rules. Therefore the orders issued in the reference 2nd cited are cancelled and the pay of sixteen APSPF personnel is re-fixed in accordance with rules, by protecting their substantive pay last drawn in the previous department as mentioned in the enclosed Annexure. They are eligible for next increment only after completion of one year of service from the date of appointment in APSPF and SGP/SPP-I/SPP-II scales after completion of required service in APSPF in terms of Rules FR22 a (iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30 (c) of AP State and Subordinate Service Rules, 1996.

Commandants concerned are directed to re-fix their pay and regulate their increments accordingly and recover excess pay and allowances if any and remit the same to Government account.

Necessary entries shall be made in the service registers of the individuals.

Encl: Annexure

Sd/-
Director General,
APSPF, Vijayawada.

To

Individuals concerned through Unit Officers.

Copy to: All Commandants, APSPF.

Copy to: The DTOs, Tirupati, Rajamahendravaram & Vijayawada.

// t.c.f.b.o. //

Accounts Officer,
APSPF, Vijayawada.



Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

Annexure


Pay protection in respect of personnel appointed in APSPF on relief from other departments

Proceedings Rc.No.A4/APSPF/Genl/2021
O.o.No.A-87/2021

Date:23.11.2021

Sl. No.	Rank/ G.No. in APSP	Rank/ G.No. in APSPF	Name S/Sri	Date of Appointment in APSP	Date of Appointment in APSPF	Basic pay in APSP (RPS-2005) Rs.	Basic pay fixed in APSPF (RPS-2005) Rs.
1	PC 1951	CT 3472	G. Kasi Viswanadham	12.03.2004	06.02.2008	5,200 w.e.f. 01.03.2007	5,200 w.e.f. 06.02.2008
2	PC 1012	CT 3423	K. Arun Kumar	17.08.2005	06.02.2008	4,950 w.e.f. 01.08.2006	4,950 w.e.f. 06.02.2008
3	PC 1028	CT 3480	I. Suresh	17.08.2005	07.02.2008	4,950 w.e.f. 01.08.2006	4,950 w.e.f. 07.02.2008
4	PC 949	CT 3492	M. Ramesh	17.08.2005	06.02.2008	4,950 w.e.f. 01.08.2006	4,950 w.e.f. 06.02.2008
5	PC 189	CT 4137	M. Venkata Sivudu	17.08.2005	28.08.2010	5,335 w.e.f. 01.08.2009	5,335 w.e.f. 28.08.2010
6	PC 2096		M. Srinivas Kumar	17.08.2005	28.08.2010	5,335 w.e.f. 01.08.2009	5,335 w.e.f. 28.08.2010
7	PC 2328		B. Charless	24.12.2007	28.08.2010	4,950 w.e.f. 24.12.2008	4,950 w.e.f. 28.08.2010
8	PC 2329	CT 3682	S. Srinivas	24.12.2007	28.08.2010	4,950 w.e.f. 01.12.2008	4,950 w.e.f. 28.08.2010
9	PC 1979		V. Govinda Rao	24.12.2007	28.08.2010	4,950 w.e.f. 01.12.2008	4,950 w.e.f. 28.08.2010
10	PC 1111	CT 4609	G. Satyanarayana	24.12.2007	28.08.2010	4,950 w.e.f. 01.12.2008	4,950 w.e.f. 28.08.2010

CT 4619


 Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant's Quarters,
 AP State Police Training Centre,
 Rajamahendravaram.

Proceedings Rc.No.A4/APSPF/Genl/2021
O.o.No.A-87/2021

Date:23.11.2021

SL No.	Rank/ G.No. in APSP	Rank/ G.No. in APSPF	Name S/Sri	Date of Appointment in APSP	Date of Appointment in APSPF	Basic pay in APSP (RPS-2005) Rs.	Basic pay fixed in APSPF (RPS-2005) Rs.
11	PC 2303	CT 4945	B. Madhu Babu <i>OWK</i>	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
12	PC 1229	CT 4945	P. Veeranjanyulu	24.12.2007	28.08.2010	4,950 w.e.f 01.01.2009	4,950 w.e.f 28.08.2010
13	PC 1053	CT 4862	K. Hari Babu	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
14	PC 1847	CT 4945	CH. V.S. Prakash <i>APCC DIN</i>	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
15	PC 667	CT 5354	P. Brahmiah	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
16	PC 2096	CT 4945	V. Uma Maheswara Rao	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2009	4,950 w.e.f 28.08.2010

Sd/-
Director General,
APSPF, Vijayawada.

// t.c.f.b.o //
LVSS
Accounts Officer,
APSPF, Vijayawada.

[Signature]
Accounts Officer
Drawing & Disbursing Officer,
O/o. C. Quarters,
Vijayawada.

PROCEEDINGS OF THE I/c COMMANDANT, APSPF, RAJAMAHENDRAVARAM
PRESENT : Sri D.K.S.Ramachandra Raju

Dated 18-1-2022

Rc.No.501/P/Re-Fixation/APSPP/RJM/2022
O.o.No.P-7/RJM/2022

Sub:- APSPP - Re-Fixation of pay in r/o Sri CH.V.S.Prakash, Ct 5337 of
APSPP, ABCC, Bhimavaram - Orders Issued- Regarding.

- Ref:- 1) Proceedings Rc.No.P5/08/SPF/PP/2011-14, O.o.No.P-30/2014,
dt: 30.05.2014 of the Dy.Inspector General, APSPP, Sec'bad.
2) Proceedings Rc.No.B4/7/SPF/PP/2014-15, O.o.No.B-71/2015,
dt: 19.03.2015 of the Dy.Inspector General, APSPP, Sec'bad.
3) Proceedings Rc.No.A4/APSPP/Genl/2021, O.o.No.A-87/2021,
dt: 23.11.2021 of the DG APSPP, Vijayawada.

ORDER:

In the reference 1st cited above, pay protection orders were issued to the APSPP Personnel who were appointed through direct recruitment on relief from other departments under FR22 a (IV) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30(C) of AP State and Subordinate Service Rules, 1996, taking into account their last pay drawn in previous Department i.e., APSP.

In the reference 2nd cited above, pay protection Orders were issued to APSPP personnel who were appointed through direct recruitment on relief from other departments taking into account of their previous Service duly counting the training period of APSPP.

Vide reference 3rd cited above, now the Orders were issued that the pay fixation of the APSPP personnel made vide reference 2nd cited above is erroneous and not as per rules. Therefore the orders issued in the reference 2nd cited are cancelled and the pay of APSPP Personnel is re-fixed in accordance with rules, by protecting their substantive pay last drawn in the previous department. They are eligible for next increment only after completion of one year service from the date of appointment in APSPP and SGP/SPP-I, SPP-II scales after completion of required service in APSPP in terms of Rules FR22 a (IV) read with Rule 26 of AP Revised Pension Rules, 1980 Note - 1 and Rule 30(C) of AP State and Subordinate Service Rules, 1996.

Accordingly, in pursuance of the orders issued in the reference 3rd cited the pay of Sri CH.V.S.Prakash, Ct 5337 is re-fixed as follows.

- | | |
|---------------------------------------------------------------------------------------|----------------|
| a) Date of Appointment in APSP on | : 24-12-2007 |
| b) Last basic pay drawn in APSP w.e.f. 24-12-2008
in PRC -2005 (TSP 4825-10845). | : Rs. 4,950/- |
| c) Date of Appointment in APSPP on | : 28-8-2010 |
| d) Basic pay fixed in RPS-2010 w.e.f. 28-8-2010
in APSPP (TSP 8440-24950). | : Rs. 9,200/- |
| e) Monetary benefit w.e.f. the date of declaration of
probation in APSPP. | : 12-9-2012 AN |

Contd. Page-2


Account Officer

Drawing & Disbursing Officer
O/o Commandant Head Quarters
AP Special Protection Force
Rajamahendravaram

Type of Increment	Existing			Revised		
	Date of Increment	Basic Pay Rs.	Scale of pay	Date of Increment	Basic Pay Rs.	Scale of pay
AGI	1-12-2011	10020	8440-24950	28-8-2011	9460	8440-24950
AGI	1-12-2012	10300	8440-24950	1-8-2012	9740	8440-24950
AGI	1-12-2013	10600	8440-24950	1-8-2013	10020	8440-24950
SGP	29-1-2014	10900	9200-27000	1-8-2014	10300	8440-24950
AGI	1-12-2014	11200	9200-27000	-	-	-
PRC-2015, Pay fixed (Monetary benefit w.e.f. 2-6-2014)	1-7-2013	21820	16400-49870	1-7-2013	20640	16400-49870
AGI	1-12-2013	22460	16400-49870	1-8-2013	21230	16400-49870
SGP	29-1-2014	23100	17890-53950	-	-	-
AGI	1-12-2014	23740	17890-53950	1-8-2014	21820	16400-49870
AGI	1-12-2015	24440	17890-53950	1-8-2015	22460	16400-49870
AGI	1-12-2016	25140	17890-53950	1-8-2016	23100	16400-49870
SGP	-	-	-	28-8-2016	23740	17890-53950
AGI	1-12-2017	25840	17890-53950	1-8-2017	24440	17890-53950
AGI	1-12-2018	26600	17890-53950	1-8-2018	25140	17890-53950
AGI	1-12-2019	27360	17890-53950	1-8-2019	25840	17890-53950
AGI	1-12-2020	28120	17890-53950	1-8-2020	26600	17890-53950
AGI	-	-	-	1-8-2021	27360	17890-53950


Sri CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram unit is hereby informed that, the excess amount of Rs. 2,24,922/- claimed by the individual due to wrong fixation of his pay will be recovered in (20) installments for Rs.11,618/- per month and Rs.4180/- being last installment from the Pay and Allowances of January 2022 Payable in February 2022 .

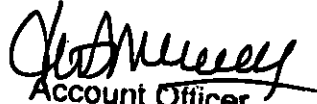
Encl: Over drawn particulars statement.

Sd/-
i/c Commandant,
AP Special Protection Force,
Rajamahendravaram.

To
Sri CH.V.S.Prakash, Ct 5337, SPF through AC, SPF, ONGC Rajahmundry.
Copy to Pay section.
Copy to Divisional Sub Treasury, Rajamahendravaram.
Copy to Order Book / Stock File.

// t.c.f.b.o //


Accounts Officer,
APSPF, Rajamahendravaram


Account Officer
Drawing & Disbursing Officer
J/o Commandant Head Quarters
AP Special Protection Force
Rajamahendravaram.

Over drawn particulars statement in r/o CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram																									
DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 14.5 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
47.936		13-09-2012	30-09-2012	18 D	10020	9740	280	168	4803	4669	134	80	1202	1169	33	20	802	779	23	14					282
47.936		01-10-2012	30-11-2012	2 M	10020	9740	280	560	4803	4669	134	268	1202	1169	33	66	802	779	23	46					940
47.936		01-12-2012	31-12-2012	1 M	10300	9740	560	560	4937	4669	268	268	1236	1169	67	67	824	779	45	45					940
54.784		01-01-2013	30-06-2013	6 M	10300	9740	560	3360	5643	5336	307	1842	1236	1169	67	402	824	779	45	270					5874
54.784	ASLS	02-01-2013	11-01-2013	10 D	10300	9740	560	187	5643	5336	307	102	1236	1169	67	22	824	779	45	15					326
63.344		01-07-2013	31-07-2013	1 M	10300	9740	560	560	6524	6170	354	354	1494	1412	82	82	824	779	45	45					1041
63.344	ASLS	02-07-2013	16-07-2013	15 D	10300	9740	560	280	6524	6170	354	177	1494	1412	82	41	824	779	45	23					521
63.344		01-08-2013	30-11-2013	4 M	10300	10020	280	1120	6524	6347	177	708	1494	1453	41	164	824	802	22	88					2080
63.344	SLS	01-11-2013	30-11-2013	30 D	10300	10020	280	280	6524	6347	177	177	1494	1453	41	41	824	802	22	22					520
63.344		01-12-2013	31-12-2013	1 M	10600	10020	580	580	6714	6347	367	367	1537	1453	84	84	848	802	46	46					1077
71.904		01-01-2014	28-01-2014	28 D	10600	10020	580	524	7622	7205	417	377	1537	1453	84	76	848	802	46	42	2862	2705	157	142	1161
71.904	ASLS	02-01-2014	14-01-2014	13 D	10600	10020	580	251	7622	7205	417	181	1537	1453	84	36	848	802	46	20					488
71.904		29-01-2014	31-01-2014	3 D	10900	10020	880	85	7838	7205	633	61	1581	1453	128	12	872	802	70	7	2943	2705	238	23	188
71.904		01-02-2014	30-06-2014	5 M	10900	10020	880	4400	7838	7205	633	3165	1581	1453	128	640	872	802	70	350	2943	2705	238	1190	9745
77.896		01-07-2014	31-07-2014	1 M	10900	10020	880	880	8491	7805	686	686	1581	1453	128	128	872	802	70	70	2943	2705	238	238	2002
77.896	ASLS	02-07-2014	16-07-2014	15 D	10900	10020	880	440	8491	7805	686	343	1581	1453	128	64	872	802	70	35					882
77.896		01-08-2014	30-11-2014	4 M	10900	10300	600	2400	8491	8023	468	1872	1581	1494	87	348	872	824	48	192	2943	2781	162	648	5460
77.896	SLS	02-11-2014	16-11-2014	15 D	10900	10300	600	300	8491	8023	468	234	1581	1494	87	44	872	824	48	24					602
77.896		01-12-2014	31-12-2014	1 M	11200	10300	900	900	8724	8023	701	701	1624	1494	130	130	896	824	72	72	3024	2781	243	243	2046
77.896		01-01-2015	31-03-2015	3 M	11200	10300	900	2700	8724	8023	701	2103	1624	1494	130	390	896	824	72	216	3024	2781	243	729	6158
77.896	ASLS	02-01-2015	15-01-2015	14 D	11200	10300	900	420	8724	8023	701	327	1624	1494	130	61	896	824	72	34					842
12.052		01-04-2015	30-06-2015	3 M	23740	21820	1920	5760	2861	2630	231	693	3442	3164	278	834	1899	1746	153	459					7746
15.196		01-07-2015	31-07-2015	1 M	23740	21820	1920	1920	3608	3316	292	292	3442	3164	278	278	1899	1746	153	153					2643
15.196	ASLS	02-07-2015	16-07-2015	15 D	23740	21820	1920	960	3608	3316	292	146	3442	3164	278	139	1899	1746	153	77					1322
15.196		01-08-2015	30-11-2015	4 M	23740	22460	1280	5120	3608	3413	195	780	3442	3257	185	740	1899	1797	102	408					7048
15.196	SLS	02-11-2015	16-11-2015	15 D	23740	22460	1280	640	3608	3413	195	98	3442	3257	185	93	1899	1797	102	51					882
15.196		01-12-2015	31-12-2015	1 M	24440	22460	1980	1980	3714	3413	301	301	3544	3257	287	287	1955	1797	158	158					2726

[Signature]
Account Officer

Drawing & Disbursing Officer,
O/o Commandant Head Quarter,
AP Special Protection Force
Rajamahendravaram.

DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 14.5 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
18.34		01-01-2016	30-06-2016	6 M	24440	22460	1980	11880	4482	4119	363	2178	3544	3257	287	1722	1955	1797	158	948					16728
18.34	ASLS	02-01-2016	16-01-2016	15 D	24440	22460	1980	990	4482	4119	363	182	3544	3257	287	144	1955	1797	158	79					1395
22.008		01-07-2016	31-07-2016	1 M	24440	22460	1980	1980	5379	4943	436	436	3544	3257	287	287	1955	1797	158	158					2861
22.008	ASLS	02-07-2016	16-07-2016	15 D	24440	22460	1980	990	5379	4943	436	218	3544	3257	287	144	1955	1797	158	79					1431
22.008		01-08-2016	27-08-2016	27 D	24440	23100	1340	1167	5379	5084	295	257	3544	3350	194	169	1955	1848	107	93					1686
22.008		28-08-2016	31-08-2016	4 D	24440	23740	700	90	5379	5225	154	20	3544	3442	102	13	1955	1899	56	7					130
22.008		01-09-2016	30-11-2016	3 M	24440	23740	700	2100	5379	5225	154	462	3544	3442	102	306	1955	1899	56	168					3036
22.008	SLS	02-11-2016	16-11-2016	15 D	24440	23740	700	350	5379	5225	154	77	3544	3442	102	51	1955	1899	56	28					506
22.008		01-12-2016	31-12-2016	1 M	25140	23740	1400	1400	5533	5225	308	308	3645	3442	203	203	2000	1899	101	101					2012
24.104	ASLS	02-01-2017	16-01-2017	15 D	25140	23740	1400	8400	6060	5722	338	2028	3645	3442	203	1218	2000	1899	101	606					12252
24.104		01-01-2017	30-06-2017	6 M	25140	23740	1400	8400	6060	5722	338	169	3645	3442	203	102	2000	1899	101	51					1022
25.676	ASLS	02-01-2017	16-01-2017	15 D	25140	23740	1400	1400	6455	6095	360	360	3645	3442	203	203	2000	1899	101	101					2064
25.676		01-07-2017	31-07-2017	1 M	25140	23740	1400	1400	6455	6095	360	180	3645	3442	203	102	2000	1899	101	51					1033
25.676	ASLS	02-07-2017	16-07-2017	15 D	25140	23740	1400	700	6455	6095	360	180	3645	3442	203	102	2000	1899	101	51					1033
25.676		01-08-2017	30-11-2017	4 M	25140	24440	700	2800	6455	6275	180	720	3645	3544	101	404	2000	1955	45	180					4104
25.676	SLS	02-11-2017	16-11-2017	15 D	25140	24440	700	350	6455	6275	180	90	3645	3544	101	51	2000	1955	45	23					51
25.676		01-12-2017	31-12-2017	1 M	25840	24440	1400	1400	6635	6275	360	360	3747	3544	203	203	2000	1955	45	45					2008
27.248		01-01-2018	30-06-2018	6 M	25840	24440	1400	8400	7041	6659	382	2292	3747	3544	203	1218	2000	1955	45	270					12180
27.248	ASLS	02-01-2018	16-01-2018	15 D	25840	24440	1400	700	7041	6659	382	191	3747	3544	203	102	2000	1955	45	23					1016
30.392		01-07-2018	31-07-2018	1 M	25840	24440	1400	1400	7853	7428	425	425	3747	3544	203	203	2000	1955	45	45					2073
30.392	ASLS	02-07-2018	16-07-2018	15 D	25840	24440	1400	700	7853	7428	425	213	3747	3544	203	102	2000	1955	45	23					1038
30.392		01-08-2018	30-11-2018	4 M	25840	25140	700	2800	7853	7641	212	848	3747	3645	102	408	2000	2000	0	0					4056
30.392	SLS	02-11-2018	16-11-2018	15 D	25840	25140	700	350	7853	7641	212	106	3747	3645	102	51	2000	2000	0	0					507
30.392		01-12-2018	31-12-2018	1 M	26600	25140	1460	1460	8084	7641	443	443	3857	3645	212	212	2000	2000	0	0					2115
33.536		01-01-2019	30-06-2019	6 M	26600	25140	1460	8760	8921	8431	490	2940	3857	3645	212	1272	2000	2000	0	0					12972
33.536	ASLS	02-01-2019	16-01-2019	15 D	26600	25140	1460	730	8921	8431	490	245	3857	3645	212	106	2000	2000	0	0					1081
33.536		01-07-2019	31-07-2019	1 M	26600	25140	1460	1460	8921	8431	490	490	3857	3645	212	212	2000	2000	0	0	7182	6788	394	394	2556
33.536	ASLS	02-07-2019	16-07-2019	15 D	26600	25140	1460	730	8921	8431	490	245	3857	3645	212	106	2000	2000	0	0					1081
33.536		01-08-2019	30-11-2019	4 M	26600	25840	760	3040	8921	8666	255	1020	3857	3747	110	440	2000	2000	0	0	7182	6977	205	820	5320

[Signature]
Account Officer

Drawing & Disbursing Officer
O/o Commandant Head Quarter
AP Special Protection Force
Bhimahundi

DA %	Period					BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 14.5 %)			Total	AHRA (5%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days		Drawn	Due	Diff			Drawn	Due		Diff		Drawn		Due	Diff			Drawn	Due	Diff		
33.536	SLS	02-11-2019	16-11-2019	15	D	26600	25840	760	380	8921	8666	255	128	3857	3747	110	55	2000	2000	0	0					563
33.536		01-12-2019	31-12-2019	1	M	27360	25840	1520	1520	9175	8666	509	509	3967	3747	220	220	2000	2000	0	0	7387	6977	410	410	2659
33.536		01-01-2020	30-06-2020	6	M	27360	25840	1520	9120	9175	8666	509	3054	3967	3747	220	320	2000	2000	0	0	7387	6977	410	2460	15954
33.536	ASLS	02-01-2020	15-01-2020	14	D	27360	25840	1520	709	9175	8666	509	238	3967	3747	220	103	2000	2000	0	0					1050
33.536		01-07-2020	31-07-2020	1	M	27360	25840	1520	1520	9175	8666	509	509	3967	3747	220	220	2000	2000	0	0	7387	6977	410	410	2659
33.536	ASLS	02-07-2020	16-07-2020	15	D	27360	25840	1520	760	9175	8666	509	255	3967	3747	220	110	2000	2000	0	0					1125
33.536		01-08-2020	30-11-2020	4	M	27360	26600	760	3040	9175	8921	254	1016	3967	3857	110	440	2000	2000	0	0	7387	7182	205	820	5316
33.536	SLS	02-11-2020	16-11-2020	15	D	27360	26600	760	380	9175	8921	254	127	3967	3857	110	55	2000	2000	0	0					562
33.536		01-12-2020	31-12-2020	1	M	28120	26600	1520	1520	9430	8921	509	509	4077	3857	220	220	2000	2000	0	0	7592	7182	410	410	2659
33.536		01-01-2021	30-06-2021	6	M	28120	26600	1520	9120	9430	8921	509	3054	4077	3857	220	320	2000	2000	0	0	7592	7182	410	2460	15954
33.536	ASLS	02-01-2021	16-01-2021	15	D	28120	26600	1520	760	9430	8921	509	255	4077	3857	220	110	2000	2000	0	0					1125
33.536		01-07-2021	31-07-2021	1	M	28120	26600	1520	1520	9430	8921	509	509	4077	3857	220	220	2000	2000	0	0	7592	7182	410	410	2659
33.536	ASLS	02-07-2021	16-07-2021	15	D	28120	26600	1520	760	9430	8921	509	255	4077	3857	220	110	2000	2000	0	0					1125
33.536		01-08-2021	31-12-2021	5	M	28120	27360	760	3800	9430	9175	255	1275	4077	3967	110	550	2000	2000	0	0	7592	7387	205	1025	6650
33.536	SLS	02-11-2021	16-11-2021	15	D	28120	27360	760	380	9430	9175	255	128	4077	3967	110	55	2000	2000	0	0					563
Grand Total =																							224922			

[Signature]
 Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram

[Signature]
 Account Officer
 Drawing & Disbursing Officer
 O/o Commandant Head Quarters
 AP Special Protection Force
 Rajamahendravaram.

Pay of Revenue Subordinates undergoing Taluk Head Accountant's training

(6) Collectors are empowered to permit the clerks to undergo treasury training, to draw during the period of training the pay of any officiating appointment held by them, at the time they were deputed for such training. But this rate of pay should only be allowed for a period during which the accountant would have held the officiating appointment had he not been deputed for the training.

(7) Omitted by G.O.Ms.No. 410, Finance, Dt. 15-12-1964.

(8) Approved probationers in the category of Junior Assistants, officiating Senior Assistants promoted from the Junior Assistants, and approved probationers who were directly recruited to the category of Senior Assistants in the Office of the Commissioner of Land Revenue, have been permitted to undergo survey training and to serve as Revenue Inspectors. The periods spent on survey training and as Revenue Inspectors will be deemed to be periods of duty under Rule 9(6)(b)(i). [xxxx] [G.O.Ms.No. 391, Fin. & Plg. (F.R.I.), Dt. 30-12-1975]

The Junior Assistants/Senior Assistants will continue to be borne on the establishment of the Commissioner of Land Revenue and substitutes may be appointed in their places in that establishment.

The Junior Assistants/Senior Assistants, during the period of their training, continue to the rates of pay of the posts in the office of Commissioner of Land Revenue, from which they have been deputed, so long as they do not cease to have places in that office; if, for any reason, an Assistant in the office of Commissioner of Land Revenue while undergoing training as a Revenue Inspector, ceases to have a place in the office in which he has been working, he will be given the minimum pay of a Junior Assistant, in the mufassal for the period during which he will have no place in the parent office.

One acting vacancy in the grade of Junior Assistant, should be kept unfilled in the district concerned for every Assistant deputed to the district from the office of the Commissioner of Land Revenue.

(9) & (10) [Not Printed]

F.R. 21. [Omitted by G.O.Ms.No. 30, Fin. & Plg. (FW:FR.I) Dept., Dt. 2-3-95]

F.R. 22. The initial substantive pay of a Government servant who is appointed substantively to a post on time-scale of pay is regulated as follows :

(a) If he holds a lien on a permanent post, other than a tenure post, or would hold a lien on such a post had his lien not been suspended :

(i) When appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purpose of Rule 30), than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post;

(ii) When appointment to the new post does not involve such assumption he will draw as initial pay the stage of the time scale which is equal to his substantive pay in respect of the old post, or if there is no such stage, the stage next below that pay, plus personal pay equal to the difference, and in either case will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post, or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay ;

(iii) When appointment to the new post is made on his own request under Rule 15(a) and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay;

(iv) The pay of a regular Government servant (not appointed under emergency provisions) when appointed directly to another post, under the Government on selection by the A.P. Public Service Commission, shall be fixed in the new post at a stage which is not lower than the pay drawn by him in the earlier post.] [G.O.Ms.No. 213, Fin., Dt. 13-7-1983]

[Provided that if there is no stage in the pay scale of the new post, the pay shall be fixed in the new post at the stage next below the pay protecting the short fall, if any, as personal pay to be absorbed in future rise in pay on account of grant of increment or otherwise ;

Provided further that the benefit shall be confined to the Government employees only. The employees working in Central Government, Universities, Aided Institutions, etc., who are appointed to the Govt. service on selection by the Andhra Pradesh Public Service Commission or District Selection Committee are not eligible for the benefit provided under sub-clause (iv) of this rule.] [Added by G.O.Ms.No. 279, Fin. & Plg. (F.W. F.R. II), Dt. 14-10-1996]

(b) If the conditions prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale :

Provided, both in cases covered by clause (a) and in cases other than cases of re-employment after resignation, removal or dismissal from the public service covered by clause (b), that if he either—

(1) has previously held substantively or officiated in—

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale;

or

(iii) a permanent post, other than a tenure post, on an identical time-scale, or a temporary post on an identical time-scale such post being on the same time-scale as a permanent post ; or

[Signature]
Account Officer

Drawing & Disbursing Officer
J/o Commandant Head Quarter
AP Special Protection Force
Rajamahendravaram.

