

HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

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

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
23.	22.09.2025	<u>DEV,J & AHHS,J</u> In compliance of the direction dated 15.09.2025, the appellant No.1 and respondent No.52 filed their affidavits. During the course of hearing, learned Government Pleader appearing for the appellants placed a copy of the document bearing No.F.No.6-3/2023-IS12, dated 26.02.2024, issued by the Department of School Education and Literacy, Ministry of Education, Government of India, which imposes certain conditions on implementation of the Samagra Shiksha (Elementary Education-EE, Secondary Education and Teacher Education). He would submit that the Central Government imposed a condition therein that no permanent posts shall be created under the Samagra Shiksha funds. Project positions for implementation of Samagra Shiksha would be temporary, up to the duration of the project only. But, in the affidavit filed by the Union of India, it is stated that the issue of recruitment, salary and	

		other service matters come under the domain of State/UT Governments. It is further averred that the Union of India only provides a lumpsum amount under the centrally sponsored scheme. On perusal of the conditions imposed by the Central Government on 26.02.2024, communicated to all the State Governments and the statement made in the affidavit filed at present before this Court, it is clear that the reason for non-recruitment of permanent teaching faculty in the institutions being established under the Samagra Shiksha Abhiyan, is in view of the instructions issued by the Central Government, dated 26.02.2024. As Central Government is allotting 60% of the funds for implementing the said scheme, the State Government is following the conditions imposed by the Central Government by making recruitment of teaching faculty on Contract/Adhoc basis. Admittedly, the Scheme was started in the year 2004 and has been ongoing for the last 21 years. In such a situation, the Union of India has to change its stand with respect to the recruitment of the permanent teaching faculty in those institutions	
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		and has to issue appropriate instructions to the concerned in the interest of the students staying there to provide qualitative education. At this stage, Sri Challa Dhananjaya, learned Additional Solicitor General appearing for the Union of India sought time till 25.09.2025 to get proper instructions from the Union of India on this aspect. Considering the contradictory stands taken by the Central Government, we have no other option except to express our displeasure. However, considering the requests of Sri A.Satya Prasad, learned Senior Counsel and Sri Challa Dhananjaya, learned Additional Solicitor General appearing for the Union of India, post the matter on 25.09.2025 for clarification. In view of the importance of the issue involved in this case with regard to the students hailing from marginalised sections of the Society and from the rural area, this Court intends to take assistance of Sri K.S.Murthy, learned Senior Counsel as <i>Amicus Curiae</i>.	
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