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THE ANDHRA PRADESH GAZETTE

PART IV-B EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 4] AMARAVATI, FRIDAY, 24th APRIL, 2026.

ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS Etc.,

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 22nd April, 2026 is being published under Article 348(3) of the Constitution of India for general information:-

ANDHRA PRADESH ORDINANCE No. 4 OF 2026.

Promulgated by the Governor in the Seventy-seventh year of the Republic of India.

AN ORDINANCE FURTHER TO AMEND ANDHRA PRADESH HIGHER EDUCATION REGULATORY AND MONITORING COMMISSION ACT, 2019.

Whereas, the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (Act No. 20 of 2019) was enacted to regulate fee, admissions, academic standards, entrance tests, and to safeguard the interests of students and teachers while ensuring equity, excellence, financial discipline, and good governance in higher education, it is considered necessary to strengthen and streamline the framework by undertaking suitable amendments to enhance the effectiveness and clarity of the Commission's role in the evolving Higher Education landscape;

And whereas, it has been observed that certain provisions of the existing Act extend beyond the judicial pronouncements with regard to fee regulation in private unaided institutions. The Act presently entrusts the Commission with functions relating to regulation of academic standards, admissions,

faculty service conditions, research promotion, policy advisory roles, and compliance monitoring, which fall outside the scope of fee regulation, thereby resulting in institutional overreach and potential jurisdictional conflict. It is therefore considered necessary to suitably amend the Act by reconstitution of the Commission into a Committee and confining the role of the Committee primarily to fee regulation and prevention of commercialisation. It is also observed that certain functions presently assigned to the Commission overlap with those of existing statutory and regulatory bodies, including the University Grants Commission, All India Council for Technical Education, National-Level Professional Councils, the Andhra Pradesh State Council of Higher Education and Universities, particularly in matters relating to academic standards, admissions, faculty service conditions, research promotion, grievance redressal, and data management, resulting in duplication of regulatory efforts, increased compliance burden on institutions, and lack of clarity in institutional responsibilities, and therefore it is considered necessary to eliminate such overlaps and streamline the regulatory framework by clearly delineating the functions of the Committee;

And whereas, the proposed amendments seek to modernise the procedural framework of the Commission, reconstituted as Committee, including its composition, appointment process, transparency requirements, and accountability mechanisms, so as to align it with best practices in comparable States to enable faster and more transparent decision-making in fee determination through clearly defined procedures, timelines, and accountability mechanisms;

And whereas, it has been decided to give affect to the above objectives immediately;

Accordingly, the Government has decided to amend the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (Act No.20 of 2019) suitably;

And whereas, the Legislature of the State is not in session now and the Governor of Andhra Pradesh is satisfied that the circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercises of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called as the Andhra Pradesh Higher Education Regulatory and Monitoring Commission (Amendment) Ordinance, 2026.

(2) It shall come into force at once.

2. In the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (hereinafter referred to as the Principal Act), for the long title, the following shall be substituted, namely,-

Amendment to long title.

Act No. 20 of 2019.

"AN ACT TO ESTABLISH ANDHRA PRADESH HIGHER EDUCATION FEE REGULATORY AND MONITORING COMMITTEE TO ENSURE EQUALITY, FINANCIAL STABILITY AND PROBITY ALONG WITH GOOD GOVERNANCE AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.".

3. In the Principal Act, in section 1,-

Amendment of section 1.

(i) in sub-section (1), for the expression "the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019", the expression "the Andhra Pradesh Higher Education Fee Regulation and Monitoring Act, 2019" shall be substituted.

(ii) for sub-section (4), the following shall be substituted, namely,-

"It shall apply to all Higher Educational Institutions in the State of Andhra Pradesh including Medical, Dental, Agriculture, Horticulture, Veterinary, Engineering, Engineering and Technology, Architecture and Planning, Management, Commerce and Business Studies, Sciences, Humanities, Social Sciences, Pharmacy, Law and such other fields and disciplines as the Government may, from time to time, notify.".

4. In the Principal Act, in section 2,-

Amendment of section 2.

(i) for clause (2), the following shall be substituted, namely,-

"(2) "Committee" means the Fee Regulatory and Monitoring Committee established under section 3 of this Act.".

(ii) for clause (6), the following shall be substituted, namely,-

"(6) "Member" means a member of the Committee.".

(iii) clause (12) shall be omitted.

(iv) after clause (14), the following new clause shall be added, namely,-

"(15) "Fee" means "all fee including tuition fee, Affiliating fee and development charges ascertained Course wise.".

5. in the Principal Act, in section 3,-

Amendment of section 3.