[U.O. No. 13127-A/113/F R 198, Fin. & Plg. (FIV FRI) Dept., Dt. 13-5-98]

(ii) The E.O.L. with permission accorded as per the Executive Instruction 1 should not be utilized to secure the job abroad, but should be utilized for undertaking employment abroad only.

[G.O. Ms. No. 756, Finance (F R I) Dept., Dt. 7-8-2002]

(iii) The benefit of the availment of above E.O.L. shall be given to government employees at a single stretch or in different spells, but for a period not exceeding five years in all during the entire service.

22. Counting of periods spent on training :—The Government may, by order, decide whether the time spent by a Government servant under training immediately before appointment to service under that Government shall count as qualifying service.

[Note :—The service of a trainee during training period shall count for pension provided he is selected for the post as a direct recruit and is appointed to it prior to being sent on training and such training period counts for probation.] [G.O.Ms.No. 224, Fin. & Plg., Dt. 4-5-1994]

23. Counting of periods of suspension :—Time passed by a Government servant under suspension pending enquiry into conduct shall count as qualifying service where, on conclusion of such inquiry, he has been fully exonerated or the suspension is held to be wholly unjustified; in other cases, the period of suspension shall not count unless the authority competent to pass orders under the rule governing such cases expressly declares at the time that it shall count to such extent as the competent authority may declare.

24. Forfeiture of service on dismissal or removal :—Dismissal or removal of a Government servant from a service or post entails forfeiture of his past service.

25. Counting of past service on reinstatement :—(1) A Government servant who is dismissed, removed or compulsorily retired from service, but is reinstated on appeal or review, is entitled to count his past service as qualifying service.

(2) The period of interruption in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension, if any, shall not count as qualifying service unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

26. Forfeiture of service on resignation :—(1) Resignation from a service or post entails forfeiture of past service :

Provided that a resignation shall not entail forfeiture of past service if it has been submitted to take up, with proper permission, another appointment, whether temporary or permanent, under the Government where service qualifies.

(2) Interruption in service in a case falling under the proviso to sub-rule (1), due to the two appointments being at different stations, not exceeding the joining time permissible under the rules of transfer, shall be covered by grant of leave of any kind due to the Government servant on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to him.

Note 1 :—Under proviso of Rule 26, resignation of an appointment to take up with proper permission another appointment whether permanent or temporary service which counts in full or in

part is not resignation from public service. A question has been raised whether in such cases a separate sanction should be issued indicating that resignation has been accepted under the above provisions. In order to enable the audit/administration officer to regulate the consequential benefits in the matter of pay fixation, carry forward of leave, pension, etc., in cases of the above type the order accepting the resignation should clearly indicate that the employee is resigning to join another appointment with proper permission and that the benefits under proviso to Rule 26 will be admissible to him. The contents of such order should also be noted in the service book of the individual concerned under proper attestation. No separate order sanctioning these benefits in such case each time would be necessary.

Note 2 :—A member of a service or services who is selected for appointment by direct recruitment to another post, category or class in the same or different service and is appointed to it, shall, as soon as he is appointed to the post, category or class for which he has been selected by direct recruitment as aforesaid :

Provided that nothing in this ruling shall effect the benefits accrued to such member of a service or services in the previous post or posts, except the lien or probationary right, as the case may be, on such post or posts.


27. Effect of interruption in service :—(1) An interruption in the service of a Government servant entails forfeiture of his past service except in the following cases :

- authorised leave of absence;
- unauthorised absence in continuation of authorised leave of absence so long as the post of absentee is not filled substantively;
- suspension, where it is immediately followed by reinstatement whether in the same or a different post, or where the Government servant dies or is permitted to retire or if retired on attaining the age of compulsory retirement while under suspension;
- abolition of office or loss of appointment owing to reduction of establishment;
- transfer to non-qualifying service in an establishment under the control of the Government if such transfer has been ordered by a competent authority in the public interest;
- joining time while on transfer from one post to another.

(2) Notwithstanding anything contained in sub-rule (1), the pension sanctioning authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave.

28. Condonation of interruption in service :—The interruption between two or more [spells of Government service or] between non-Government service (as service under Municipalities, District Boards, etc.) and Government service or between two spells of non-Government service shall be treated as automatically condoned without any formal order of sanctioning authority without restrictions as regards period of interruption as well as the length of period preceding interruption excluding, however, the periods of interruption themselves.

[Sub. by G.O.Ms.No. 181, Fin.(Pen-I) Dept., Dt.27-7-1981]


Account Officer.
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Rajamahendravaram.

entitled to, under these rules or the special rules, if in the opinion of the appointing authority such relinquishment is not opposed to public interest. Such relinquishment once made will be final and irrevocable. Nothing contained in these rules or the special rules shall be deemed to require the recognition of any right or privilege to the extent to which it has been so relinquished :

Provided that no conditional relinquishment or relinquishment of right for a temporary period shall be permitted.

29. Re-employment of members of service discharged on account of their suffering from T.B., etc. :—(a) A member of the State or Subordinate Service discharged on account of his suffering from T.B. or such other diseases as may be specified by the Government from time to time, shall be eligible for re-appointment to the post held by him prior to his discharge as aforesaid or to a post of the same rank and status in the department concerned, if he is declared non-infective and medically fit for Government service by the Medical authority, authorised for this purpose by the State Government.

(b) For the purpose of determining whether any such member possesses the age qualification, where such age qualifications are prescribed in the special rules or these rules the period of his service in the post held by him prior to his discharge shall be deducted from the actual age and if the age so computed does not exceed the prescribed age limit by more than three years, he shall be deemed to be with the prescribed age limit.

(c) On re-appointment of any such member the actual service rendered by him prior to his discharge from service, shall count for purposes of seniority and pay, to the extent to which it would have been counted for the said purposes had he not been discharged. The break in service between the date of discharge and the date of reappointment shall not, however, count for any purpose, but his service shall, otherwise, be regarded as continuous. On re-appointment of such a member to the same post or to a post of the same rank and status the service which has not been counted for increments before, upto a maximum of one year and any leave to his credit under the leave rules by which such member was governed at the time of his discharge, shall also be allowed to be carried over to his account.

(d) The provisions of this rule shall have effect notwithstanding anything contained in these rules or the special rules applicable to the concerned members of a service.

30. Resignation :—(a) A member of a service may resign his appointment and the acceptance of his resignation by the appointing authority shall take effect :—

[S.S.R.—4]

25 25

(i) in case he is on duty, from the date on which he is relieved of his duties in pursuance of such acceptance;

(ii) in case he is on leave, from the date of communication of such acceptance to the member or if the said authority so directs, from the date of expiry of leave; and

(iii) in any other case, from the date of communication of such acceptance to the member or from such other date, not being earlier than the date on which he was last on duty, as the said authority may, having regard to administrative exigencies specify :

[Provided that the resignation of a Member of a Service, shall not be accepted, against whom disciplinary proceedings are initiated as per the provisions of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or investigation or enquiry or trial is initiated];

*[Subs. by G.O.Ms. No. 250, G. A. (Ser.D), Dt. 14-07-2000]

Provided further that a member of a service may withdraw his resignation before it takes effect ;

*[Provided also that no withdrawal of resignation shall be permitted, if the withdrawal is made after the resignation takes effect.]

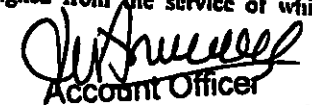
[(b) If the resignation of a member of a service has been accepted, but has not taken effect and he withdraws his resignation before it has taken effect, he should be deemed to be continuing in service.]

*[Subs. by G.O.Ms. No. 33, G. A. (Ser.D), Dt. 4-02-2014]

(c) A member of service, shall, if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation but all his previous service under the Government.

[x x x] [Omitted by G.O.Ms. No. 33, G. A. (Ser.D), Dt. 4-02-2014]

(e) Where a member of a service is selected for appointment by direct recruitment to another post, category or class in the same or different service and is appointed to it, his lien on the service or his probationary right, if any, in the post of the service under the State Government, which he was holding prior to such appointment by direct recruitment, shall be retained for a period of three years or until he becomes an approved probationer in the post, category or class in the same or different service of this State Government, to which he has been selected, whichever is earlier; and if before the expiry of three years he is not an approved probationer in the post to which he was selected for appointment by direct recruitment, in the same or different service of the Government, unless he reverts to the parent department, he shall be deemed to have resigned from the service of which he was a


Account Officer

Drawing & Disbursing Officer
D/o Commandant Head Quarter
AP Special Protection Force
Tirumalavaram.

OK

A.P.LAP-26-17-3-15-75,000.

DISTRICT: West Godavari

IN THE HIGH COURT OF JUDICATURE
AT HYDERABAD
FOR THE STATE OF TELANGANA AND
FOR THE STATE OF ANDHRA PRADESH.

WP.NO. 9425 OF 2012

USP-
Filed on 16/22
Counter Affidavit filed by the 4
Respondent

Received Copy:
Dated:

Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.

GOVT. PLEADER FOR
{COMPUTER CODE NO. 15561 }
Other Side Counsel:
M/s:

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.No.9425 of 2022

I N D E X

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4.	Proceedings of the Director General, APSPF, Vijayawada vide Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dt:23-11-2021.	16 - 19
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6.	Extract copy of Rule F.R.22a(iv) of A.P. Fundamental Rules.	25 - 25
7.	Extract copy of Rule 26 of A.P. Revised Pension Rules, 1980 Note-I.	26 - 26
8.	Extract copy of Rule 30(C) of A.P.State and Subordinate Service Rules, 1996.	27 - 27
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Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.

**IN THE HIGH COURT OF ANDHRA PRADESH
AT: AMARAVATHI**

W.P.No.9425 OF 2022

Between:

Ch.V. S. Prakash, S/o Chandra Rao,
Aged about 36 years,
Occ: Constable - 5337,
A.P. Special Protection Force,
UBI CC, Bhimavaram,
West Godavari District.

..... Petitioner

AND

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary, Home Department,
Secretariat, Velagapudi, Amaravathi,
Guntur District.
2. The Director General,
A.P. Special Protection Force,
Vijayawada.
3. The Dy. Inspector General,
A.P. Special Protection Force,
Vijayawada.
4. The Commandant,
Head Quarters,
A.P. Special Protection Force,
Rajamahendravaram,
East Godavari District-533 103.
5. The Assistant Commandant,
A.P. Special Protection Force,
ONGC, Rajahmundry.
6. The District Treasury Office,
Rajamahendravaram, East Godavari District.

..... Respondents



Attestor
Accounts Officer

Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.


Deponent
Commandant
AP Special Protection Force,
Rajamahendravaram.


COUNTER AFFIDAVIT FILED BY THE 4th RESPONDENT

I, D.K.S. Raju, aged 50 years, S/o Sri D. Satyanarayana Raju, working as i/c Commandant, Head Quarters, A.P. Special Protection Force, Rajamahendravaram resident of Rajamahendravaram do hereby solemnly affirm and sincerely state on oath as follows:-

1. It is respectfully submitted that, I am the 4th respondent in this writ petition working as i/c Commandant, Head Quarters, A.P. Special Protection Force, Rajamahendravaram and as such I am well acquainted with the facts of the case and filing this counter affidavit on behalf of 1st to 6th respondents also as I am authorized to do so. I have read the contents of the writ petition and submit that the petitioner did not disclose any valid or substantial grounds for issuance of any relief as prayed for by the petitioner.

2. It is respectfully submitted that, the petitioner herein not approached the Hon'ble Court with clean hands and has suppressed several material facts and as such, this writ petition is not maintainable and shall be liable to be dismissed on this ground alone.

3. It is respectfully submitted that, the petitioner was initially appointed as Constable in APSP (Andhra Pradesh Special Police) on 24-12-2007 and while he was in service in APSP, he was appointed as Constable in APSPF through direct recruitment on 28-8-2010.


Attestor
Accounts Officer

Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.



Deponent
i/c Commandant
AP Special Protection Force,
Rajamahendravaram.

4. It is respectfully submitted that, since the petitioner was appointed in APSPF while he was in service in other department (APSP), the pay in respect of the petitioner (along with other Constables) has been protected vide proceedings of the Director General, SPF, AP, Secunderabad in Rc.No.P5/08/SPF/2011, O.O.No.P-15/2012 dated: 27-2-2012 in terms of Rule FR-22a(iv) read with Rule 26 of AP Revised Pension Rules 1980 Note-I and Rule 30(C) of AP State Subordinate Service Rules, 1996.

5. It is respectfully submitted that, the increments of (16) Constables including the petitioner were regularized vide proceedings of the Dy. Inspector General, SPF, AP, Secunderabad in Rc.No.B4/07/SPF/PP/2014-15, O.O.No.B-71/2015, dated: 19-3-2015 by considering their past service and training period.

6. It is respectfully submitted that, some of the APSPF Constables, who were appointed through direct recruitment in 2013 on relief from other departments requested to regularize their pay fixations on par with the (16) Constables whose pay fixation done vide proceedings Rc.No.B4/07/SPF/PP/2014-15, O.O.No.B-71/2015, dated: 19-3-2015 duly considering their previous service and training period.

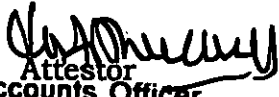
7. It is respectfully submitted that, the Director General, APSPF, Vijayawada has examined the whole issue as per Rule FR 22 a(iv) read with

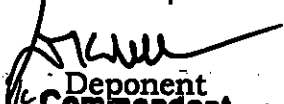

Attestor
Accounts Officer
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Rajamahendravaram.


Deponent
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Rule 26 of AP Revised Pension Rules, 1980 Note-I and Rule 30(C) of AP State and Subordinate Service Rules, 1996 and noticed that, the pay fixation of (16) Constables (including the petitioner) made vide proceedings Rc.No.B4/07/SPF/PP/2014-15, O.O.No.B-71/2015, dated:19-3-2015 is erroneous and not as per rules. Therefore, the Director General, APSPF, Vijayawada vide proceedings Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dated: 23-11-2021 cancelled the earlier orders issued erroneously, duly re-fixing the pay of (16) APSPF personnel (including the petitioner) in accordance with the rules, by protecting their substantive pay last drawn in the previous department. Further, in the said proceedings, the Director General, APSPF, Vijayawada has also directed the Commandants concerned to re-fix their pay and regularize their increments and recover excess pay and allowances if any and remit the same to the Government account.

8. It is respectfully submitted that, as per the directions issued by the Director General, APSPF, Vijayawada vide proceedings Rc.No.A4/APSPF/Genl/ 2021, O.O.No.A-87/2021, dated: 23-11-2021, the pay in respect of the petitioner has been re-fixed and regularized his increments by the Commandant, APSPF, Rajamahendravaram vide Rc.No.501/P/Re-fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dated: 18-1-2022. Then, it was found that, the petitioner has drawn an excess amount of Rs.2,24,922/-. Further, the petitioner in his representation dated: 21-1-2022 requested the Director General, APSPF, Vijayawada to recover the said amount in 17-20 installments from his salary


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Accounts Officer
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O/o. Commandant Head Quarters,
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Commandant
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Rajamahendravaram.

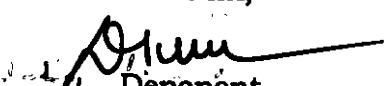
by considering his financial hardships. On that, the Deputy Inspector General, APSPF, Vijayawada has approved to recover the said amount in (20) installments on 21-1-2022. Consequently, the installments were increased from 17 to 20. Since the excess amount drawn by the petitioner belongs to the tax payers money/public money, the recovery has been started from his monthly salary w.e.f. February 2022. So far (03) installments have been effected up to April 2022. Therefore, the averments mentioned by the petitioner that, the respondents had cancelled his pay protection, regularized his increments and recovering his salary without prior notice are not true as the revised pay protection orders were issued as per rules and the petitioner is well aware about the matter and hence he also submitted representations on the recovery of excess amount.

9. It is respectfully submitted that, the petitioner has alleged that, his pay protection has been cancelled unilaterally vide Rc.No.501/P/fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dated:18-1-2022, which is not at all valid as his pay has been re-fixed only due to erroneous fixation done earlier.

10. It is respectfully submitted that, the main prayer of the petitioner is to set-aside the re-fixation orders issued vide Rc.No.501/P/fixation/APSPF/RJM/2022, O.O.No.P-7/RJM/2022, dated: 18-1-2022 and restore his pay fixation and increments as per proceedings dated: 27-2-2012 and dated: 19-3-2015. Further the petitioner has also claimed that,


Attestor


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajahmendravaram.

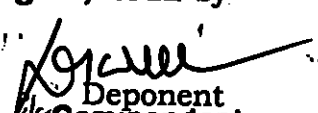

Deponent
Commandant
AP Special Protection Force,
Rajahmendravaram.

regularizing his increments and recovering of excess salary by the 4th respondent (i.e., Commandant, APSPF, Rajamahendravaram) without any prior notice and without any authority is illegal, unjust and contrary to the law, which cannot be acceptable as the Commandant, being the appointing authority to the petitioner, has been authorized/ empowered to issue any orders or modify any orders if necessary, in respect of the petitioner. In the instance case, the 4th respondent (Commandant) has acted strictly as per the relevant rules and as per the directions issued vide Rc.No.A4/APSPF/Genl/2021, O.O.No.A-87/2021, dated: 23-11-2021 by the Head of the Department only, as the fixation done earlier was erroneous and not as per rules.

11. It is respectfully submitted that, it was clearly mentioned in the proceedings dated: 19-3-2015 issued by the DIG, SPF, AP that, "if any excess payment is noticed at later date, the same will be recovered lump sum without any notice". However, the excess amount recovery from the salary of the petitioner has been effected in installment basis commencing from February, 2022 duly informing to the petitioner, but not recovered in lumpsum in order to facilitate the petitioner from financial hardship. Hence, there is no illegality took place in this regard as contended by the petitioner.

12. It is respectfully submitted that, the Apex Court in **Chandi Prasad Uniyal And Ors vs State Of Uttarakhand And Ors** on 17 August, 2012 by


Attestor
Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.


Deponent
Commandant
AP Special Protection Force,
Rajamahendravaram.

referring previous precedents opined that, the matter of excess payment recovery from the employees is realm of judicial discretion by considering the facts and circumstances of a particular case, which is reiterated as follows:-

"Such relief, restraining recovery back of excess payment, is granted by courts **not because of any right in the employees**, but in equity, in exercise of judicial discretion, to relieve the employees, from the hardship that will be caused if recovery is implemented. A Government servant, particularly one in the lower rungs of service would spend whatever emoluments he receives for the upkeep of his family. If he receives an excess payment for a long period, he would spend it genuinely believing that he is entitled to it. As any subsequent action to recover the excess payment will cause undue hardship to him, relief is granted in that behalf. But where the employee had knowledge that the payment received was in excess of what was due or wrongly paid, or where the error is detected or corrected within a short time of erroneous payment, Courts will not grant relief against recovery. The matter being in the realm of judicial discretion, courts may on the facts and circumstances of any particular case refuse to grant such relief against recovery."

Hence, the Apex Court judgment in State Of Punjab & Ors vs Rafiq Masih (White Washer) on 18 December, 2014 quoted by the petitioner in this writ petition cannot be a precedent to all the cases and the matter is subjected to the judicial discretion as the facts and circumstances varies from case to case.


Attestor


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.


Deponent
Commandant
AP Special Protection Force,
Rajamahendravaram.

13. It is respectfully submitted that, the Apex Court in the above said **Chandi Prasad Uniyal And Ors vs State Of Uttarakhand And Ors** has also given the following clarifications on the recovery "**tax payers money**", which has been drawn excessively by the employees due to erroneous pay fixation/ calculations:-

We are not convinced that this Court in various judgments referred to hereinbefore has laid down any proposition of law that only if the State or its officials establish that there was misrepresentation or fraud on the part of the recipients of the excess pay, then only the amount paid could be recovered. On the other hand, most of the cases referred to hereinbefore turned on the peculiar facts and circumstances of those cases either because the recipients had retired or on the verge of retirement or were occupying lower posts in the administrative hierarchy.

We are concerned with the excess payment of public money which is often described as "tax payers money" which belongs neither to the officers who have effected over-payment nor that of the recipients. We fail to see why the concept of fraud or misrepresentation is being brought in such situations. Question to be asked is whether excess money has been paid or not may be due to a bona fide mistake. Possibly, effecting excess payment of public money by Government officers, may be due to various reasons like negligence, carelessness, collusion, favouritism etc. because money in such situation does not belong to the payer or the payee. Situations may also arise where both the payer and the payee are at fault, then the mistake is mutual. Payments are being effected in many situations without any authority of law and payments have been received by the recipients also without any authority of law. **Any amount paid/received without**


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Rajamahendravaram.

authority of law can always be recovered barring few exceptions of extreme hardships but not as a matter of right, in such situations law implies an obligation on the payee to repay the money, otherwise it would amount to unjust enrichment.

In view of the above observation made by the Hon'ble Apex Court, there is no legal bar or embargo on the recovery of excess payment received by the petitioner and remitting the same to the Government Exchequer as the said amount belongs to tax payers money/public money.

14. It is humbly submitted that, the writ petition is not maintainable as the proceedings dated: 18-1-2022 issued by the 4th respondent are strictly in accordance with the relevant rules and in pursuance of the proceedings dated: 23-11-2021 issued by the 2nd respondent only. In his pay fixation orders, it is very clearly stated that if any excess payment made erroneously is noticed at a later date, the same will be recovered in future. Therefore, the petitioner cannot resort to litigation contending that there will be recovery of amount in lump sum. In fact, the recovery has been effected on installment basis only. Further, the petitioner has to state whether the re-fixation of pay is contrary to any rules or any procedure contemplated under law. Hence, the petitioner cannot obtain ex-parte stay on recovery without making substantive grounds in the writ petition. Therefore, obtaining stay on recovery is not permissible as the matter is absolutely premature at this juncture.


Attestor
Accounts Officer

Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.


Deponent
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AP Special Protection Force,
Rajamahendravaram.


15. It is respectfully submitted that, revising pay protection orders and regularizing increments accordingly in respect of the petitioner and recovering excess salary dawn, are absolutely justifiable and there is no illegality or infirmity took place in this regard.

16. In view of the above facts and circumstances, it is therefore prayed that the Hon'ble Court may be pleased to vacate the interim orders dated: 12-4-2022 passed in IA NO: 1 of 2022 in Writ Petition No: 9425 of 2022 and also dismiss the Writ Petition as it is devoid of merits in the interest of justice.

Solemnly and sincerely affirmed on
this the day of ____ September, 2022 and
Signed in my presence.


DEPONENT
Commandant
AP Special Protection Force.
Rajamahendravaram.


BEFORE ME


ATTESTOR
Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force.
Rajamahendravaram.

VERIFICATION

I, D.K.S. Raju, aged 50 years, S/o Sri D. Satyanarayana Raju, working as i/c Commandant, A.P. Special Protection Force, Rajamahendravaram, do hereby declare that the contents what is stated in the afore said paras are true and correct to the best of my knowledge, information and belief.

Hence, verified on this day of September, 2022.


(Deponent)
i/c Commandant, HQrs.,
A.P. Special Protection Force,
Rajamahendravaram.

G.P. FOR HOME (SERVICES).

Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.

PROCEEDINGS OF THE DIRECTOR GENERAL: SPF: AP: SEC-BAD.
PRESENT: SRI. T.P DAS, IPS.

RC.NO.P5/08/SPF/2011
O.O.NO.P-15/2012.

Dated.27.02.2012.

Sub:-SPF-Pay protection of certain Constables who were selected in SPF while in Service in other Departments-Regarding.

Ref:- 1 Representation of Sri S Srinivas,	CT-3682 SPF,ONGC	dt.nil
2. Representation of Sri.G.S.Narayana,	CT-4019, SPF, APHC	dt.nil
3. Representation of Sri G Rajesh,	CT-4043, SPF, Secretariat,	dt.nil
4.Representation of Sri.Ch.V.S.Prakash,	CT-5337, SPF, Academy,	dt.nil
5.Representation of Sri K.Hari Babu,	CT-4862, SPF, KKD,	dt.nil.

-&&&-

ORDER:-

The following Constables those who were selected in SPF while in Service in APSP Battalions have submitted their representations duly requesting to protect their pay as per Rules by considering their past Service rendered in APSP Battalions

2. The pay of the following personnel may be protected in terms of Rule FR-22a (iv) read with Rule 26 of AP Revised Pension Rules 1980 note-J and Rule 30(C) of AP State Subordinate Service Rule 1996.

Sl no	Rank & G.No in APSP	Rank& G.No in SPF	Name	Date of appointment in APSP Battalions	Date of appointment in SPF	Basic pay in parent unit in RPS-05 Rs.	Pay fixed in RPS-10 w.e.f. 28.8.10	NTDI Released and pay raised to Rs. w.e.f
01	PC-2529	CT-3682	S Srinivas	24.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
02	PC-2337	CT-4019	G S Naravana	24.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
03	PC-1870	CT-4043	G.Rajesh	17.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
04	PC-1847	CT-5337	Ch V.S.Prakash	17.12.07	28.8.10	4950	9200/-	9460 / 28.8.11
05	PC-1053	CT-4862	K Hari Babu	24.12.07	28.8.10	4950	9200/-	9460 / 1.9.11

3. As per the said Rules shown in Para No.2, the applicants are entitled to treat their past Service rendered in the departments for the purpose of benefits like continuity of Service, and pay protection, but the applicants are not entitled for any seniority protection and increment date in previous Service.

The above candidates are here by informed that if any excess payment noticed at later date, the same will be recovered in lumpsum without any notice.

Sd/-
DIRECTOR GENERAL
SPF: AP: SEC-BAD

To,
 The individuals through concerned unit officer,
 Copy to: Pay/Computer/Order Book/Stock File
 Copy to: The PAO, AP, Hyderabad

//t.c.W
[Signature]
ACCOUNTS OFFICER

[Signature]
Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

A, Secreariat

**PROCEEDINGS OF THE DEPUTY INSPECTOR GENERAL, O/o DG, APSPF
PRESENT SRI CH. YESURATNAM**

Re.No. B4/07/SPF/PP/2014-15
O.o.No.B-71/2015.

Date:19.03.2015.

Sub:- AP SPF- Regularization of increment in r/o Constables who were selected to SPF while in service in Police Department - Regarding.

Ref:- Representation of Individual, Dated: Nil.

The (16 Members) Constables have submitted representation and requested to regularize their increments by considering past service rendered in APSP department and also consider training period rendered in SPF in the purpose of increments as per rules and also stated that their batch mates working in Police department like Civil/AR and other DPO's have got increments by counting past service and training period.

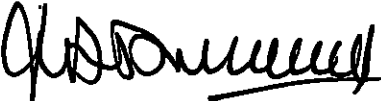
Finally, they have requested to consider their past Service Training period and regularize their increments as per rules and as was done in the cases of PC's working in the DPO's/Civil/AR.

