

**PROCEEDINGS OF THE COMMISSIONER OF SCHOOL EDUCATION,  
ANDHRA PRADESH, HYDERABAD**

**Present: K. Sandhya Rani, I.Po.S.,**

**Rc.No.249/Estt.IV/2014**

**Dated :29-07-2016**

**Sub:** School Education – Right of children to Free and compulsory Education Act 2009 – Provision of Personal Assistants to MPs, MLAs and MLCs – Prohibition – Instructions – Issued – Regarding.

**Read:** 1. Right of children to Free and compulsory Education Act 2009 issued Act 35 of 2009 by the Government of India.  
2. G.O.Ms.No.20, School Education (PE-Prog.I) Department, Dt:03.03.2011  
3. G.O.No.653 GAD (SR) , dt. 13.12.2011  
4. G.O.Ms.No.654, GAD (SR) Dept., dt. 13.12.2011.  
5. The Hon'ble Supreme Court of India in COMT.PET.(C) No.532/2013 in WP (C) No.631/2004 has ordered on 13.07.2016.

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All the Regional Joint Directors of School Education and District Educational Officers in the State are informed that, Government of India enacted Right of children to Free and compulsory Education Act 2009, which has come into force from 01.04.2010. As per Section 25(2) of the Act "for the purpose of maintaining the Pupil Teacher Ratio under sub-section (i) no teacher posted in a school shall be made to service in any other school or office or deployed for any non-educational purpose, other than those specified in section 27". As per section 27 of Act "No teachers shall be deputed for any non-educational purpose, other than decennial population census, disaster relief duties or duties relating to elections to the local authority or State Legislator or Parliament as the case may be"

The Government of Andhra Pradesh also issued orders in G.O.No.653 GAD, dt. 13.12.2011 and G.O.Ms.No.654, GAD (SR) Dept., dt.13.12.2011 amending orders issued in G.O.No.473 GAD (SR), dt.04.07.2007 "not to depute SGTs/SA/LFL HM/LPs HMs as P.A. to MLA's and MLC's and Chairman's etc. for non-education purpose against the provision of RTE Act 2009"

In spite of clear under RTE, 2009 rules, it is noticed that, some of the teachers are working as Personal Assistants to MPs/MLAs/MLCs/Ministers on deputation basis and claiming salary at School point. As on date 65 teachers are working on deputation with Public Representatives.

Government Deputations	-	37
DEO deputations	-	28
Total	-	65

District wise status indicated in the table in the Annexure.

Now, the Hon'ble Supreme Court of India in COMT.PET.(C) No.532/2013 in WP (C) No.631/2004 has ordered on 13.07.2016 that "we must state without any kind of hesitation that teachers could not have been sent on deputation to function as Private Secretaries of the members of the Legislative Assembly or Ministers. If anyone is deputed, he must be immediately sent back".

Therefore, all the Regional Joint Directors of School Education and District Educational Officers in the State are instructed to withdraw all such teachers so deputed and also "not to depute SGTs/SA/LFL HM/LPs HMs as P.A. to MLA's MLC's, MP's, Minister's and Chairman's etc. for non-education purpose against the provision of RTE Act 2009" and as per orders of Supreme Court of India, New Delhi.

**K. SANDHYA RANI**  
Commissioner of School Education

To

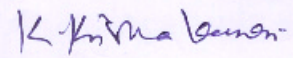
All the Regional Joint Directors of School Education and District Educational Officers in the State  
Copy to all the Collectors & District Magistrates in the State.

Copy submitted to the Principal Secretary to Government, General Administration (SR) Department, Government of Andhra Pradesh, Hyderabad for information and necessary action.

Copy to State Project Director, SSA (RVM), Andhra Pradesh, Hyderabad for information.

SC.

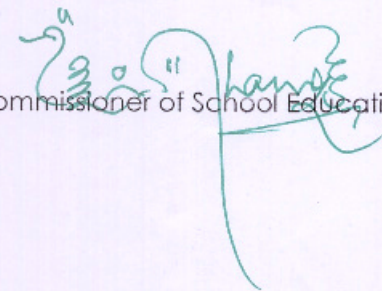
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**SUPERINTENDENT**



**THE PARTICULARS OF THE TEACHERS WHO ARE WORKING ON DEPUTATION as  
P.A. to MLA's MLC's, MP's, Minister's and Chairman's etc.,  
(As per the report of the DEO)**

Sl. No.	District	PA to Public Representatives	Other Deputations	Total
1	Srikakulam	3	1	4
2	Vizianagaram	6	0	6
3	Visakhapatnam	3	2	5
4	East Godavari	1	0	1
5	West Godavari	5	0	5
6	Krishna	3	0	3
7	Guntur	1	0	1
8	Prakasam	0	13	13
9	Nellore	2	0	2
10	Ananthapuram	5	4	9
11	Chittoor	6	0	6
12	Kurnool	0	0	0
13	YSR Kadapa	2	8	10
<b>GRAND TOTAL:</b>		<b>37</b>	<b>28</b>	<b>65</b>

  
for Commissioner of School Education