

പതിമൂന്നാം കേരള നിയമസഭ  
എട്ടാം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ: 3303      09.04.2013-ൽ മറുപടികൾ.

പുതിയതായി പ്രീ-പ്രൈമറി ക്ലാസ്സുകൾ

ചോദ്യം

ശ്രീ. റ്റി വി. രാജേഷ് :

ഉത്തരം


ശ്രീ.പി.കെ.അബ്ദുറബ്ബ്  
 (വിദ്യാഭ്യാസ വകുപ്പുമന്ത്രി)

(എ) സർക്കാർ /എയ്ഡഡ് മേഖലയിൽ പുതിയതായി പ്രീപ്രൈമറി ക്ലാസ്സുകൾ തുടങ്ങുന്നതിനും അധ്യാപകരെ നിയമിക്കുന്നതിനും നിയന്ത്രണം ഏർപ്പെടുത്തിയിട്ടുണ്ടോ; എങ്കിൽ വിശദാംശം നൽകുമോ;

(എ) എയ്ഡഡ് മേഖലയിൽ പ്രീപ്രൈമറി ക്ലാസ്സുകൾ ആരംഭിക്കാൻ അനുവാദം നൽകിയിട്ടില്ല. സർക്കാരിന്റെ മുൻകൂർ അനുമതിയില്ലാതെ പുതുതായി പ്രീ-പ്രൈമറി ക്ലാസ്സുകൾ ആരംഭിക്കുവാൻ പാടില്ലെന്ന് 07/12/2012 ലെ ജി:ഒ (എം.എസ്) നം. 385/12/പൊ.വി പ്രകാരം ഉത്തരവായിട്ടുണ്ട്. സർക്കാർ നിശ്ചയിച്ച മാനദണ്ഡങ്ങൾ പാലിക്കാതെയാണ് നിയമനം നടത്തിയിരിക്കുന്നത് എന്ന് ശ്രദ്ധയിൽപ്പെട്ടതിനെ തുടർന്നാണ് അപ്രകാരം നിയന്ത്രണം ഏർപ്പെടുത്തിയിട്ടുള്ളത്

(ബി) ഇതു സംബന്ധിച്ച ഉത്തരവിന്റെ പകർപ്പ് ലഭ്യമാക്കുമോ?

(ബി) ഉത്തരവിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർക്കുന്നു.

  
 ന. ക്ഷൻ ഓഫീസർ



GOVERNMENT OF KERALA

(Abstract)

General Education – Judgment of the Hon'ble High Court dated 01.08.12 in WA No. 205/11 filed by Kerala Preprimary Teachers and Ayahs Association and Others – Complied with -Orders issued.

**GENERAL EDUCATION (P) DEPARTMENT**

G.O.(MS) No.385 /2012/GEdn.

Dated, Thiruvananthapuram 07.12.2012

Read : 1. GO (Rt) No. 465/88/GEdn dated 06.02.1988

2. GO (Rt) No. 2453/88/GEdn dated 05.07.1988

3. Judgment of the Hon'ble High Court dated 27.01.2011 in WP (C) No. 2700/09

4. Judgment of the Hon'ble High Court dated 01.08.2012 in WA No. 205/11

5. Letter No. NS1/87256/09/DPI dated 15.10.12 of the Director of Public Instruction. Thiruvananthapuram.

**ORDER**

In the Government order read as 1st paper above the Parent Teachers Associations of Government Schools were permitted to conduct Pre - Primary classes at their own expense wherever excess accommodation is available. Thereafter Government issued certain guidelines for the conduct of the pre-primary classes vide Government order read as 2<sup>nd</sup> paper above . As per the above orders the Parent Teachers Association concerned are responsible for paying wages to the teachers and Ayahs in the preprimary classes. However considering the request of preprimary employees Govt. sanctioned a monthly honorarium of Rs. 300/- (three hundred only) to the teachers and Rs.200/- (Two hundred only) to the Ayahs in 2010 in addition to the amount being paid by the Parent Teachers Association. This amount was subsequently enhanced to Rs.600/- (Six hundred only) and Rs.400/- (Four hundred only) respectively in 2011.

