

HIGH COURT OF ANDHRA PRADESH
MAIN CASE No: W.P.No.7818 of 2022

PROCEEDINGS SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
1.	29.03.2022	<p><u>BKM, J</u></p> <p style="text-align: center;"><u>W.P.No.7818 of 2022</u></p> <p>Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for School Education for the respondents.</p> <p>The counsel for the petitioners submits that the petitioners are working in aided schools as Secondary Grade Teachers and School Assistants. While so, under G.O.Ms.No.50, School Education (PS) Department dated 17.08.2021 and Memo No.1379144/PS/2021 dated 13.10.2021 they have exercised options for place of posting on transfer. The grievance of the petitioners in this writ petition is that the vacancies are not shown in the web based counselling for the purpose of exercising their options and without framing transfer guidelines, the transfers are going to be effected. However with the options given as per the schedule the petitioners exercised their web options and waiting for the process to go on for the purpose of receiving places of postings by way of transfer.</p> <p>On the other hand, the learned Assistant Government Pleader on his</p>	

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		<p>instructions furnished submitted that the petitioners have already exercised their options through Online with their respective logins and some of the petitioners may be allotted/transferred to the places of their choices basing upon their seniority and subject to the availability of vacancies. He further submits that the instructions in Memo dated 13.10.2021 are applicable only for temporary adjustments of the Aided staff till the process of web counselling is completed and the petitioners are permitted to continue in the same aided schools till completion of the process of web counselling for regular postings and hence, the temporary adjustment instructions are not applicable for the web counselling as per the above said instructions.</p> <p>Whereas as per G.O.Ms.No.50 dated 17.08.2021 at para 4(A) and (B) of the said G.O. the Government will absorb the existing aided staff of such aided institutions into Government/Local body institutions by duly framing the rules for their service and other purposes. For the purpose of implementation of the above said G.O., the Government issued another Memo dated 13.10.2021 wherein at para 'E', it is categorically stated as follows:</p> <p><i>"E. While the willing aided staff who have reported to Government for absorption are</i></p>	

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		<p><i>waiting for the commencement of web counselling process for regular postings, the staff shall be attached on temporary adjustment basis to any Government/Local body institutions including Municipal Management in the order of priority of within the Neighbourhood / School Complex / Mandal / Municipality / Municipal Corporation / Adjacent Mandals and it may be noted that:</i></p> <p><i>(i) This process is temporary only. Necessary guidelines will be issued later for web counselling process for regular postings to these staff into Government/Local body institutions including Municipal Management.</i></p> <p><i>(ii) Meanwhile, the salaries of the staff reported from the Aided Schools to the District Educational Officer shall be drawn from the same Head of Account of the aided school by the Mandal Educational Officer / Deputy Inspector of Schools till the counselling and regular posting is completed for this purpose.</i></p> <p><i>(iii) With regard to the non-teaching staff, they shall be adjusted against the existing vacancies in the order or priority of the Government High Schools within the mandal/within the division/within the district/office of Deputy Inspector of Schools/Office of Deputy Education Officer/District Institute of Education and Training/IASE/College of Teacher Education/College of Physical Education Training/ Offices of District Education Officer/Offices of Regional Joint Director, School Education/Office of Director, School Education."</i></p> <p>Even as per the above said relevant paragraphs this process is temporary only and necessary guidelines will be issued later for the web counselling purpose for regular</p>	

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		<p>postings for the staff members in order to accommodate either into Government or Local body institutions including Local Municipal Corporations. Hence in view of the above said provisions of the G.O.Ms.No.50 dated 17.08.2021 and Memo dated 13.10.2021 the respondents are at liberty to proceed with the process of transfers and places of postings for the petitioners as per the schedule and the places of postings/transfers/reshuffling of the petitioners shall be subject to the outcome of this writ petition.</p> <p>The cases of the petitioners can also be considered before effecting the above said transfers/reshuffling if they are otherwise entitled for accommodation in the places of their options exercised subject to availability of vacancies in terms of the above said G.O. and Memo.</p> <p>List on 26.04.2022 for filing counter.</p> <div><div>LMV</div><div><div></div><div>BKM, J</div></div></div>	

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