

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

School Education Department – Amendment to the certain Rules to the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Management) Rules, 1993 - Notification-Orders – Issued.

SCHOOL EDUCATION (PS) DEPARTMENT

G.O.MS. No.30

Dated:11.07.2025
Read the following: -

1. G.O.Ms.No.1, Education (PS.2) Department, dated: 01.01.1994.
2. G.O.Ms.No.43, School Education (PS) Dept., dated. 09.08.2018.
3. G.O.Ms.No.26, School Education (PS) Dept., dated. 16.02.2019.
4. The Hon'ble High Court Orders dt: 16.04.2019 in WP.No. 28912 of 2018 and 18 others.
5. The Hon'ble High Court Orders dt: 05.01.2023 in WP.No. 30927 of 2022 and 17 others.
6. Orders dt:09.05.2025 in W.P.No.7036 of 2025 and 09 others of the Hon'ble High Court, Andhra Pradesh.
7. From the Commissioner of School Education, A.P., Vide Lr.Rc.NoESSE02-17022/1/2025-PS1-CSE, Dated 09.07.2025

ORDER:

The Government in the second read above amended Rule 12 and deleted Rule 13 of the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Management) Rules, 1993 and subsequently, the rule 12 was amended in the third read above. In the fourth read above, the Hon'ble High Court has struck down the G.O., second read above as it is violative of fundamental right guaranteed under Article 30(1) of the Constitution of India.

The Hon'ble High Court in the fifth read above disposed of several Writ Petitions directing to fill up all the Aided vacancies in terms of

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G.O.Ms.No.1, Education, dated 01.01.1994 and also as per the Schedule prescribed under Sections 19 & 25 of the Right of Children to Free and Compulsory Education Act, 2009.

In the sixth read above, the Hon'ble High Court while setting aside the proceedings Rc.No.143/C2/2024 (Ex.P.1), Dt.19.03.2025 regarding the directions to the aided institutions to conduct Computer Based Test (CBT), held that the Government is not permitted to introduce the system, that stood expressly set aside, either through an executive instruction or through an executive order.

Further, several requests have been received by competent authorities to clarify the procedure for conduct of recruitment for teaching aided posts, that needs to be followed.

In view of the above, after careful examination of the matter, Government have decided to make certain amendments to the rules 12 and 13 of the said Rules, 1993.

These rules shall also be applicable to the educational institutions wherever the recruitment is not completed so far.

Accordingly, the following Notification will be published in the Extra-Ordinary issue of the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by section 99 read with sections 20 and 21, of the Andhra Pradesh Education Act, 1982 (Act of 1 of 1982) and in supersession of the subsequent amendments to the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Management) Rules, 1993 vide G.O.Ms.No.43, School Education (PS) Department, dated 09.08.2018 and G.O.Ms.No.26, School Education (PS) Department, dated 16.02.2019, Government hereby make the following amendments to the said Rules, 1993:-

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AMENDMENTS

In the said Rules,-

(1) For rule 12, the following shall be substituted, namely,-

“12. Appointment of Staff in Aided posts in Non-Minority Private Educational Institutions –

(1). The educational agency shall appoint the staff teaching and non-teaching as per the staffing pattern prescribed by the Government from time to time. All staff shall conform to the qualifications prescribed by the Government from time to time.

(2) All the staff teaching as well as non-teaching in aided posts shall be recruited through Computer Based Test (CBT) conducted by the Staff Selection Committee in accordance with these rules.

(3) All the posts shall be advertised in at least two News Papers having large circulation in the district of which one shall be in Telugu and also through electronic mode on official websites maintained by the education department.

(A) Before filling-up of the aided teaching posts, the educational agency shall necessarily obtain clearance from the Competent authority, to the effect that, there are no surplus posts in the concerned district, and if there are suitable surplus candidates, they should be deployed against the said vacancies as per the subject requirements. The competent authority shall however obtain the permission from the Government before issuing clearance for filling up of any aided posts.

(4) The selection process shall be through computer-based test (CBT). There shall be no interview. The total marks shall be 100. Out of which CBT will be conducted for 80 marks and for the remaining 20 marks, the weightage of 20% from APTET /CET qualifying marks secured by the candidate. Five marks Weightage shall be given only to those candidates who have an experience in aided schools i.e. 0.5 mark per completed year of service and to the maximum of 10 years subject to not exceeding the total marks.

(5) The merit-cum-roster in this recruitment shall be in accordance with the procedure followed in the DSC teacher's recruitment.

(6) The Educational qualifications/ Age limit shall be the same as the teachers being recruited for Government /Local body schools in line with

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DSC. The age relaxation shall be given to the candidates, who are working in aided school, subject to the maximum of three years.