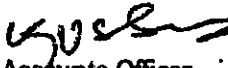
On careful examination of the matter, the request of the said Constables is considered under Rule 22 (a) (iv) read with Rule 26 of AP Revised Pension Rules 1980 Note-(I) and Rules 30(C) of AP Subordinate service Rules 1996 and with reference to Govt. Memo-22949/Ser.II/A1/2002, Home Dept., dated: 09.12.2002, their increments regularized and released nationally as per Rules but they are not entitle for Service/Seniority benefits in Andhra Pradesh Special Protection Force as per AP State Subordinate service Rules 1996. A statement showing regularization of increments in Annexure-I is appended to this order.

The list of personnel mentioned in Annexure-A are hereby informed that, if any excess payment is noticed at later date, the same will be recovered in lumpsum without any notice.

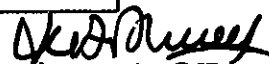
-Sd/-
Deputy Inspector General
AP Special Protection Force

To
The Individuals thro' Unit Officers.
Copy to: Pay/Computer/Order Book/Stock File
Copy to: B3 Seat, SPF, AP Hyderabad
Copy to: The PAO, AP, Hyderabad


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

//t.c.f//

Accounts Officer
AP SPF:Secunderabad.

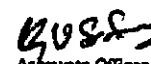
S.No	Rank/ G.No. in APSP	Rank/ G.No. in SPP	Name	Date of Appointment in APSP	Date of Appointment in SPP	Basic pay in APSP	PRC - 2005			PRC - 2010							MB:- eligible from the Date of declaration of Probation in SPP		
							NDI	NDI	NDI	PRC- 2010 MB:- w.e.f 01.02.10	NDI	NDI	NDI	NDI	NDI	SOP		NDI	
1	PC-1951	CT-3472	G.Kani Viswanadham	12.03.2004	06.02.2008	5200 w.e.f 01.03.2007	5335 w.e.f 01.03.2008	5470 w.e.f 01.03.2009	-	10820	10300 w.e.f 01.03.2010	10600 w.e.f 01.03.2011	10900 w.e.f 01.03.2012	11200 w.e.f 01.03.2013	11530 w.e.f 01.03.2014	11860 w.e.f 01.03.2014	12190 w.e.f 01.03.2015	05.02.2010 AN	
2	PC-1012	CT-3423	K.Arun Kumar	17.08.2005	06.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.09.2007	5200 w.e.f 01.10.2008	5335 w.e.f 01.10.2009	10020	10300 w.e.f 01.10.2010	10600 w.e.f 01.10.2011	10900 w.e.f 01.10.2012	11200 w.e.f 01.10.2013	11530 w.e.f 01.10.2014	11860 w.e.f 01.10.2014	-	10.03.2010 AN	
									Shifted increment from 17/01.08.2007 to 06/01.09.2007 due to (23) days LWP										
									Shifted increment from 08/01.09.2008 to 10/01.10.2008 due to (33) days LWP										
3	PC-1028	CT-3480	I.Suresh	17.08.2005	07.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.08.2008	5335 w.e.f 01.09.2009	10020	10300 w.e.f 01.09.2010	10600 w.e.f 01.11.2011	PFI without effect	10900 11200 w.e.f 01.11.2013 MB:- 01.11.2013	11530 w.e.f 01.11.2014	11860 w.e.f 01.11.2014		25.03.2010 AN	
									Shifted increment from 17/01.08.2009 to 19/01.09.2009 due to (34) days LWP										
									Shifted increment from 19/01.09.2011 to 06/01.11.2011 due to (49) days LWP										
4	PC-949	CT-3492	M.Ramesh	17.08.2005	06.02.2008	4950 w.e.f 01.08.2006	5075 w.e.f 01.08.2007	5200 w.e.f 01.09.2008	5335 w.e.f 01.09.2009	10020	10300 w.e.f 01.09.2010	10600 w.e.f 01.09.2011	10900 w.e.f 01.09.2012	11200 w.e.f 01.09.2013	11530 w.e.f 01.09.2014	11860 w.e.f 01.09.2014		25.02.2010 AN	
									Shifted increment from 17/01.08.2005 to 05/01.09.2008 due to (40) days LWP/EOL										
5	PC-189	CT-4187	M.Venkata Sivudu	17.08.2005	28.08.2010	5335 w.e.f 01.08.2009	-	-	-	10020	10300 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	-		27.08.2012 AN	
6	PC-2096	CT-5350	M.Srinivas Kumar	17.08.2005	28.08.2010	5335 w.e.f 01.08.2009	-	-	-	10020	10300 w.e.f 01.08.2010	10600 w.e.f 01.08.2011	10900 w.e.f 01.08.2012	11200 w.e.f 01.08.2013	11530 w.e.f 01.08.2014	-		20.09.2012 AN	
7	PC-2328	CT-3653	B.Chandrasekhar	24.12.2007	28.08.2010	4950 w.e.f 24.12.2008	5075 w.e.f 01.12.2009	-	-	9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015	-		15.09.2012 AN	
									Shifted increment from 24/01.12.2011 to 02/01.01.2012 due to (10) days LWP/EOL										
8	PC-2329	CT-3682	S.Srinivas	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	-	9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10300 w.e.f 01.02.2013	10600 w.e.f 01.02.2014	10900 w.e.f 01.02.2015	-		27.08.2012 AN	
									Shifted increment from 24/01.12.2012 to 11/02.01.2013 due to (43) days LWP										
9	PC-1979	CT-4681	V.Govinda Rao	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	-	9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	PFI without effect	10600 10900 w.e.f 01.01.2014	-		26.09.2012 AN	
									Shifted increment from 24/01.12.2011 to 07/01.01.2011 due to (15) days LWP										
10	PC-1111	CT-4609	G.Satyawarmaya	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	-	9460	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.12.2012	10600 w.e.f 01.12.2013	10900 w.e.f 01.12.2014	-		10.09.2012 AN	



Accounts Officer
 Drawing & Disbursement Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram.

11	PC-2303	CT-3673	B.Madhu Babu	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	-	9200	9450 w.e.f 01.01.2010	9740 w.e.f 01.01.2011	10200 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	-	10900 w.e.f 01.01.2015	04.04.2013 AN
Shifted increment from 24/01.12.2009 to 03/01.01.2010 due to (13) days LWP/EOL																		
12	PC-1229	CT-4945	P.Veeranjaneyulu	24.12.2007	28.08.2010	4950 w.e.f 01.01.2009	5075 w.e.f 01.01.2010	-	-	9200	9450 w.e.f 01.01.2010	9740 w.e.f 01.01.2011	10200 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	-	10900 w.e.f 01.01.2015	27.08.2012 AN
Shifted increment from 24/01.12.2008 to 15/01.01.2009 due to (24) days LWP/EOL																		
13	PC-1053	CT-4862	K.Hari Babu	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	-	9450	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.12.2012	10600 w.e.f 01.12.2013	10900 w.e.f 01.12.2014	-	-	27.08.2012 AN
14	PC-1847	CT-5337	CH.V.S.Prasadh	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.12.2009	-	-	9450	9740 w.e.f 01.12.2010	10020 w.e.f 01.12.2011	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015	-	-	12.09.2012 AN
Shifted increment from 24/01.12.2012 to 28/01.01.2013 due to (36) days LWP/EOL																		
15	PC-607	CT-5354	P.Brahminah	24.12.2007	28.08.2010	4950 w.e.f 01.12.2008	5075 w.e.f 01.01.2010	-	-	9450	9450 w.e.f 01.01.2011	10020 w.e.f 01.01.2012	10300 w.e.f 01.01.2013	10600 w.e.f 01.01.2014	10900 w.e.f 01.01.2015	-	-	11.09.2012 AN
Shifted increment from 24/01.12.2009 to 04/01.01.2010 due to (12) days LWP/EOL																		
16	PC-2096	CT-5523	V.Uma Maheswara Rao	24.12.2007	28.08.2010	4950 w.e.f 01.12.2009	-	-	-	9200	9450 w.e.f 01.05.2010	9740 w.e.f 01.05.2011	10020 w.e.f 01.06.2012	10300 w.e.f 01.06.2013	10600 w.e.f 01.06.2014	-	-	27.09.2012 AN
Shifted increment from 24/01.12.2008 to 02/01.02.2009 due to (70) days LWP/EOL																		
Shifted increment from 02/01.02.2010 to 25/01.03.2010 due to (84) days LWP/EOL																		
Shifted increment from 25/01.03.2010 to 03/01.06.2012 due to (15) days LWP/EOL																		

- Note:- 1. The due increments are now released nationally with M.D from the date of declaration of Probation in AP SPF.
 2. No, Seniority/Service protection is entitle in AP SPF as per AF State Subordinate Rules-1996
 3. The above individual are here by informed that if any excess payment notice & later the same be recovered in lumpsum without notice.

Sd/-
 Deputy Inspector General
 AP Special Protection Force

//t.c.f//

 Accounts Officer
 AP: SPF: Sec'Bad


 Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram.

Proceedings of the Director General, A. P. Special Protection Force, Vijayawada
Present: Sri N. V. Surendra Babu, IPS.

Rc.No.A4/APSPP/Genl/2021
O.o.No.A-87/2021

dt.23.11.2021

Sub: - Pay protection in respect of personnel appointed in APSPP on relief from other departments-Reg.

Ref: - 1. Proceedings Rc.No.P5/08/SPF/PP/2011-14, O.o.No.P-30/2014, dt.30.05.2014 of Dy. Inspector General, APSPP.
2. Proceedings Rc.No.B4/7/SPF/PP/2014-15, O.o.No.B-71/2015, dt.19.03.2015 of Dy. Inspector General, APSPP.
3. Representations of individuals received from Commandant, Tirupati vide Rc.No.18/B1/Comdt.Hqrs/APSPP/TPT/Incre.Genl/2021, dt.20.09.2021.

--oOo--


Order:

Through the reference 1st cited above, pay protection orders were issued to seven APSPP personnel who were appointed through direct recruitment in 2013 on relief from other departments under FR22 a (iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30 (c) of AP State and Subordinate Service Rules, 1996, taking into account their last pay drawn in previous service.

Through the reference 2nd cited above, pay protection orders were issued to sixteen other APSPP personnel who were appointed through direct recruitment in 2008 & 2010 on relief from other departments taking into account their previous service and counting the training period also.

Through the reference 3rd cited above, some of the APSPP personnel who were appointed through direct recruitment in 2013 on relief from other departments requested to regulate their pay fixations in line with the pay fixation given to the sixteen Constables vide reference 2nd cited duly considering their previous service and training period also.

Now, the whole issue has been examined as per Rule FR22 a (iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30 (c) of AP State and Subordinate Service Rules, 1996. It is noticed that, the pay fixation of sixteen


Accounts Officer,
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajahmendravaram.

APSPF personnel made vide reference 2nd cited above is erroneous and not as per rules. Therefore the orders issued in the reference 2nd cited are cancelled and the pay of sixteen APSPF personnel is re-fixed in accordance with rules, by protecting their substantive pay last drawn in the previous department as mentioned in the enclosed Annexure. They are eligible for next increment only after completion of one year of service from the date of appointment in APSPF and SGP/SPP-I/SPP-II scales after completion of required service in APSPF in terms of Rules FR22 a (iv) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30 (c) of AP State and Subordinate Service Rules, 1996.

Commandants concerned are directed to re-fix their pay and regulate their increments accordingly and recover excess pay and allowances if any and remit the same to Government account.

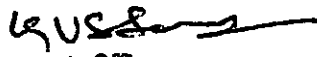
Necessary entries shall be made in the service registers of the individuals.

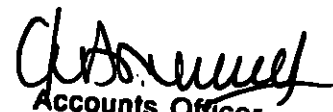
Encl: Annexure

Sd/-
Director General,
APSPF, Vijayawada.

To
Individuals concerned through Unit Officers.
Copy to: All Commandants, APSPF.
Copy to: The DTOs, Tirupati, Rajamahendravaram & Vijayawada.

// t.c.f.b.o //


Accounts Officer,
APSPF, Vijayawada.


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

Annexure

Pay protection in respect of personnel appointed in APSPF on relief from other departments

Proceedings Rc.No.A4/APSPF/Genl/2021
O.o.No.A-87/2021

Date:23.11.2021

Sl. No.	Rank/ G.No. in APSP	Rank/ G.No. in APSPF	Name S/Sri	Date of Appointment in APSP	Date of Appointment in APSPF	Basic pay in APSP (RPS-2005) Rs.	Basic pay fixed in APSPF (RPS-2005) Rs.
1	PC 1951	CT 3472	G. Kasi Viswanadham	12.03.2004	06.02.2008	5,200 w.e.f. 01.03.2007	5,200 w.e.f. 06.02.2008
2	PC 1012	CT 3423	K. Arun Kumar	17.08.2005	06.02.2008	4,950 w.e.f. 01.08.2006	4,950 w.e.f. 06.02.2008
3	PC 1028	CT 3480	I. Suresh	17.08.2005	07.02.2008	4,950 w.e.f. 01.08.2006	4,950 w.e.f. 07.02.2008
4	PC 949	CT 3492	M. Ramesh	17.08.2005	06.02.2008	4,950 w.e.f. 01.08.2006	4,950 w.e.f. 06.02.2008
5	PC 189	CT 4137	M. Venkata Sivudu	17.08.2005	28.08.2010	5,335 w.e.f. 01.08.2009	5,335 w.e.f. 28.08.2010
6	PC 2096	CT 5350	M. Srinivas Kumar	17.08.2005	28.08.2010	5,335 w.e.f. 01.08.2009	5,335 w.e.f. 28.08.2010
7	PC 2328	CT 3653	B. Charless	24.12.2007	28.08.2010	4,950 w.e.f. 24.12.2008	4,950 w.e.f. 28.08.2010
8	PC 2329	CT 3682	S. Srinivas	24.12.2007	28.08.2010	4,950 w.e.f. 01.12.2008	4,950 w.e.f. 28.08.2010
9	PC 1979	CT 4681	V. Govinda Rao	24.12.2007	28.08.2010	4,950 w.e.f. 01.12.2008	4,950 w.e.f. 28.08.2010
10	PC 1111	CT 4609	G. Satyanarayana	24.12.2007	28.08.2010	4,950 w.e.f. 01.12.2008	4,950 w.e.f. 28.08.2010


Accounts Officer


Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.


