

**Proceedings of the sitting on 27-11-2009 of Hon'ble Member Shri Oris Syiem Myriaw with Pr. Secretary, Education Dept, GNCTD**

A list of officers present in the sitting is at Annexure.

**ISSUE**

Appointment of Smt. Sunita Meena to the post of Asstt. Teacher in Guru Nanak Girls Sr. Sec. School, Subzi Mandi, Delhi-7.

**BACKGROUND**

A representation dated 13.07.2009 was received in the Commission from Smt. Sunita Meena. It was mentioned that an advertisement was published in the 'Times of India' dated 17.06.2008, inviting applications for the post of Assistant Teacher ( UR-4,OBC-2,SC-1,ST-1) along with others in Guru Nanak Girls Sr. Sec. School, Subzi Mandi, Delhi-7. Smt. Meena applied for the post of Asstt. Teacher reserved for ST category. Chairman, G.N.G.S.S.School called Smt. Sunita Meena for an interview on 22.07.2008 vide their letter dated 14.07.2008.

It was further stated in the representation that there were four candidates in the interview and Smt Sunita Meena was offered the post of Asstt Teacher (ST) vide letter no GN/P375/2008 dated 19/09/2008, to provide acceptance by reporting for duty within one week. Accordingly, Smt Sunita Meena joined the duty w.e.f. 20.09.2008 with Medical Fitness Certificate from MCD Dispensary, Nangloi, Delhi-41.

Smt Sunita Meena continued her service in the school, but she was not paid salary. She was informed that her appointment needs approval from the Directorate of Education, GNCTD. She represented to Asstt. Dir.(Admn.), Directorate of Education, but no reply received. Office Incharge of the School informed Smt. Sunita Meena not mark attendance till receipt of the approval from the Directorate of Education.

The matter was taken up with the Director, Directorate of Education, Delhi vide this Commission's letter dated 16.07.2009 followed by a reminder dated 20.08.2009 and 14.09.2009. As there was no response, the matter was brought to the notice of Principal Secretray, Education Department, GNCTD vide this Commission's letter dated 14.10.2009. The matter was kept pending for about a month thereafter, in order to get a response.

In view of the above, Shri Tsering Samphel, Hon'ble Member, National Commission for Scheduled Tribes decided to have a discussion with Principal Secretary, Education Department, GNCTD on the matter on 27.11.2009 at 1130 Hrs in the Commission.

Due to some unavoidable circumstances, the Sitting could not be chaired by Shri Tsering Samphel, Hon'ble Member, NCST. The Sitting was chaired by Shri Oris Syiem Myriaw, Hon'ble Member, NCST.

## **DISCUSSION**

Education Officer, Directorate of Education, GNCTD submitted a reply dated 26.11.2009 in the matter. The EO explained that there were 20 candidates forwarded by the Directorate of Employment in addition to 4 candidates who had applied in response to the advertisement in the newspaper. Out of this 24 candidates, only 4 candidates who had responded to the open advertisement appeared for verification and interview on 22.07.2008. After verification only 1 candidate met the eligibility criteria. The officer further mentioned that as per the Central Civil Services, in case adequate number of SC/ST candidates are not available within the normal field of choice, the field of choice may be extended to 5 times the number of vacancies. Accordingly, as there was only 1 eligible candidate, a decision was taken that no appointment can be validly made as a result of deliberations of the SSC and the proposal was now approved.

The Commission explained that the extension of zone of consideration to 5 times in case of non availability of eligible SC/ST candidates in the normal zone of consideration is applicable in case of promotion to the vacancies reserved for SCs/STs. The decision of Staff Selection Committee to recommend the name of Smt.Sunita Meena for the post of Assistant Teacher(ST) is totally as per rules.

The Commission expressed its serious concern on the issue that on one side a number of ST vacancies were lying and on the other hand eligible ST candidates were not being appointed for various reasons. In case, any directive restricts appointment of eligible ST candidates, that should be relaxed as a measure to promote educated/eligible ST candidates.

## **RECOMMENDATION**

In view of the discussion as above, the Commission recommended that the case of appointment of Smt.Sunita Meena may be reviewed and approval for the same be issued at the earliest.

**ANNEXURE**

The following were present in the sitting on 27.11.2009 :

**NCST**

1. Shri Oris Syiem Myriaw, Hon'ble Member .....In Chair
2. Shri Vinod Aggarwal, Director

**Education Department, GNCTD, Delhi**

1. Mrs. Raj Kapoor, Education Officer/Z-7, North

**Petitioner**

1. Mrs. Sunita Meena