

HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

MAIN CASE No.W.A.No.288 of 2024

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	01.09.2025	<u>DEV,J & AHHS,J</u> An important issue involved in this writ petition is that in the Education Institutions being run by the Sarva Shiksha Abhiyan Scheme, which was established by the Government of India to impart qualitative education to the Scheduled Castes (SC), Scheduled Tribes (ST), Backward Classes (BC), Minorities, and other economically weaker Section students hailing from rural areas can be maintained without appointing teaching faculty on permanent basis and the State and the Central Government can spend crores of public money, to run those institutions with contract or outsourcing teaching faculty. Can any one except that qualitative education is being imparted to these under privileged sections people who are studying in these Institutions. Without qualified teaching faculty? During the course of hearing of this case, learned counsel for the appellants would submit that, in the year 2004, the Government of India	

		established Kasturba Gandhi Balika Vidyalaya (KGBV) in all Districts of Andhra Pradesh. As per the scheme, the Government of India is funding 60% and the State Government has to bear 40%. The administration of these schools has been entrusted to the State Government. But till now, teaching faculty is not recruited on permanent basis and students are being imparted education with the contract teaching staff, outsourcing staff and guest faculty only. Because of this reason, those students who are studying in those institutions are suffering a lot and they could not get proper quality education in those institutions. Considering the importance of the issue involved in this case, this Court sought assistance of Sri Challa Dhananjaya, learned Additional Solicitor General of Government of India. The learned Additional Solicitor General would submit that the Government of India is funding 60% for the implementation of the scheme, and it is the duty of the State Government to take further steps for proper implementation of the scheme. But we are unable to accept with the	
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		contention of the learned Additional Solicitor General. As and when the Government of India is allotting 60% of the funds out of the public exchequer for the implementation of the scheme, it is the duty of the Government of India to monitor whether those funds are being properly utilized and the State Government is recruiting the teaching staff properly to impart the qualitative education to the students studying in these institutions or not. On the other hand, Sri Gurram Ramachandra Rao, learned Government Pleader appearing for the State Government, would submit that to appoint teaching faculty on permanent basis in these institutions, the funds being released by the Central Government are not sufficient. Having considered the submissions of the respective counsels, this Court is of the opinion that though the Central and the State Governments are spending crores of public money in the name of upliftment of the downtrodden sections of society and for providing qualitative education by establishing these Kasturba Gandhi Balika Vidyalaya and Sarva Shiksha Abhiyan the real benefit is not	
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		extended to the needy people in a expected way. In our view, without having permanent teaching faculty in the educational institutions whether it is at primary education level or at the university level, the question of imparting quality education to the students studying therein does not arise. No one can except that with guest faculty, contract faculty or teaching faculty appointed on an outsourcing can provide qualitative education to the students studying in the educational institutions. Temporary recruits as teaching faculty, who are getting minimum remuneration may not be in a position to impart quality education to the students studying there because of their frustration of lesser remunerations and insecurity in their employment position. Under these circumstances, the ultimate sufferers are the students studying in those institutions. In view of the above factual position, this Court intends to adjudicate the issue involved in the present case in a proper way and for that purpose, the Government of India and the State Government shall file their affidavits with their stand with regard to	
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the implementation of the scheme to provide qualitative education to the students studying in those schools by making permanent recruitment of teaching faculty.

Accordingly, appellant No.1 and respondent No.52 shall file their affidavits with the information sought herein above by the next date of hearing.

Post the matter on 15.09.2025.

DEV, J

AHHS,J

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