



## **The Andhra Pradesh State Educational Institutions (Reservation in Teachers Cadre) Act, 2021**

Act No. 19 of 2021

### **Keywords:**

Direct Recruitment, Person with Disability

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**ANDHRA PRADESH ACTS, ORDINANCES AND  
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 17<sup>th</sup> December, 2021 and the said assent is hereby first published on the 21<sup>st</sup> December, 2021 in the Andhra Pradesh Gazette for general information :

**ACT No. 19 of 2021.**

**AN ACT TO PROVIDE FOR THE RESERVATION OF POSTS IN APPOINTMENTS BY DIRECT RECRUITMENT OF PERSONS BELONGING TO THE SCHEDULED CASTES, THE SCHEDULED TRIBES, THE SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES, ECONOMICALLY WEAKER SECTIONS, WOMEN, PERSONS WITH DISABILITY, MERITORIOUS SPORT PERSONS, ETC TO TEACHERS' CADRE IN STATE EDUCATIONAL INSTITUTIONS, MAINTAINED OR AIDED BY THE STATE GOVERNMENT, AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.**

Be it enacted by Legislature of the State of Andhra Pradesh in the Seventy second year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh State Educational Institutions (Reservation in Teachers' Cadre) Act, 2021.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall be deemed to have come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette, appoint.

Short title  
extent,  
commencement  
and application.



Definitions.

2. In this Act, unless the context otherwise requires,-

- (1) "Government means" the State Government of Andhra Pradesh;
- (2) "branch of study" means a branch of study leading to three principal levels of qualifications at bachelors (undergraduate), masters (post graduate) and doctoral levels;
- (3) "State Educational Institution" means,-
  - (i) a University established under State Act except Private Universities;
  - (ii) an institution maintained by or receiving aid from the State Government, whether directly or indirectly and affiliated to an institution referred to in sub-clause (i);
- (4) "direct recruitment" means the process of appointing teachers by inviting applications against public advertisement from persons eligible to teach in a State Educational Institution in the State;
- (5) "faculty" means the faculty of a State Educational Institution;
- (6) "sanctioned strength" means the number of posts in a teachers' cadre sanctioned by the competent authority with the approval of the Government;
- (7) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution of India;
- (8) "Scheduled Tribes" means the Scheduled Tribes notified under article 342 of the Constitution of India;
- (9) "socially and educationally backward classes" means such backward classes as are so deemed under article 342A of the Constitution of India;
- (10) "economically weaker sections" means such weaker sections as are referred to in *Explanation* to clause (6) of article 15 of the Constitution;
- (11) "Person with disability" defined under the Rights of Persons with Disabilities Act, 2016, as a person with long term physical, mental, intellectual or sensory impairment which, in interaction with



barriers, hinders his full and effective participation in society equally with others;

- (12) "teachers' cadre" means a class of all the teachers of a State Educational Institution maintained or aided by the State Government regardless of the branch of study or faculty, who are remunerated at the same grade of pay, excluding any allowance or bonus.

3. (1) Notwithstanding anything in any other law for the time being in force, there shall be reservation of posts in direct recruitment out of the sanctioned strength in teachers' cadre in a State Educational Institution maintained or aided by the State Government; to the extent and in the manner as may be specified by the State Government by notification in the Official Gazette.

Reservation of posts in recruitment by State Educational Institutions.

(2) For the purpose of reservation of posts, sanctioned strength for a State Educational Institution or a class of State Educational Institutions under the control of an authority or management, that is competent for recruitment in those State Educational Institution(s), shall be regarded as a single unit.

Explanation:- In section 3(2), single unit means,-

- (a) University OR
- (b) In case of Rajiv Gandhi University of Knowledge Technologies (RGUKT), established under the Rajiv Gandhi University of Knowledge Technologies Act, 2008, it will apply for each category of post sanctioned for classes after 10+2 OR
- (c) all Government Degree Colleges in a zone under the Commissionerate of Collegiate Education OR
- (d) the class of Government funded State Educational Institutions under the concerned Head of the Department whether Commissionerate/ Directorate in each unit of appointment OR
- (e) any State Educational Institution(s) under a management and aided by the Government.

Act No. 18 of 2008.

(3) The department/subject within a unit shall be arranged in alphabetical order for each cadre for the purpose of identifying a roster point for reservation as notified by the Government from time to time.

4. The Government may, by notification, issue directions to carry out all or any of the purposes of this Act.

Power to issue directions.



Power to remove difficulties.

5. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Andhra Pradesh Gazette, make provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three (3) years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Laying of notifications before the Legislature of the State.

6. Every notification made under this Act shall, immediately after it is made, be laid before the Legislature of the State, if it is in session and if it is not in, in the session immediately following for a total period of fourteen (14) days which may be comprised in one session or in two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following the Legislature of the State agrees in making any modification in the notification or in the annulment of the notification, the notification shall, with effect from the date on which the modification or annulment in the Andhra Pradesh Gazette is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**VADDADI SUNITHA,**  
Secretary to Government (FAC),  
Legal and Legislative Affairs & Justice,  
Law Department.