

**THE
ANDHRA PRADESH
EDUCATION ACT, 1982¹**

[Act No. 1 of 1982]

[27th January, 1982]

Reserved by the Governor on 3rd June, 1981 for the consideration and assent of the President. Received the assent of the President on the 27th January, 1982.

An Act to consolidate and amend the laws relating to the educational system in the State of Andhra Pradesh for reforming, organising and developing the said educational system and to provide for matters connected therewith or incidental, thereto :

Whereas it is expedient that the educational system obtaining in the State of Andhra Pradesh should be so developed as to—

- (i) be an instrument, for establishing and strengthening, consistent with the National Policy, a Socialist, Secular and Democratic Society and also for promoting National Integration ;
- (ii) firmly link it at all levels with science and technology ;
- (iii) inculcate moral, social and human values and promote respect for manual labour and a sense of patriotism and discipline in the children ; and
- (iv) achieve an integrated development of the pupil's personality.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Thirty-third Year of the Republic of India as follows:—

**Chapter I
PRELIMINARY**

1. Short title, extent, application and commencement:— (1) This Act may be called the Andhra Pradesh Education Act, 1982.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It applies to all educational institutions and tutorial institutions in the State except,—

- (i) institutions for scientific or technical education financed by the Central Government and declared by Parliament by law to be institutions of National importance ;
- (ii) institutions established or maintained and administered by or affiliated to, or recognised by the Andhra Pradesh Agricultural University and the Jawaharlal Nehru Technological University;
- (iii) colleges and institutions in so far as the matters pertaining to them are dealt with in the enactments, relating to the establishment of Universities in force in the State, including the University of Hyderabad Act, 1974 ;
- (iv) educational institutions imparting intermediate education in so far as the matters pertaining to them are dealt with in the Andhra Pradesh Intermediate Education Act, 1971.

(4) It shall come into force¹ on such date as the Government may, by notification, appoint.

CASELAW

Appointment of lecturers:— It is not open to the unofficial respondents to fill-up the post of Junior Lecturer by direct recruitment when suitable candidates are available for promotion. Appointments which are not made in terms of the statutory rules and which violate Art. 16 of the Constitution of India are not valid. *B.S.B.G. Tilak v. G.R.V. Prasada Rao and others*, 2001 (3) ALD 754 (DB).

2. Definitions:— In this Act, unless the context otherwise requires,—

- (1) "*Abhyudaya Pradhamika Pathasala*" means a primary school under the management of the Abhyudaya Pradhamika Vidya Samstha;
- (2) "*Abhyudaya Pradhamika Vidya Samstha*" means the registered society referred to in sub-section (1) of Section 33 ;
- (3) "*academic year*" means a period of twelve months commencing on the first day of June of the year or such other period of twelve months beginning on such date as the Government may, by notification specify with respect to any educational institution or class of educational institutions ;

- (4) "*adult education (including non-formal)*" means the education or further education of a person of more than nine years of age who has not attended any educational institution at any time before, or as the case may be, who is a drop-out from an educational institution at any level of his studies therein ;
- (5) "*Andhra Pradesh Residential Educational Institutions Society*" means the registered society referred to in sub-section (2) of Section 33 ;
- (6) "*approved school*" means any school in any specified area within the jurisdiction of a local authority imparting '[pre-primary or primary education] which—
 - (i) is under the management of the Government or a local authority;
 - (ii) being under any other management, is recognised as such under this Act ;
- (7) "*attendance*" means the presence for instruction at an approved school on such days in the academic year and at such time and for such period or periods on each day of attendance as may be prescribed ;
- (8) "*attendance authority*" means any person appointed to be an attendance authority under sub-section (1) of Section 10 ;
- (9) "*child*" means a boy or a girl within such age group, not being less than six or more than fourteen years, as the Government may, in each case, specify for the purposes of this Act, either generally or with respect to any specified area ;
- (10) "*Collector*" means any officer in charge of a revenue district and includes a Joint Collector, Deputy Collector, Sub-Collector and Assistant Collector ;
- (11) "*College*" means a '[college including a Medical College established or maintained] and administered by, or affiliated to or associated with or recognised by, any University in the State and includes a junior college recognised by or affiliated to the Andhra Pradesh Board of Intermediate Education ;
- (12) "*competent authority*" means any person, officer or authority authorised by the Government by notification to perform the functions

1. The Act came into force from 18-7-1982, Vide G.O.Ms.No. 560 (Edn.) (R), dt. 26-6-1982, A.P. Gazette, Pt. I, (Ext.), dt. 13-7-1982.

1. Subs. by Act No. 27 of 1987, w.e.f. 1-6-1987.

of the competent authority under this Act for such area or for such purposes as may be specified in the notification;

(13) "Director" means—

- (i) in relation to general education or any part thereof, the Director in charge of primary education (including pre-primary), secondary education, adult education (including non-formal), special education, intermediate education or higher education, as the case may be ;
- (ii) in relation to technical education, the Director of Technical Education ;

(14) "district" means a revenue district ;

(15) "District Educational Officer" means the officer appointed under sub-section (1) of Section 4 and includes a Joint Director, a Deputy Director or any other officer authorised by the Government to exercise the powers and perform the functions of a District Educational Officer ;

(16) "education" means ¹[general education, medical education, technical education, physical education, teacher education, special education, oriental education, adult education (including non-formal) and any other branch of education which the Government may, by notification, specify ;

(17) "educational agency" means in relation to—

- (a) any minority educational institution, ¹[any body of persons] which has established and is administering or proposes to establish and administer such minority educational institution, and
- (b) any other private educational institution, ¹[any body of persons] entrusted with the establishment, management and maintenance of such private educational institution ;

(18) "educational institution" means a recognised school, ¹[colleges including Medical Colleges], special institution or other institution (including an orphanage or boarding home or hostel attached to it) by whatever name called, the management of which carries on

(either exclusively or among other activities) the activity of imparting education therein, and includes every premises attached thereto ; but does not include a tutorial institution ;

¹[(19) "general education" means every branch of education including special education, but does not include medical education or technical education ;]

(20) "Government" means the State Government of Andhra Pradesh;

(21) "Gram Panchayat" means the body constituted for the local administration of a village under the Andhra Pradesh Gram Panchayats Act, 1964 ;

(22) "grant" or "grant-in-aid" means any sum of money paid as aid out of State funds to any educational institution ;

(23) "guardian" means any person to whom the care nurture or custody of any child falls by law or by natural right or recognised usage or who has accepted or assumed the care, nurture or custody of any child or to whom the care, nurture or custody of any child has been entrusted by lawful authority ;

(24) "inspection" means the scrutiny of records, registers and checking of physical specifications as determined by the competent authority in regard to buildings, libraries, laboratories, play grounds and other allied matters and the overall appraisal of the educational institution and its functionaries in the development of the institution ;

(25) "listed backward classes" means the backward classes declared as listed by the Government ;

(26) "local authority" means in relation to the local area comprised within the jurisdiction of a municipal corporation, the concerned municipal corporation and in relation to any other local area in the State, the concerned Municipal Council, ¹[Zilla Parishad, Mandal Praja Parishad] Gram Panchayat or township having jurisdiction over such local area ;

(27) "management" means the managing committee or the governing body, by whatever name called, of a private institution to which the affairs of the said institution are entrusted, but does not include a manager ;