*Amal G*  
*Secretary*

2. Kerala Preprimary Teachers and Ayahs Association and others filed WP © 2700/09 praying payment of salary to the teachers and Ayahs at the rate that was being paid to their counterparts in Govt. run Preprimary Schools. But the Hon'ble High Court in its Judgment read as 3<sup>rd</sup> paper above rejected the Prayer on the ground that the petitioners cannot claim any employer - employee relationship with the Govt. and there is no constitutional obligation to impart free and compulsory education to the pupils below the age of 6 years.

3. Then the Kerala Pre-primary Teachers and Ayahs Association and others filed WA No. 205/11 against the above Judgment and the Hon'ble Court pronounced favourable orders to the petitioners. The Court observed that Government was obliged to give reasonable wages to the teachers serving with the qualification to teach in Preprimary schools and also to the Ayahs for the full time work they are doing in the schools. The relevant portion of the Judgment dated 01.08.12 of the Hon'ble High Court read as 4<sup>th</sup> paper above is as follows.

" We, therefore, direct the Government as an interim measure, to start paying @Rs.5,000/- per month to all Pre-Primary School Teachers in such schools attached to Government schools run by Parent-Teachers Association and Rs.3,500/- per month to Ayahs, until final decision is taken by the Government. The payment should start for the period starting from 01/08/2012 onwards, i.e. for the salary payment due from 01/09/2012 onwards, until final decision is taken by the Government. The payment so made will be only adhoc and subject to final orders of the Government based on policy to be evolved by them. We are sure that the Government will not commit any mistake of fixing the salary at anything below the minimum stated by us above, though only as a temporary measure."

4. Govt. have examined the matter in detail. As per the Government order read as 2<sup>nd</sup> paper above for a unit of 30 children there shall be one teacher and one Ayah. The teacher's qualification shall be a pass in SSLC and Certificate obtained after undergoing training in the Preprimary Teachers Training Institutions recognized by Govt. and that of the Ayah shall have passed Std. 7. Hence in view of the court direction Govt. are pleased to grant an honorarium of Rs. 5000/- (Five thousand only) and Rs. 3500/- (three thousand and five hundred

only) per month to the qualified Teachers and Ayahs of preprimary classes conducted by the PTAs of Govt. Schools respectively wef 01.08.12 by strictly following the qualification and Teacher/Ayah - student ratio stipulated in the Govt. order read as 2<sup>nd</sup> paper above. The DPI, Thiruvananthapuram will take further action in this regard.

6. The Government further decided that no Pre-Primary Schools will be allowed to be opened in the state without prior approval of the Government

The direction of the Hon'ble High Court in the Judgment read as 4<sup>th</sup> paper above is thus complied with.

(By Order of the Governor)

**DR. K. ELLANGOVA**  
Secretary to Government

To

The Advocate General, Ernakulam. (w. to C/L)  
The Accountant General (A&E/Audit), Kerala, Thiruvananthapuram.  
The Director of Public Instruction Thiruvananthapuram.  
The Kerala Pre- Primary Teachers & Aayahs Association  
Smt. Shouly N.J, Pre-Primary Teacher, Govt. B.T.S. L.P. School Edapally P.O, Ernakulam  
Smt. Kaladevi M.V., Aayah, Govt. UPS, Thekkumbhagom, Tripunithura, Ernakulam  
Smt. Jessy Alex, Kuttanparambil Changampuzha Road, Chutupadukara,  
Thiadilane, Edapally, Ernakulam.  
The Finance Department (Vide UO No. 90411 Edn A2/2012/Fin dated 14.11.2012)  
The Law Department Vide UO No. 19326/Suit C - III (1)/12/Law dated 23.08.2012.  
Information & Public Relations Department.  
General Administration (SC) Department  
Stock File/OC

Copy to

PS to Minister for Education  
PA to the Secretary G.Edn

Forwarded by Order

*Kemmanur*

Section Officer

*Parul*  
അവർകൾക്ക് അറിയിക്കുന്നു