Proceedings Rc.No.A4/APSPF/Genl/2021
O.o.No.A-87/2021

Date:23.11.2021

Sl. No.	Rank/ G.No. in APSP	Rank/ G.No. in APSPF	Name S/Srl	Date of Appointment in APSP	Date of Appointment in APSPF	Basic pay in APSP (RPS-2005) Rs.	Basic pay fixed in APSPF (RPS-2005) Rs.
11	PC 2303	CT 3673	B. Madhu Babu	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
12	PC 1229	CT 4945	P. Veeranjanyulu	24.12.2007	28.08.2010	4,950 w.e.f 01.01.2009	4,950 w.e.f 28.08.2010
13	PC 1053	CT 4862	K. Hari Babu	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
14	PC 1847	CT 5337	CH. V. S. Prakash	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
15	PC 667	CT 5354	P. Brahminah	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2008	4,950 w.e.f 28.08.2010
16	PC 2096	CT 5323	V. Uma Maheswara Rao	24.12.2007	28.08.2010	4,950 w.e.f 01.12.2009	4,950 w.e.f 28.08.2010

Sd/-
Director General,
APSPF, Vijayawada.

// t.c.f.b.o //

Accounts Officer,
APSPF, Vijayawada.


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

PROCEEDINGS OF THE i/c COMMANDANT, APSPF, RAJAMAHENDRAVARAM
PRESENT : Sri D.K.S.Ramachandra Raju

Dated 18-1-2022

Rc.No.501/P/Re-Fixation/APSPF/RJM/2022
O.o.No.P-7/RJM/2022

Sub:- APSPF – Re-Fixation of pay in r/o Sri CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram - Orders Issued- Regarding.

- Ref:-** 1) Proceedings Rc.No.P5/08/SPF/PP/2011-14, O.o.No.P-30/2014, dt: 30.05.2014 of the Dy.Inspector General, APSPF, Sec'bad.
 2) Proceedings Rc.No.B4/7/SPF/PP/2014-15, O.o.No.B-71/2015, dt: 19.03.2015 of the Dy.Inspector General, APSPF, Sec'bad.
 3) Proceedings Rc.No.A4/APSPF/Genl/2021, O.o.No.A-87/2021, dt: 23.11.2021 of the DG APSPF, Vijayawada.

ORDER :


In the reference 1st cited above, pay protection orders were issued to the APSPF Personnel who were appointed through direct recruitment on relief from other departments under FR22 a (IV) read with Rule 26 of AP Revised Pension Rules, 1980 Note-1 and Rule 30(C) of AP State and Subordinate Service Rules, 1996, taking into account their last pay drawn in previous Department i.e., APSP.

In the reference 2nd cited above, pay protection Orders were issued to APSPF personnel who were appointed through direct recruitment on relief from other departments taking into account of their previous Service duly counting the training period of APSPF.

Vide reference 3rd cited above, now the Orders were issued that the pay fixation of the APSPF personnel made vide reference 2nd cited above is erroneous and not as per rules. Therefore the orders issued in the reference 2nd cited are cancelled and the pay of APSPF Personnel is re-fixed in accordance with rules, by protecting their substantive pay last drawn in the previous department. They are eligible for next increment only after completion of one year service from the date of appointment in APSPF and SGP/SPP-I, SPP-II scales after completion of required service in APSPF in terms of Rules FR22 a (IV) read with Rule 26 of AP Revised Pension Rules, 1980 Note - 1 and Rule 30(C) of AP State and Subordinate Service Rules, 1996.

Accordingly, in pursuance of the orders issued in the reference 3rd cited the pay of Sri CH.V.S.Prakash, Ct 5337 is re-fixed as follows.

- | | |
|------------------------------------------------------------------------------------|----------------|
| a) Date of Appointment in APSP on | : 24-12-2007. |
| b) Last basic pay drawn in APSP w.e.f. 24-12-2008 in PRC -2005 (TSP 4825-10845). | : Rs. 4,950/- |
| c) Date of Appointment in APSPF on | : 28-8-2010 |
| d) Basic pay fixed in RPS-2010 w.e.f. 28-8-2010 in APSPF (TSP 8440-24950). | : Rs. 9,200/- |
| e) Monetary benefit w.e.f. the date of declaration of probation in APSPF. | : 12-9-2012 AN |


 Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram.
 Contd. Page 2

Type of Increment	Existing			Revised		
	Date of Increment	Basic Pay Rs.	Scale of pay	Date of Increment	Basic Pay Rs.	Scale of pay
AGI	1-12-2011	10020	8440-24950	28-8-2011	9460	8440-24950
AGI	1-12-2012	10300	8440-24950	1-8-2012	9740	8440-24950
AGI	1-12-2013	10600	8440-24950	1-8-2013	10020	8440-24950
SGP	29-1-2014	10900	9200-27000	1-8-2014	10300	8440-24950
AGI	1-12-2014	11200	9200-27000	-	-	-
PRC-2015, Pay fixed (Monetary benefit w.e.f. 2-6-2014)	1-7-2013	21820	16400-49870	1-7-2013	20640	16400-49870
AGI	1-12-2013	22460	16400-49870	1-8-2013	21230	16400-49870
SGP	29-1-2014	23100	17890-53950	-	-	-
AGI	1-12-2014	23740	17890-53950	1-8-2014	21820	16400-49870
AGI	1-12-2015	24440	17890-53950	1-8-2015	22460	16400-49870
SGP	1-12-2016	25140	17890-53950	1-8-2016	23100	16400-49870
AGI	1-12-2017	25840	17890-53950	1-8-2017	24440	17890-53950
AGI	1-12-2018	26600	17890-53950	1-8-2018	25140	17890-53950
AGI	1-12-2019	27360	17890-53950	1-8-2019	25840	17890-53950
AGI	1-12-2020	28120	17890-53950	1-8-2020	26600	17890-53950
AGI	-	-	-	1-8-2021	27360	17890-53950

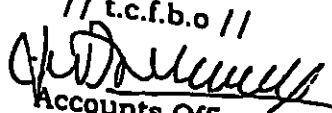
Sri CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram unit is hereby informed that, the excess amount of Rs. 2,24,922/- claimed by the individual due to wrong fixation of his pay will be recovered in (20) installments for Rs-11,618/- per month and Rs.4180/- being last installment from the Pay and Allowances of January 2022 Payable in February 2022 .


Encl: Over drawn particulars statement.

Sd/-
i/c Commandant,
AP Special Protection Force,
Rajamahendravaram.

To
Sri CH.V.S.Prakash, Ct 5337, SPF through AC,SPF,ONGC Rajahmundry.
Copy to Pay section.
Copy to Divisional Sub Treasury, Rajamahendravaram.
Copy to Order Book / Stock File.

// t.c.f.b.o //


Accounts Officer,
APSPF, Rajamahendravaram


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

Over drawn particulars statement in r/o CH.V.S.Prakash, Ct 5337 of APSPF, ABCC, Bhimavaram

DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 14.5 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
47.936		13-09-2012	30-09-2012	18 D	10020	9740	280	168	4803	4669	134	80	1202	1169	33	20	802	779	23	14					282
47.936		01-10-2012	30-11-2012	2 M	10020	9740	280	560	4803	4669	134	268	1202	1169	33	66	802	779	23	46					940
47.936		01-12-2012	31-12-2012	1 M	10300	9740	560	560	4937	4669	268	268	1236	1169	67	67	824	779	45	45					940
54.784		01-01-2013	30-06-2013	6 M	10300	9740	560	3360	5643	5336	307	1842	1236	1169	67	402	824	779	45	270					5874
54.784	ASLS	02-01-2013	11-01-2013	10 D	10300	9740	560	187	5643	5336	307	102	1236	1169	67	22	824	779	45	15					326
63.344		01-07-2013	31-07-2013	1 M	10300	9740	560	560	6524	6170	354	354	1494	1412	82	82	824	779	45	45					1041
63.344	ASLS	02-07-2013	16-07-2013	15 D	10300	9740	560	280	6524	6170	354	177	1494	1412	82	41	824	779	45	23					521
63.344		01-08-2013	30-11-2013	4 M	10300	10020	280	1120	6524	6347	177	708	1494	1453	41	164	824	802	22	88					2080
63.344	SLS	01-11-2013	30-11-2013	30 D	10300	10020	280	280	6524	6347	177	177	1494	1453	41	41	824	802	22	22					520
63.344		01-12-2013	31-12-2013	1 M	10600	10020	580	580	6714	6347	367	367	1537	1453	84	84	848	802	46	46					1077
71.904		01-01-2014	28-01-2014	28 D	10600	10020	580	524	7622	7205	417	377	1537	1453	84	76	848	802	46	42	2862	2705	157	142	1161
71.904	ASLS	02-01-2014	14-01-2014	13 D	10600	10020	580	251	7622	7205	417	181	1537	1453	84	36	848	802	46	20					488
71.904		29-01-2014	31-01-2014	3 D	10900	10020	880	85	7838	7205	633	61	1581	1453	128	12	872	802	70	7	2943	2705	238	23	188
71.904		01-02-2014	30-06-2014	5 M	10900	10020	880	4400	7838	7205	633	3165	1581	1453	128	640	872	802	70	350	2943	2705	238	1190	9745
77.896		01-07-2014	31-07-2014	1 M	10900	10020	880	880	8491	7805	686	686	1581	1453	128	128	872	802	70	70	2943	2705	238	238	2002
77.896	ASLS	02-07-2014	16-07-2014	15 D	10900	10020	880	440	8491	7805	686	343	1581	1453	128	64	872	802	70	35					882
77.896		01-08-2014	30-11-2014	4 M	10900	10300	600	2400	8491	8023	468	1872	1581	1494	87	348	872	824	48	192	2943	2781	162	648	5460
77.896	SLS	02-11-2014	16-11-2014	15 D	10900	10300	600	300	8491	8023	468	234	1581	1494	87	44	872	824	48	24					602
77.896		01-12-2014	31-12-2014	1 M	11200	10300	900	900	8724	8023	701	701	1624	1494	130	130	896	824	72	72	3024	2781	243	243	2046
77.896		01-01-2015	31-03-2015	3 M	11200	10300	900	2700	8724	8023	701	2103	1624	1494	130	390	896	824	72	216	3024	2781	243	729	6138
77.896	ASLS	02-01-2015	15-01-2015	14 D	11200	10300	900	420	8724	8023	701	327	1624	1494	130	61	896	824	72	34					842
12.052		01-04-2015	30-06-2015	3 M	23740	21820	1920	5760	2861	2630	231	693	3442	3164	278	834	1899	1746	153	459					7746
15.196		01-07-2015	31-07-2015	1 M	23740	21820	1920	1920	3608	3316	292	292	3442	3164	278	278	1899	1746	153	153					2643
15.196	ASLS	02-07-2015	16-07-2015	15 D	23740	21820	1920	960	3608	3316	292	146	3442	3164	278	139	1899	1746	153	77					1322
15.196		01-08-2015	30-11-2015	4 M	23740	22460	1280	5120	3608	3413	195	780	3442	3257	185	740	1899	1797	102	408					7048
15.196	SLS	02-11-2015	16-11-2015	15 D	23740	22460	1280	640	3608	3413	195	98	3442	3257	185	93	1899	1797	102	51					882
15.196		01-12-2015	31-12-2015	1 M	24440	22460	1980	1980	3714	3413	301	301	3544	3257	287	287	1955	1797	158	158					2726

Accounts Officer

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AP Special Protection Force,
Rajamahendravaram.

DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 14.5 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
18.34		01-01-2016	30-06-2016	6 M	24440	22460	1980	11880	4482	4119	363	2178	3544	3257	287	1722	1955	1797	158	948					16728
18.34	ASLS	02-01-2016	16-01-2016	15 D	24440	22460	1980	990	4482	4119	363	182	3544	3257	287	144	1955	1797	158	79					1395
22.008		01-07-2016	31-07-2016	1 M	24440	22460	1980	1980	5379	4943	436	436	3544	3257	287	287	1955	1797	158	158					2861
22.008	ASLS	02-07-2016	16-07-2016	15 D	24440	22460	1980	990	5379	4943	436	218	3544	3257	287	144	1955	1797	158	79					1431
22.008		01-08-2016	27-08-2016	27 D	24440	23100	1340	1167	5379	5084	295	257	3544	3350	194	169	1955	1848	107	93					1686
22.008		28-08-2016	31-08-2016	4 D	24440	23740	700	90	5379	5225	154	20	3544	3442	102	13	1955	1899	56	7					130
22.008		01-09-2016	30-11-2016	3 M	24440	23740	700	2100	5379	5225	154	462	3544	3442	102	306	1955	1899	56	168					3036
22.008	SLS	02-11-2016	16-11-2016	15 D	24440	23740	700	350	5379	5225	154	77	3544	3442	102	51	1955	1899	56	28					506
22.008		01-12-2016	31-12-2016	1 M	25140	23740	1400	1400	5533	5225	308	308	3645	3442	203	203	2000	1899	101	101					2012
24.104		01-01-2017	30-06-2017	6 M	25140	23740	1400	8400	6060	5722	338	2028	3645	3442	203	1218	2000	1899	101	606					12252
24.104	ASLS	02-01-2017	16-01-2017	15 D	25140	23740	1400	700	6060	5722	338	169	3645	3442	203	102	2000	1899	101	51					1022
25.676		01-07-2017	31-07-2017	1 M	25140	23740	1400	1400	6455	6095	360	360	3645	3442	203	203	2000	1899	101	101					2064
25.676	ASLS	02-07-2017	16-07-2017	15 D	25140	23740	1400	700	6455	6095	360	180	3645	3442	203	102	2000	1899	101	51					1033
25.676		01-08-2017	30-11-2017	4 M	25140	24440	700	2800	6455	6275	180	720	3645	3544	101	404	2000	1955	45	180					4104
25.676	SLS	02-11-2017	16-11-2017	15 D	25140	24440	700	350	6455	6275	180	90	3645	3544	101	51	2000	1955	45	23					51
25.676		01-12-2017	31-12-2017	1 M	25840	24440	1400	1400	6635	6275	360	360	3747	3544	203	203	2000	1955	45	45					2008
27.248		01-01-2018	30-06-2018	6 M	25840	24440	1400	8400	7041	6659	382	2292	3747	3544	203	1218	2000	1955	45	270					12180
27.248	ASLS	02-01-2018	16-01-2018	15 D	25840	24440	1400	700	7041	6659	382	191	3747	3544	203	102	2000	1955	45	45					1016
30.392		01-07-2018	31-07-2018	1 M	25840	24440	1400	1400	7853	7428	425	425	3747	3544	203	203	2000	1955	45	45					2073
30.392	ASLS	02-07-2018	16-07-2018	15 D	25840	24440	1400	700	7853	7428	425	213	3747	3544	203	102	2000	1955	45	23					1038
30.392		01-08-2018	30-11-2018	4 M	25840	25140	700	2800	7853	7641	212	848	3747	3645	102	408	2000	2000	0	0					4056
30.392	SLS	02-11-2018	16-11-2018	15 D	25840	25140	700	350	7853	7641	212	106	3747	3645	102	51	2000	2000	0	0					507
30.392		01-12-2018	31-12-2018	1 M	26600	25140	1460	1460	8084	7641	443	443	3857	3645	212	212	2000	2000	0	0					2115
33.536		01-01-2019	30-06-2019	6 M	26600	25140	1460	8760	8921	8431	490	2940	3857	3645	212	1272	2000	2000	0	0					12972
33.536	ASLS	02-01-2019	16-01-2019	15 D	26600	25140	1460	730	8921	8431	490	245	3857	3645	212	106	2000	2000	0	0					1081
33.536		01-07-2019	31-07-2019	1 M	26600	25140	1460	1460	8921	8431	490	490	3857	3645	212	212	2000	2000	0	0					2556
33.536	ASLS	02-07-2019	16-07-2019	15 D	26600	25140	1460	730	8921	8431	490	245	3857	3645	212	106	2000	2000	0	0	7182	6788	394	394	1081
33.536		01-08-2019	30-11-2019	4 M	26600	25840	760	3040	8921	8666	255	1020	3857	3747	110	440	2000	2000	0	0	7182	6977	205	820	5320

Drawing & Disbursing Officer,
 O/n. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram.

DA %	Period				BASIC PAY			Total	DA			Total	HRA (up to 30-6-2013 - 12 % & from 1-7-2013 - 14.5 %)			Total	AHRA (8%)			Total	IR (27%)			Total	Grand Total
		From	To	Mont hs / Days	Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		Drawn	Due	Diff		
33.536	SLS	02-11-2019	16-11-2019	15 D	26600	25840	760	380	8921	8666	255	128	3857	3747	110	55	2000	2000	0	0					563
33.536		01-12-2019	31-12-2019	1 M	27360	25840	1520	1520	9175	8666	509	509	3967	3747	220	220	2000	2000	0	0	7387	6977	410	410	2659
33.536		01-01-2020	30-06-2020	6 M	27360	25840	1520	9120	9175	8666	509	3054	3967	3747	220	1320	2000	2000	0	0	7387	6977	410	2460	15954
33.536	ASLS	02-01-2020	15-01-2020	14 D	27360	25840	1520	709	9175	8666	509	238	3967	3747	220	103	2000	2000	0	0					1050
33.536		01-07-2020	31-07-2020	1 M	27360	25840	1520	1520	9175	8666	509	509	3967	3747	220	220	2000	2000	0	0	7387	6977	410	410	2659
33.536	ASLS	02-07-2020	16-07-2020	15 D	27360	25840	1520	760	9175	8666	509	255	3967	3747	220	110	2000	2000	0	0					1125
33.536		01-08-2020	30-11-2020	4 M	27360	26600	760	3040	9175	8921	254	1016	3967	3857	110	440	2000	2000	0	0	7387	7182	205	820	5316
33.536	SLS	02-11-2020	16-11-2020	15 D	27360	26600	760	380	9175	8921	254	127	3967	3857	110	55	2000	2000	0	0					562
33.536		01-12-2020	31-12-2020	1 M	28120	26600	1520	1520	9430	8921	509	509	4077	3857	220	220	2000	2000	0	0	7592	7182	410	410	2659
33.536		01-01-2021	30-06-2021	6 M	28120	26600	1520	9120	9430	8921	509	3054	4077	3857	220	1320	2000	2000	0	0	7592	7182	410	2460	15954
33.536	ASLS	02-01-2021	16-01-2021	15 D	28120	26600	1520	760	9430	8921	509	255	4077	3857	220	110	2000	2000	0	0					1125
33.536		01-07-2021	31-07-2021	1 M	28120	26600	1520	1520	9430	8921	509	509	4077	3857	220	220	2000	2000	0	0	7592	7182	410	410	2659
33.536	ASLS	02-07-2021	16-07-2021	15 D	28120	26600	1520	760	9430	8921	509	255	4077	3857	220	110	2000	2000	0	0					1125
33.536		01-08-2021	31-12-2021	5 M	28120	27360	760	3800	9430	9175	255	1275	4077	3967	110	550	2000	2000	0	0	7592	7387	205	1025	6650
33.536	SLS	02-11-2021	16-11-2021	15 D	28120	27360	760	380	9430	9175	255	128	4077	3967	110	55	2000	2000	0	0					563
Grand Total =																							224922		

[Signature]
 Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram.

[Signature]
 Accounts Officer
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 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram

**Pay of Revenue Subordinates undergoing
Taluk Head Accountant's training**

(6) Collectors are empowered to permit the clerks to undergo treasury training, to draw during the period of training the pay of any officiating appointment held by them, at the time they were deputed for such training. But this rate of pay should only be allowed for a period during which the accountant would have held the officiating appointment had he not been deputed for the training.

(7) Omitted by G.O.Ms.No. 410, Finance, Dt. 15-12-1964.

(8) Approved probationers in the category of Junior Assistants, officiating Senior Assistants promoted from the Junior Assistants, and approved probationers who were directly recruited to the category of Senior Assistants in the Office of the Commissioner of Land Revenue, have been permitted to undergo survey training and to serve as Revenue Inspectors. The periods spent on survey training and as Revenue Inspectors will be deemed to be periods of duty under Rule 9(6)(b)(i).
[xxxx] [G.O.Ms.No. 391, Fin. & Plg. (F.R.I.), Dt. 30-12-1975]

The Junior Assistants/Senior Assistants will continue to be borne on the establishment of the Commissioner of Land Revenue and substitutes may be appointed in their places in that establishment.

The Junior Assistants/Senior Assistants, during the period of their training; continue to the rates of pay of the posts in the office of Commissioner of Land Revenue, from which they have been deputed, so long as they do not cease to have places in that office; if, for any reason, an Assistant in the office of Commissioner of Land Revenue while undergoing training as a Revenue Inspector, ceases to have a place in the office in which he has been working, he will be given the minimum pay of a Junior Assistant, in the mufassal for the period during which he will have no place in the parent office.

One acting vacancy in the grade of Junior Assistant, should be kept unfilled in the district concerned for every Assistant deputed to the district from the office of the Commissioner of Land Revenue.

(9) & (10) [Not Printed]

F.R. 21. [Omitted by G.O.Ms.No. 30, Fin. & Plg. (FW:FR.I) Dept., Dt. 2-3-95]

F.R. 22. The initial substantive pay of a Government servant who is appointed substantively to a post on time-scale of pay is regulated as follows :

(a) If he holds a lien on a permanent post, other than a tenure post, or would hold a lien on such a post had his lien not been suspended :

(i) When appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purpose of Rule 30), than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post;

(ii) When appointment to the new post does not involve such assumption he will draw as initial pay the stage of the time scale which is equal to his substantive pay in respect of the old post, or if there is no such stage, the stage next below that pay, plus personal pay equal to the difference, and in either case will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post, or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay ;

(iii) When appointment to the new post is made on his own request under Rule 15(a) and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay;

((iv) The pay of a regular Government servant (not appointed under emergency provisions) when appointed directly to another post, under the Government on selection by the A.P. Public Service Commission, shall be fixed in the new post at a stage which is not lower than the pay drawn by him in the earlier post.] [G.O.Ms.No. 213, Fin., Dt. 13-7-1983]

[Provided that if there is no stage in the pay scale of the new post, the pay shall be fixed in the new post at the stage next below the pay protecting the short fall, if any, as personal pay to be absorbed in future rise in pay on account of grant of increment or otherwise ;

Provided further that the benefit shall be confined to the Government employees only. The employees working in Central Government, Universities, Aided Institutions, etc., who are appointed to the Govt. service on selection by the Andhra Pradesh Public Service Commission or District Selection Committee are not eligible for the benefit provided under sub-clause (iv) of this rule.] [Added by G.O.Ms.No. 279, Fin. & Plg. (F.W. F.R. II), Dt. 14-10-1996]

(b) If the conditions prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale :

Provided, both in cases covered by clause (a) and in cases other than cases of re-employment after resignation, removal or dismissal from the public service covered by clause (b), that if he either—

(1) has previously held substantively or officiated in—

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale,

or

(iii) a permanent post, other than a tenure post, on an identical time-scale, or a temporary post on an identical time-scale such post being on the same time-scale as a permanent post ; or

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[U.O. Note No. 13127-A/113/F R 1493, Fin. & Plg. (FIR) Dept., Dt. 13-5-93]

(ii) The E.O.L with permission accorded as per the Executive Instruction 1 should not be utilised to secure the job abroad, but should be utilised for undertaking employment abroad only.

[G.O. Ms. No. 756, Finance (F R I) Dept., Dt. 7-8-2002]

(iii) The benefit of the availment of above E.O.L shall be given to government employees at a single stretch or in different spells, but for a period not exceeding five years in all during the entire service.

22. Counting of periods spent on training :—The Government may, by order, decide whether the time spent by a Government servant under training immediately before appointment to service under that Government shall count as qualifying service.

[Note :—The service of a trainee during training period shall count for pension provided he is selected for the post as a direct recruit and is appointed to it prior to being sent on training and such training period counts for probation.]

[G.O.Ms.No. 224, Fin. & Plg., Dt. 4-5-1994]

23. Counting of periods of suspension :—Time passed by a Government servant under suspension pending enquiry into conduct shall count as qualifying service where, on conclusion of such inquiry, he has been fully exonerated or the suspension is held to be wholly unjustified; in other cases, the period of suspension shall not count unless the authority competent to pass orders under the rule governing such cases expressly declares at the time that it shall count to such extent as the competent authority may declare.

24. Forfeiture of service on dismissal or removal :—Dismissal or removal of a Government servant from a service or post entails forfeiture of his past service.

25. Counting of past service on reinstatement :—(1) A Government servant who is dismissed, removed or compulsorily retired from service, but is reinstated on appeal or review, is entitled to count his past service as qualifying service.

(2) The period of interruption in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension, if any, shall not count as qualifying service unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

26. Forfeiture of service on resignation :—(1) Resignation from a service or post entails forfeiture of past service :

Provided that a resignation shall not entail forfeiture of past service if it has been submitted to take up, with proper permission, another appointment, whether temporary or permanent, under the Government where service qualifies.

(2) Interruption in service in a case falling under the proviso to sub-rule (1), due to the two appointments being at different stations, not exceeding the joining time permissible under the rules of transfer, shall be covered by grant of leave of any kind due to the Government servant on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to him.

Note 1 :—Under proviso of Rule 26, resignation of an appointment to take up with proper permission another appointment whether permanent or temporary service which counts in full or in

part is not resignation from public service. A question has been raised whether in such cases a separate sanction should be issued indicating that resignation has been accepted under the above provisions. In order to enable the audit/administration officer to regulate the consequential benefits in the matter of pay fixation, carry forward of leave, pension, etc., in cases of the above type the order accepting the resignation should clearly indicate that the employee is resigning to join another appointment with proper permission and that the benefits under proviso to Rule 26 will be admissible to him. The contents of such order should also be noted in the service book of the individual concerned under proper attestation. No separate order sanctioning these benefits in such case each time would be necessary.

Note 2 :—A member of a service or services who is selected for appointment by direct recruitment to another post, category or class in the same or different service and is appointed to it, shall, as soon as he is appointed to the post, category or class for which he has been selected by direct recruitment as aforesaid :

Provided that nothing in this ruling shall effect the benefits accrued to such member of a service or services in the previous post or posts, except the lien or probationary right, as the case may be, on such post or posts.