(7) All appointments made to aided teaching staff shall be subject to the approval of the competent authority.

(8) The educational agency shall make appointment only on the approval as per sub-rule (8) above.

12-A. Appointment of Staff in un-aided posts in Non-Minority and aided / un aided posts in Minority Private Educational Institutions –

(1). The educational agency shall appoint the staff teaching and non-teaching as per the staffing pattern prescribed by the Government from time to time. All staff shall conform to the qualifications prescribed by the Government from time to time.

(2) All the staff teaching as well as non-teaching shall be recruited through Staff Selection Committee to be constituted by the educational agency in accordance with these rules;

(3) All the posts shall be advertised in at least two News Papers having large circulation in the district of which one shall be in Telugu and also through electronic mode on official websites maintained by the education department.

(4) Before filling-up of the aided teaching or non-teaching posts, the educational agency shall necessarily obtain clearance from the competent authority. The competent authority shall however obtain the permission from the Government before issuing clearance for filling up of any aided posts.

(5) All minority educational institutions receiving grant in aid from Government shall notify vacancies to the Employment Exchange and in addition, advertisements in the News Papers, that they shall also be required to call the candidates sponsored by Employment Exchange for test and interview provided that the persons applying to the post in response to the advertisement in the news papers should have got registered their names in any Employment Exchanges in the State.

(6) Minority Aided Schools shall also be required to have a nominee of the District Educational Officer not below the rank of Deputy Educational Officer in the Staff Selection Committee. The educational agency shall fix the selection process (test/interview) in consultation with the District Educational Officer or his nominee and shall afford the D.E.O's nominee a reasonable opportunity of being present. The selection however, shall not be vitiated only on the ground of the absence of D.E.O's nominee if the

educational agency has offered reasonable explanation. The burden of proving this shall lie with the educational agency.

(7) The selection of the posts in all private educational institutions shall conform to the communal rotation roster. However this shall not apply to minority educational institution only if they are selecting a candidate belonging to the concerned minority community. Where such a candidate is fitted in a vacancy belonging to S.C/S.T., then the S.C/S.T., vacancy shall be carried forward to the next point.

(8) The Educational Agency shall be free to appoint employee/staff to an un-aided post as per subject requirements, provided they have the prescribed qualification to hold the posts. The service conditions of un-aided teaching and non-teaching staff shall be contractual in nature between the educational agency concerned and the appointee. Disputes, if any, in this shall be adjudicated in a civil court of competent jurisdiction/Educational Tribunal (as and when constituted) and without reference to competent authority or the Government.

(9) All appointments made either teaching or non teaching staff by aided or unaided institutions shall be subject to the approval of the competent authority. For this purpose the educational agency shall inform the competent authority within one month of the selection. The competent authority shall grant approval unless the selection has been in violation of these rules. In order to obviate confusion, it shall be incumbent on the educational agency to remind the competent authority one month after the initial communication, if no approval is received. The burden of proof of having communicated the selection to the competent authority shall lie with the educational agency.

(10) The educational agency shall make the appointments only on the approval as per sub-rule (9) above.

(11) Nothing in this rule shall prevent an educational agency from making a temporary appointment in a casual vacancy of unaided post provided that such appointment is not for a period exceeding 60 days.

(2) For Rule 13, the following shall be substituted, namely,-

"13. STAFF SELECTION COMMITTEE

(1) The Staff Selection Committee for the purpose of filling up of an aided post other than promotion shall consist of the following persons as members:

- (a) President of educational agency or his nominee;
- (b) The Headmaster of the institution;

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(c) Two subject experts, to be selected by the educational agency from the panel approved by the District Educational Officer of these at least one should be the Headmaster of a recognized school.

(d) An Officer of the Educational Department not below the rank of Deputy Educational Officer nominated by the District Educational Officer concerned.

(2) The president of the educational agency can either be the Chairman; or nominate one of the members of the Staff Selection Committee to be the Chairman.

(3) The quorum for the Staff Selection Committee meetings shall be four of which the presence of District Educational Officer's nominee is compulsory."

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KONA SASIDHAR
SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationary and Stores Purchases for Publications in the next issue of A.P. Gazette and for supply of 100 copies.

The Director of School Education, A.P,

All the Regional Joint Directors of School Education in the state.

All the District Educational Officer in the State.

Copy to:

OSD to Secretary to Chief Minister.

OSD to Minister (HRD).

The Law Department.

PS to Secretary, School Education Department.

General Administration (Services) Department.

Finance (FMU. Education) Department.

SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER