



सत्यमेव जयते

भारत सरकार
Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(A Constitutional Body under Article 338A of the Constitution of India)

F. No. MSC/5/2018/STGDH/SEOTH/RU-I

Dated: 16/10/2019

To,

The Secretary (Education),
Govt. of NCT of Delhi,
Directorate of Education,
Old Secretariat,
Delhi
Fax: 011-23890187.
Email: secyedu@nic.in
Tel: 011-23890119

Sub: Representation dated nil received from Shri Manjeet Singh Chauhan, R/o House No. 250, Gali No. 9, Block - G, Prem Nagar, Najafgarh, Delhi regarding delay in issuing Joining Letter for regular teachers (TGT, Computer Science) by Directorate of Education, Govt. of NCT of Delhi.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the Headquarters of National Commission for Scheduled Tribes on 24/09/2019 at 12:00 Noon under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCST at the earliest.

Encl: As above.

Yours faithfully,

(Rajeshwar Kumar/ राजेश्वर कुमार)

Assistant Director

Ph: 24641640

Copy to:

Shri Manjeet Singh Chauhan & Pratap Singh Chauhan,
R/o House No. 250,
Gali No. 9, Block - G,
Prem Nagar,
Najafgarh,
Delhi - 110043.

Copy for information to:

1. PS to Hon'ble Member (HCV), NCST
2. NIC (please upload on the Commission's website)

Government of India
National Commission for Scheduled Tribes

(F. No. MSC/5/2018/STGDH/SEOTH/RU-I)

Minutes of sitting held in the NCST's Headquarters on 24/09/2019 at 12:00 Noon under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Shri Manjeet Singh Chauhan, (R/o House No. 250, Gali No. 9, Block - G, Prem Nagar, Najafgarh, Delhi) and Shri Pratap Singh Chauhan regarding delay in issuing Joining Letter for regular teachers (TGT, Computer Science) by Directorate of Education, Govt. of NCT of Delhi.

List of participants is annexed.


Shri Manjeet Singh Chauhan and Shri Pratap Singh Chauhan (candidate of TGT-Computer Science, under the post code 192/14 of the Directorate of Education, Government of National Capital Territory of Delhi) vide representation dated 24.09.2018 has stated that the Directorate of Education, GNCTD has issued the offer of appointment for the post of TGT on 25.04.2018, but the department has not issued the joining letters. The NCST took up the matter with the Directorate of Education, GNCTD vide letter dated 03.10.2018 for facts and comments. The response was not received from the department.

A sitting was convened on 27.11.2018 with the officers of Education Department, GNCTD and the petitioner to resolve the issue. After discussions, the Hon'ble Member suggested that the Department of Education should approach the AICTE to expedite the views/advise in the matter. Action taken/ to be taken by Department of Education be informed to the Commission within a month. After that next sitting in the matter will be fixed by the Commission.

The minutes of sitting was communicated on 24.12.2018 to Secretary, Education Department, GNCTD and petitioner. No satisfactory reply was received from Education Department and petitioner requested for justice. The Hon'ble Member Shri H.C. Vasava fixed the sitting on 08.08.2019 to discuss the issue with the Secretary, Education Department, GNCTD and petitioner (s). The sitting notice was issued on 18.07.2019.

The Secretary, Education Department, GNCTD vide letter No. PA/SE/2019/709-710 dated 07.08.2019 had deputed Regional Director, Directorate of Education to appear before the Commission in the sitting. The petitioner (s) were present in the sitting.

The Hon'ble Member asked the petitioner (s) to explain their grievances. The petitioner (s) informed that they are unemployed due to offer of appointment issued by the


हर्षवर्धन वसवा/Harshvardhan Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जात आयोग
National Commission for Scheduled Tribes
संघ के कार्यालय, भारत सरकार
Govt. of India
नई दिल्ली
New Delhi

Directorate of Education, GNCTD on 25.04.2018 and subsequent medical examination. No formal joining letters have been issued by the Department so far. The Hon'ble Member asked the representative of the Education Department to explain the action taken by the Department and empowered to take a decision in the matter. The representative informed that the case is subjudice before the Hon'ble CAT and they are not in position to take a decision in the matter.

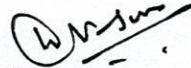
Commission observed that the Department of Education, GNCTD had not followed the due procedure and therefore, the petitioner (s) have been exploited. Near about 15 months passed no order issued by the Education Department and petitioner (ST candidates) are unemployed.

After detailed discussions, the Hon'ble Member recommended that another sitting will be fixed with Secretary, Education Department, GNCTD in the last week of August or First week of September, 2019 to resolve the case.

Accordingly, a sitting has fixed by the Hon'ble Member with the Secretary, Education Department, GNCTD on 24.09.2019 for discussion in the matter. Sitting notice dated 12.09.2019 has issued to the concerned.

Director, Education Department, GNCTD appeared before the Commission on 24.09.2019. Petitioners were also present in the day of sitting. The matter discussed in detail. After detailed discussion the Commission observed that all the petitioners were eligible for appointment to the post of teachers (TGT, Computer Science) in the Education Department as per their qualification. The Education Department has ignored the Principal Law of Justice for Scheduled Tribes candidates. Therefore, the Commission recommends that:

- (1) The eligibility/ qualification is the not issue in the matter.
- (2) The petitioner should be given appointment to the post of teachers (TGT, Computer Science) immediately subject to the condition of outcome of judgment of hearing listed on 09.10.2019 of Hon'ble High Court of Delhi.
- (3) The compliance/ action taken report should be furnished to this Commission at the earliest.


उपसभासद/सदस्य/Harshadhbhai Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जात आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

भारत सरकार
राष्ट्रीय अनुसूचित जनजाति आयोग

Sub: List of participants in the sitting held on 24/09/2019 at 12:00 Noon in the case of Shri Manjeet Singh Chauhan, R/o House No. 250, Gali No. 9, Block - G, Prem Nagar, Najafgarh, Delhi regarding delay in issuing Joining Letter for regular teachers (TGT, Computer Science) by Directorate of Education, Govt. of NCT of Delhi.

(F. No. MSC/5/2018/STGDH/SEOTH/RU-I)

I National Commission for Scheduled Tribes

1. Shri H.C. Vasava, In Chair
Hon'ble Member
2. Shri Rajeshwar Kumar,
Assistant Director
3. Shri H.R. Meena,
Senior Investigator
4. Shri P.T. Jameskutty,
Consultant

II Education Deptt.

1. Shri Binay Bhaskar,
Director
2. Shri Hukam Chand,
Assistant Director

III Petitioners

1. Shri Manjeet Singh Chauhan
2. Shri Akash Akhil