27. Effect of interruption in service :—(1) An interruption in the service of a Government servant entails forfeiture of his past service except in the following cases :

(a) authorised leave of absence;

(b) unauthorised absence in continuation of authorised leave of absence so long as the post of absentee is not filed substantively;

(c) suspension, where it is immediately followed by reinstatement whether in the same or a different post, or where the Government servant dies or is permitted to retire or if retired on attaining the age of compulsory retirement while under suspension;

(d) abolition of office or loss of appointment owing to reduction of establishment;

(e) transfer to non-qualifying service in an establishment under the control of the Government if such transfer has been ordered by a competent authority in the public interest;

(f) joining time while on transfer from one post to another.

(2) Notwithstanding anything contained in sub-rule (1), the pension sanctioning authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave.

28. Condonation of interruption in service :—The interruption between two or more [spells of Government service or] between non-Government service (as service under Municipalities, District Boards, etc.) and Government service or between two spells of non-Government service shall be treated as automatically condoned without any formal order of sanctioning authority without restrictions as regards period of interruption as well as the length of period preceding interruption excluding, however, the periods of interruption themselves.

[Sub. by G.O.Ms.No. 181, Fin.(Pen-I) Dept., Dt.27-7-1981]

[Signature]
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entitled to, under these rules or the special rules, if in the opinion of the appointing authority such relinquishment is not opposed to public interest. Such relinquishment once made will be final and irrevocable. Nothing contained in these rules or the special rules shall be deemed to require the recognition of any right or privilege to the extent to which it has been so relinquished :

Provided that no conditional relinquishment or relinquishment of right for a temporary period shall be permitted.

29. Re-employment of members of service discharged on account of their suffering from T.B., etc. :—(a) A member of the State or Subordinate Service discharged on account of his suffering from T.B. or such other diseases as may be specified by the Government from time to time, shall be eligible for re-appointment to the post held by him prior to his discharge as aforesaid or to a post of the same rank and status in the department concerned, if he is declared non-infective and medically fit for Government service by the Medical authority, authorised for this purpose by the State Government.

(b) For the purpose of determining whether any such member possesses the age qualification, where such age qualifications are prescribed in the special rules or these rules the period of his service in the post held by him prior to his discharge shall be deducted from the actual age and if the age so computed does not exceed the prescribed age limit by more than three years, he shall be deemed to be with the prescribed age limit.

(c) On re-appointment of any such member the actual service rendered by him prior to his discharge from service, shall count for purposes of seniority and pay, to the extent to which it would have been counted for the said purposes had he not been discharged. The break in service between the date of discharge and the date of reappointment shall not, however, count for any purpose, but his service shall, otherwise, be regarded as continuous. On re-appointment of such a member to the same post or to a post of the same rank and status the service which has not been counted for increments before, upto a maximum of one year and any leave to his credit under the leave rules by which such member was governed at the time of his discharge, shall also be allowed to be carried over to his account.

(d) The provisions of this rule shall have effect notwithstanding anything contained in these rules or the special rules applicable to the concerned members of a service.

30. Resignation :—(a) A member of a service may resign his appointment and the acceptance of his resignation by the appointing authority shall take effect :—

[S.S.R.—4]

(i) in case he is on duty, from the date on which he is relieved of his duties in pursuance of such acceptance;

(ii) in case he is on leave, from the date of communication of such acceptance to the member or if the said authority so directs, from the date of expiry of leave; and

(iii) in any other case, from the date of communication of such acceptance to the member or from such other date, not being earlier than the date on which he was last on duty, as the said authority may, having regard to administrative exigencies specify :

[Provided that the resignation of a Member of a Service, shall not be accepted against whom disciplinary proceedings are initiated as per the provisions of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or investigation or enquiry or trial is initiated];

*[Subs. by G.O.Ms. No. 250, G. A. (Ser.D), Dt. 14-07-2000]

Provided further that a member of a service may withdraw his resignation before it takes effect ;

*[Provided also that no withdrawal of resignation shall be permitted, if the withdrawal is made after the resignation takes effect.]


[(b) If the resignation of a member of a service has been accepted, but has not taken effect and he withdraws his resignation before it has taken effect, he should be deemed to be continuing in service.]

*[Subs. by G.O.Ms. No. 33, G. A. (Ser.D), Dt. 4-02-2014]

(c) A member of service, shall, if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation but all his previous service under the Government.

[x x x] [Omitted by G.O.Ms. No. 33, G. A. (Ser.D), Dt. 4-02-2014]

(e) Where a member of a service is selected for appointment by direct recruitment to another post, category or class in the same or different service and is appointed to it, his lien on the service or his probationary right, if any, in the post of the service under the State Government, which he was holding prior to such appointment by direct recruitment, shall be retained for a period of three years or until he becomes an approved probationer in the post, category or class in the same or different service of this State Government, to which he has been selected, whichever is earlier; and if before the expiry of three years he is not an approved probationer in the post to which he was selected for appointment by direct recruitment, in the same or different service of the Government, unless he reverts to the parent department, he shall be deemed to have resigned from the service of which he was a


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
 (Special Original Jurisdiction)
 TUESDAY, THE TWELFTH DAY OF APRIL
 TWO THOUSAND AND TWENTY TWO
 :PRESENT:
 THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
 WRIT PETITION NO: 9425 OF 2022



Between:

CH Venkata Satya Prakash, S/o Chandra Rao, Age 36 years, Working as a Special Protection Force Constable(5337), Bhimavaram, West Godavari District.

Petitioner

AND

1. The State Of Andhra Pradesh, Rep. by its Principal Secretary, Home (Service) Administration Department, Secretariat Buildings, Velagapudi, Amravati, Guntur District.
2. The Director General,, Andhra Pradesh Special Protection Force, Vijayawada, Andhra Pradesh.
3. The Deputy Inspector General,, Andhra Pradesh Special Protection Force, Vijayawada, Andhra Pradesh.
4. The Commandant,, Andhra Pradesh Special Protection Force, Rajamahendravaram, East Godavari District.
5. The Assistant Commandant,, Andhra Pradesh Special Protection Force, Rajamahendravaram.
6. The Divisional Sub Treasury Office,, Rajamahendravaram.

.... Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT of MANDAMUS to declare the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 in unilaterally cancelled the pay protection and regularization of increments and recovering the salary is without issuing any prior notice and without any authority under law the same is illegal, arbitrary, unjust, irrational and contrary to law and violations of Principles of Natural Justice and contrary Articles 300-A, 14, 16 and 21 of Constitution of India and consequently set aside the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents to continue the pay fixation and increments given under the proceedings of 2nd Respondent in Rc.No P5/08/SPF/2011 Dated 27.2.2012 and 3rd Respondent in Rc.No B4/07/SPF/PP/2014-15 Dated 19.3.2015.

IA NO: 1 OF 2022

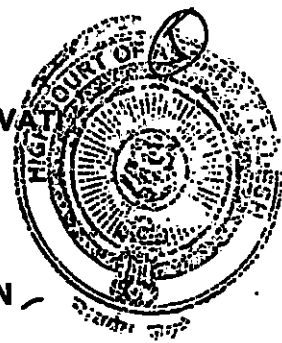
Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Suspend the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/ Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents not to recover the petitioner salary, Pending disposal of WP 9425 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and herein and upon hearing the arguments of S SRINIVASA RAO Advocate for the Petitioner and GP for Home for the Respondent Nos.1 to 5 and GP for Finance and Planning for Respondent No.6, and the Court made the following ORDER:

"Heard the counsel for the petitioner.

[Signature]
 Accounts Officer
 Drawing & Disbursing Officer,
 O/o. Commandant Head Quarters,
 AP Special Protection Force,
 Rajamahendravaram.

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)
TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO
:PRESENT:



THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
WRIT PETITION NO: 9425 OF 2022

Between:

CH Venkata Satya Prakash, S/o Chandra Rao, Age 36 years, Working as a
Special Protection Force Constable(5337), Bhimavaram, West Godavari District.

Petitioner

AND

1. The State Of Andhra Pradesh, Rep. by its Principal Secretary, Home (Service) Administration Department, Secretariat Buildings, Velagapudi, Amravati, Guntur District.
2. The Director General,, Andhra Pradesh Special Protection Force, Vijayawada, Andhra Pradesh.
3. The Deputy Inspector General,, Andhra Pradesh Special Protection Force, Vijayawada, Andhra Pradesh.
4. The Commandant,, Andhra Pradesh Special Protection Force, Rajamahendravaram, East Godavari District.
5. The Assistant Commandant,, Andhra Pradesh Special Protection Force, Rajamahendravaram.
6. The Divisional Sub Treasury Office,, Rajamahendravaram.

.... Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT of MANDAMUS to declare the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 in unilaterally cancelled the pay protection and regularization of increments and recovering the salary is without issuing any prior notice and without any authority under law the same is illegal, arbitrary, unjust, irrational and contrary to law and violations of Principles of Natural Justice and contrary Articles 300-A, 14, 16 and 21 of Constitution of India and consequently set aside the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents to continue the pay fixation and increments given under the proceedings of 2nd Respondent in Rc.No P5/08/SPF/2011 Dated 27.2.2012 and 3rd Respondent in Rc.No B4/07/SPF/PP/2014-15 Dated 19.3.2015.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Suspend the impugned Proceedings of the 4th Respondent in vide Rc.No501/P/ Re-Fixation/APSPF/RJM/2022 Dated 18.1.2022 and direct the Respondents not to recover the petitioner salary, Pending disposal of WP 9425 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and herein and upon hearing the arguments of S SRINIVASA RAO Advocate for the Petitioner and GP for Home for the Respondent Nos.1 to 5 and GP for Finance and Planning for Respondent No.6, and the Court made the following ORDER:

"Heard the counsel for the petitioner.

[Signature]
Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

The Government Pleader for Services-I takes notice for the respondents for filing counter.

The counsel for the petitioner submits that the petitioner is working as a Special Constable (5337) in the Special Protection Force at Bhimavaram.

While so, the impugned proceedings dated 18.01.2022 was issued by the respondent No.4 herein ordering recovery of a sum of Rs.2,32,351/- towards excess amount paid to the petitioner, which is to be recovered in 17 installments at the rate of Rs.13,740/- per month with effect from January, 2022 payable in February, 2022 and the last installment payable would be of Rs.12,511/-.

The counsel for the petitioner submits that without issuance of any notice, the recovery is contrary to the judgment of the Hon'ble Supreme Court of India and also in the similar instance this Hon'ble Court passed orders in W.P.No.6896 of 2022, dated 22.03.2022 wherein an interim order has been passed staying the recovery of the excess amount.

Hence, the similar order can be passed in this writ petition also and there shall be a stay on recovery of the other installments towards excess payment from the petitioner henceforth pending further orders in this writ petition.

In the meanwhile, the respondents shall file their counters.

Post after Summer Vacation, 2022."

//TRUE COPY//


Sd/-S.K.MD.RAFI
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Home (Service) Administration Department, Secretariat Buildings, Velagapudi, State Of Andhra Pradesh, Amravati, Guntur District.
2. The Director General,, Andhra Pradesh Special Protection Force, Vijayawada, Andhra Pradesh.
3. The Deputy Inspector General,, Andhra Pradesh Special Protection Force, Vijayawada, Andhra Pradesh.
4. The Commandant,, Andhra Pradesh Special Protection Force, Rajamahendravaram, East Godavari District.
5. The Assistant Commandant,, Andhra Pradesh Special Protection Force, Rajamahendravaram.
6. The Divisional Sub Treasury Office,, Rajamahendravaram. (1 to 6 by RPAD)
7. One CC to SRI. S SRINIVASA RAO Advocate [OPUC]
8. Two CCs to GP FOR Home, High Court Of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR Finance and Planning, High Court Of Andhra Pradesh. [OUT]
10. One spare copy

pr


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram

15
HIGH COURT

BKMJ

POST AFTER SUMMER VACATION, 2022.


DATED:12/04/2022

ORDER

WP.No.9425 of 2022

DIRECTION

STAY


Accounts Officer
Drawing & Disbursing Officer,
O/o. Commandant Head Quarters,
AP Special Protection Force,
Rajamahendravaram.

MEMORANDUM OF WRIT VACATE MISC., PETITION
(Under Section 151 of the CPC)
IN THE HIGH COURT OF ANDHRA PRADESH :: AT AMARAVATI

I.A. No. of 2022

In

W.P.No. 9425 of 2022

Between:

- 1) The State of Andhra Pradesh
Rep by its Principal Secretary Home Service Administration Department,
Secretariat Buildings Velagapudi Amaravathi Guntur District.
- 2) The Director General
Andhra Pradesh Special Protection Force Vijayawada.
- 3) The Deputy Inspector General
Andhra Pradesh Special Protection Force Vijayawada.
- 4) The Commandant
Andhra Pradesh Special Protection Force Rajamahendravaram,
East Godavari District.
- 5) The Assistant Commandant
Andhra Pradesh Special Protection Force Rajamahendravaram.

...Petitioners/Respondents

And

- 1) CH VENKATA SATYA PRAKASH
S/o Chandra Rao Age 36 years Working as a Special Protection Force,
Constable5337 Bhimavaram West Godavari District.

....Respondent/Petitioner

- 2) The District Treasury Office
Rajamahendravaram.

....Respondents/Respondents

In view of the above facts and circumstances, it is therefore prayed that this Hon'ble Court may be pleased to vacate the interim orders dated:12.04.2022 passed in I.A.No.1 of 2022 in W.P.No.9425 of 2022 and dismiss the Writ Petition as it is devoid of merits in the interest of justice.

Amaravati:
Dt.:26.08.2022

G.P.For Services-I
(15561)

*Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.*

OU

DISTRICT : WEST GODAVARI
IN HIGH COURT OF ANDHRA
PRADESH :: AT AMARAVATI

I.A. No. of 2022
In
W.P.No. 9425 of 2022

IASP
filed 51
19/22
22

VACATE STAY PETITION

G.P.For Services-I
(15561)

Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.