

F.No.MS/10/2011/MHRD1/SEOTH/RU-III

Proceedings of the sitting held in the NCST on 3/02/2012 at 11.30 hrs. to discuss the case of Shri Meer Singh, General Secretary, All India Confederation of SC/ST Organisation New Delhi regarding filling up of backlog reserved vacancies by launching Special Recruitment Drive in the light of DoPT Orders. IN Indira Gandhi Open University.

The following were present:

NCST:

1. Dr. Rameshwar Oraon, Hon'ble Chairperson
2. Shri Aditya Mishra, Joint Secretary,
3. Smt. K.D. Bhansor, Deputy Director

Officers of IGNOU:

1. Shri U.S. Tolia, Registrar(Admn.)
2. Prof. Rajinder Kumar, Director-in-charge, ACD,
3. Shri Mohan Veer Gautam, Asstt.Registrar, SC/ST Cell,

Petitioner

1. Shri Meer Singh, General Secretary, All India Confederation of SC/ST Organisation.

Issue: Representation of Shri Meer Singh, General Secretary, All India Confederation of SC/ST Organisation regarding filling up of backlog reserved vacancies by launching Special Recruitment Drive in the light of DoPT Orders in IGNOU.

Background of the case

Representation dated 8.7.2011 was received from Shri Meer Singh, General Secretary, All India Confederation of SC/ST organizations addressed to the chairperson, NCST regarding violation of DoPT O.M.No. 36012/5/97-Estt. (Res.) Vol. II dated 20.7.2000 and OM.No.36038/1/2008-Estt.(Res) dated 16.5.2011 in connection with filling up of backlog reserved vacancies of Scheduled Caste/Scheduled Tribes and OBCs by launching a Special Recruitment Drive. The Confederation has further alleged that IGNOU, under the Ministry of Human Resource Development, had invited application for various teaching/academics position reserved for Scheduled Caste/Scheduled Tribes vide advertisement No. 01/2011/ACD dated 19.4.2011 as per DoPT O.M.No. 36038/1/2008 Estt. (Res.) dated 16.5.2011 to clear the backlog reserved vacancies. It has been further alleged that considerable number of

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National Commission for Scheduled Tribes
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Scheduled Caste/Scheduled Tribes posts are deliberately kept vacant for a very long period without any justified reasons and

the applicant against these advertisements are still not called for interview by IGNOU. The NCST vide letter dated 18.7.2011 invited comments alongwith action taken report on the points raised by the Confederation followed by subsequent reminders dated 10.10.2011 and 24.11.2011 from the Registrar, IGNOU. Since no response was forthcoming, the NCST decided to call the Registrar, IGNOU and accordingly a sitting was fixed by Hon'ble Chairperson in the matter on dated 03.02.2012.

Discussion:

At the outset, Hon'ble Chairperson taking a serious note of non-response to the NCST communication, advised the Registrar and officers of the IGNOU that NCST is a Constitutional authority set up under Article 338A of the Constitution and it has to fulfill the obligations of the Constitution in protecting the interest of Scheduled Tribes in respect of implementation of reservation policy and various other safeguards. The Commission also expects from the Ministries/Deptts./Organization to fulfill the duties as per the Constitution.

The Registrar, IGNOU regretted that it was a lapse on the part of IGNOU that Commission was not informed timely. The Registrar further informed that all the vacant posts reserved for Scheduled Caste/Scheduled Tribes/OBCs and PWDs of various disciplines were advertised by the University in the month of April, 2011 and according to Statute 12 of the University, the Selection Committee for recruitment of teaching/academic positions must have a Visitor's Nominee. The term of Visitor's Nominees for 11 Schools had expired in July 2011 (Tourism Hospitality Services Management (2) Inter Disciplinary & Trans disciplinary Studies (3) Social Work (4) Extension & Development Studies (5) Engineering & Technology (6) Sciences (7) Management Studies (8) STRIDE & Academic positions (9) School of Humanities (10) School of Foreign Language (11) School of Law). IGNOU has been also reminded the Ministry of Human Resource Development vide letter dated 30.12.2011 for appointment of Visitor's Nominee on the Selection Committee for Teaching and Academic position. Registrar, IGNOU mentioned that the Visitor's Nominees are available for the 5 Schools: (School of Social Sciences (2) School of Health Sciences (3) School of computer & Information Sciences (4) School of Continuing Education and (5) School of Agriculture).

The Registrar also informed that the applications received for faculty positions in five schools are being processed for conduct of interviews. The Registrar further explained the University is awaiting a response from the Ministry in respect of 11 schools for which visitor's Nominees have not been

communicated as yet by the Ministry of HRD for further action to fill up the vacancies.

Conclusion:

The Commission observed that for want of Visitor's Nominee on the Selection Committee from the M/o HRD, IGNOU is unable to proceed with recruitment process of selection of candidates against advertised posts under Special Recruitment Drive to clear the backlog of SC/ST/OBCs etc. The Commission, therefore, decided to write to Ministry of HRD to provide the Visitors Nominee to IGNOU as per the request of IGNOU, within a week's time. The Registrar, IGNOU assured that on receipt of Visitor's Nominee from the Ministry of HRD, IGNOU will complete the recruitment process including interviews etc. within one and a half month.

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