(i) for sub-section (1), the following shall be substituted, namely,-

"With effect from such date as the State Government may, by notification in the Official Gazette, appoint, there shall be a

Committee by the name of the Andhra Pradesh Higher Education Fee Regulatory and Monitoring Committee.".

(ii) in sub-section (2), for the word "Commission", the word "Committee" shall be substituted.

(iii) for sub-section (3), the following sub-section shall be substituted, namely,-

"The Committee shall function from such a place as may be notified by the State Government.".

Amendment of section 4.

6. In the Principal Act, in section 4, in sub-section (1),-

(i) for the word "Commission", the word "Committee" shall be substituted.

(ii) the clause (b) shall be omitted.

(iii) for clause (d), the following shall be substituted, namely,-

"Two Members who are experts possessing not less than ten (10) years of experience in Higher Education administration:

Provided that such experience shall necessarily include a demonstrable background in educational policy formulation, infrastructure valuation, and the scrutiny of financial frameworks governing Higher Educational institutions.".

(iv) the clause (e) shall be omitted.

(v) for clause (f), the following shall be substituted, namely,-

One representative from one of the Higher Educational Institutions in the State.

Vice Chancellor of one JNTU — (Kakinada, Anantapur, Gurazada) (or) NTRUHS (as the case may be and notified by the Government) (Ex Officio) Chairman APSCHE (Ex Officio) Commissioner of Higher (or) Medical Education (or) Agriculture (As the case may be) (Ex Officio) One representative of AICTE (or) MCI (or) DCI (or) NCTE (as the case may be) Senior Serving official not below the rank of Additional Secretary (or) Similar scale nominated by the Government as Member Secretary (Ex Officio) Any Special invitee as nominated by the Committee.".

(vi) for sub-section (2), the following shall be substituted, namely,-

"Member Secretary shall be the Chief Executive Officer of the Committee who shall be appointed by the State Government on such terms and conditions, as may be prescribed. The Member

Secretary shall be a Member of the Committee.".

(vii) for sub-section (3), the following shall be substituted, namely,-

"The Chairperson and members of the Committee shall be appointed by the State Government, for a maximum period of three years or until he or she attains the age of 70 years, whichever is earlier.".

7. In the Principal Act, in section 5,-

Amendment of section 5.

(i) for sub-section (1), the following shall be substituted, namely,-

"The Chairperson shall be appointed by an order of the Government.".

(ii) in sub-section (2), for the words "other than Secretary of the Commission" the words "other than Member Secretary of the Committee" shall be substituted.

(iii) in sub-section (2), in clause (b), for the word "Four" the word "Two" shall be substituted.

(iv) in sub-section (4), for the words "Vice Chair Person and Members of the Commission" the words "Members of the Committee" shall be substituted.

8. In the Principal Act, in section 6, for sub-section (2),the following shall be substituted, namely,-

Amendment of section 6.

"When the Chairperson is unable to discharge his functions owing to absence, illness or any other cause, the Government shall nominate one Member of the Committee to discharge the function of Chairperson till the Chairperson assumes the charge of duties.".

9. In the Principal Act, after section 6, the following shall be inserted, namely,-

Insertion of a new section.

"6-A. The State Government may, by order in writing, remove the Chairperson from office if he or she:

(i) is of unsound mind and stands so declared by a Competent Court;

(ii) is an undischarged insolvent;

(iii) has been convicted and sentenced to imprisonment for an offence under the Bharatiya Nyaya Sanhita, 2023, or any other law involving moral turpitude;

Central Act No. 45 of 2023.

(iv) performs any act unbecoming of the office;

(v) has acquired financial or other interest likely to affect prejudicially the performance of their functions;

(vi) has abused their position so as to render their continuance in office prejudicial to the public interest; or

(vii) the State Government is of the opinion, that the continuance of the Chairperson in office is not in the public interest;

Provided that no Chairperson shall be removed without a reasonable opportunity of being heard.

Provided further that where the Chairperson has been removed from office under this sub-section, the State Government shall initiate the process of appointment of a new Chairperson in accordance with the provisions of section 5(1) of this Act within a period of ninety days from the date of such removal, and shall, in the interregnum, nominate one Member of the Committee to discharge the functions of the Chairperson until a new Chairperson assumes charge.".

Amendment of section 8.

10. In the Principal Act, in section 8,-

(i) in sub-section (1), for the words "Commission shall", the expression, "Committee, with prior approval of Government, may" shall be substituted.

(ii) in sub-section (2), for the word "Commission", the word, "Committee" shall be substituted.

Substitution of section 9.

