

THE KERALA EDUCATION ACT (AMENDMENT) BILL

To ensure a fair, just and unified method of selection of teachers in educational institutions it is necessary to confer power of selection of teachers in Educational Institutions coming within the purview of the Education Act to Public Service Commission.

BE it enacted by Kerala State Legislative Assembly in the Fifty ninth year of the Republic of India as follows:—

1. This Act may be called The Kerala Education (Amendment) Act —.
2. Amendment of Sec. 11 of the Kerala Education Act, 1958.

In the place of Section 11 of the Education Act the following provision shall be substituted

“11. *Appointment of teachers in Government and Aided Schools.*—(1) The Public Service Commission shall, as empowered by this Act, select candidates for appointment as teachers in Government and aided schools, before the 31st May of each year. The Public Service Commission shall select candidates with due regard to the probable number of vacancies of teachers that may arise in the course of the year. The candidates shall be selected for each district separately and the list of candidates so selected shall be published in the Gazette. Teachers of aided schools shall be appointed by the manager only from the candidates so selected for the district in which the school is located; provided that the manager may, for sufficient reason, with the permission of the Public Service Commission, appoint teachers selected for any other District. Appointment of teachers in Government schools shall also be made from the list of candidates so published.

(2) In selecting candidates under sub-section (1), the Public Service Commission shall have regard to the provisions made by the Government under clause (4) of Article 16 of the Constitution.”

Statement of Objects and Reasons

Articles 14 & 16 of the Constitution guarantee equality of opportunity in matters of employment by the State and State aided institutions. While selections to the Government service are made by the Kerala Public Service Commission, selections to the aided educational institutions are made by the Managers of such institutions. There have been several instances of malpractices in making appointments in such institutions. In order to ensure fairness and eliminate arbitrary action on the part of the Managements, the Bill seeks to entrust selections of teachers with the Kerala Public Service Commission.