11. In the Principal Act, for section 9, the following shall be substituted, namely,-

"9. The Committee shall, subject to section 9-A of this Act, take all such steps, inter alia, as are necessary, for ensuring compliance with norms regarding fee prescribed by regulatory authorities, more specifically, as under-

(a) the Committee shall have the power to monitor and regulate Fee in Higher Educational Institutions in accordance with the rules and regulations, guidelines and procedures, prescribed for the purpose;

(b) the Committee shall ensure redressal of grievances of students and parents in a time bound manner related to fee regulation and monitoring;

(c) whenever required, the Committee may consult various stake holders, including representatives of Higher Educational Institutions from time to time.".

12. In the Principal Act, for section 9-A, the following shall be substituted, namely,- Substitution of section 9-A.

"In the event of a receipt of a complaint about a Deemed to be University by the Committee concerning non- compliance with norms of fee prescribed by the central regulatory authority including University Grants Commission, it shall be competent for the Committee to verify and forward its recommendations to such regulatory authority or the Central/State Government.".

13. In the Principal Act, in section 10,- Amendment of section 10.

(i) for sub-section (1), the following shall be substituted, namely,-

"(1) Where any Higher Educational Institution, or any person acting on its behalf, submits or causes to be submitted, before the Committee or any officer acting under the authority of this Act, any document, affidavit, statement of accounts, financial statement, audit report, or any other record, which is found to be a false document as defined under section 335 of the Bharatiya Nyaya Sanhita, 2023, fabricated false evidence as defined under section 228 of the said Sanhita, a forged document as defined under section 340 of the said Sanhita, materially misleading, or which suppresses or misrepresents material facts, such act shall be deemed to constitute a grave contravention of the provisions of this Act, and shall be treated as a severe offence for the purposes of this section.

The Committee may, in addition to the above, for the contravention of any provision of this Act or the rules or regulations made there under, or directions issued by the Committee, and/or for non- compliance of any fee regulation of the regulatory authorities, impose an appropriate penalty on any Higher Educational Institution as prescribed under the rules:

Provided that no penalty shall be imposed unless the institution concerned is given an opportunity of being heard.".

(ii) in sub-section (2), for the word "Commission", the word, "Committee" shall be substituted.

Amendment of section 11.

14. in the Principal Act, in section 11,-

(i) in sub-sections (1), (2), (3), for the word, "Commission", the word "Committee", shall be substituted.

(ii) for sub-section (5), the following shall be substituted, namely,-

"Notwithstanding anything contained in this Act, all the Higher Education Institutions shall be bound to comply with all the orders, rules, regulations, norms, etc., pertaining exclusively to the proposal, determination, and regulation of fees, and provide all such facilities, including audited financial statements and books of accounts, and assistance to the Committee as are required by it to discharge its duties and carry out its functions in respect of fee fixation.".

Amendment of section 12.

15. In the Principal Act, in section 12,-

(i) for sub-section (1), the following shall be substituted, namely,-

"The functions of AFRC which were already carried out by the Commission, will be carried out by the Committee established under section 3.".

(ii) sub-section (2) shall be omitted.

(iii) in sub-section (4), for the word "Commission", the word, "Committee" shall be substituted.

(iv) in sub-section (5), for the word "Commission", wherever it occurs, the word, "Committee" shall be substituted.

Adding of new sections 12-A, 12-B and 12-C.

16. In the Principal Act, after section 12, the following new sections shall be added, namely,-

"12-A. (1) Every Higher Educational Institution shall, in the prescribed manner and within the prescribed period, submit to the Committee a fee proposal in respect of each academic year, supported by such financial statements, documents, and information as may be prescribed.

(2) The Committee shall scrutinize the fee proposal submitted under sub-section (1) and shall, after affording the institution an opportunity to be heard, determine the fee in accordance with the provisions of this Act and the rules and regulations made there under.

(3) Where the Committee determines a fee lower than that

proposed by the institution, it shall record in its order the specific reasons for such reduction, including the heads of expenditure disallowed or reduced and the basis therefor.

(4) The determination of admissible and inadmissible heads of expenditure for the purpose of fee fixation shall be as prescribed by the Government by rules.

12-B. (1) Before commencing the fee fixation process for any academic year, the Committee shall make available to Higher Educational Institutions, in such manner as may be prescribed, the methodology, criteria, and parameters that will be applied in determining the fee.

(2) Before rejecting any fee proposal or fixing a fee lower than that proposed by an institution, the Committee shall provide the institution with a reasonable opportunity of being heard and shall permit it to submit such additional documents as it considers relevant.

(3) An institution aggrieved by an order of fee fixation made under Section 12-A may, within such period and in such manner as may be prescribed, prefer a review to the Committee for re-fixation of the fee, along with such fee and supporting documents as may be prescribed.

(4) Every order determining the fee under this Act shall be a speaking order setting out the reasons for the fee determined, in such form as may be prescribed.

(5) Every fee fixation order shall be communicated to the concerned institution and shall be made available to the public in such manner as may be prescribed.

12.C Quality-Linked Fee Incentivisation :-

Notwithstanding anything contained in sections 12-A and 12-B of this Act, the Committee shall, while determining the fee payable in respect of any Higher Educational Institution, have the power to recognise and incentivise academic excellence and quality of instruction by permitting a modulation of the fee structure in favour of Higher Educational Institutions that demonstrate superior performance across prescribed quality parameters, in such manner and to such extent as may be prescribed by rules made under this Act.

Provided that any such modulation of the fee structure shall be based exclusively on the objective performance evaluation

reports, grading, and data submitted to the Committee by the concerned Heads of Departments or the appropriate statutory regulatory authorities.".

Amendment of sections 13, 14, 15, 16 and 17.

17. In the Principal Act, in sections 13, 14, 15, 16 and 17 for the word, "Commission", wherever it occurs, the word "Committee", shall be substituted.

Adding of section 17-A.

18. In the Principal Act, after section 17, the following new section shall be added, namely,-

17-A. Accountability, Periodic Reporting and Automation -

(1) Annual Report to the Legislature.

The Committee shall, as soon as may be after the end of each financial year and in any event not later than thirty days before the commencement of the next session of the State Legislature following the close of that financial year, prepare and submit to the State Government an Annual Report giving an account of:

(a) all fee fixation orders passed during the year, with programme-wise and institution-wise summaries;

(b) penalties imposed and amounts realised under section 10 and section 10-A;

(c) appeals received and disposed of;

(d) grievances received and redressed;

(e) the financial accounts of the Committee; and

(f) such other matters as the Government may prescribe.

The State Government shall cause the Annual Report to be laid before both Houses of the State Legislature within thirty (30) days of receipt, or if the Legislature is not in session, within thirty (30) days of the commencement of the next session.

(2) Quarterly Reports to Government.

The Committee shall, within thirty (30) days of the close of each quarter of the financial year, submit to the Government a Quarterly Performance Report covering:

(a) number of fee proposals received, processed, and disposed of during the quarter;

(b) number of appeals filed and disposed of;

(c) number of inspections conducted and findings thereon;

(d) any significant regulatory developments or policy matters requiring Government attention; and

(e) the status of implementation of directions issued by the Government under this Act.

The Government shall review each Quarterly Report and may, within thirty (30) days of receipt, issue such directions as it deems necessary to the Committee.

(3) Automated Submission and Digital Reporting Infrastructure.

(a) All submissions required under this Act from Higher Educational Institutions — including fee proposals, audited financial statements, quality disclosure statements, appeals, and compliance reports — shall be made exclusively through the digital portal maintained by the Committee, in such form and manner as may be prescribed.

(b) The Quarterly Report under sub-section (2) and the Annual Report under sub-section (1) shall be generated automatically from the digital portal's records and shall be certified by the Member Secretary before submission to the Government.".

19. In the Principal Act, in section 18, for the word, "Commission", the word "Committee", and for the expression, "section 21 of the Indian Penal Code, I860", the expression, "section 2(28) of the Bharatiya Nyaya Sanhita, 2023" shall be substituted. Amendment of section 18. Central Act No. 45 of 2023.

20. In the Principal Act, in section 19, for the word, "Commission", wherever it occurs, the word "Committee", shall be substituted. Amendment of section 19.

21. In the Principal Act, in section 20,- Amendment of section 20.

(i) for sub-section (1), the following shall be substituted, namely,-

"The State Government if satisfied that the fee determined by the Committee is not in accordance with the provisions of this Act or is based on incorrect data, may refer the matter back to the Committee for reconsideration.".

(ii) for sub-section (2), the following shall be substituted, namely,-

"The Committee shall re-examine the proposal in light of the Government's observations and pass a final speaking order within thirty (30) days.".

Amendment of sections 22(1), 23 (2) (c) and 23 (2) (d).

22. In the Principal Act, in sections 22 (1), 23(2)(c) and 23(2)(d) for the word, “Commission”, wherever it occurs, the word “Committee”, shall be substituted.

S. ABDUL NAZEER,
Governor of Andhra Pradesh.

GOTTAPU PRATIBHA DEVI,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.