

In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-4 Telefax: 23216005
Website: www.discomm.delhi.gov.in : Email : comdis.delhi@nic.in
[Vested with power of Civil Court under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/736/2014-Wel./CD/1837-40

Dated: 12.10.15

In the matter of :

Sh.P.S.Dhama

President

Joint Front of PwD & OBC Teacher's Association Delhi

G-63, MCD Colony Dhaka

Kingsway Camp

New Delhi-110009

..... Petitioner

Versus

Dr.Puneet Kumar Goel

Commissioner

South Delhi Municipal Corporation

9th Floor, Dr.S.P.M Civil Centre

J.L.N.Marg, New Delhi-110002

Mr.P.K.Gupta

Commissioner

North Delhi Municipal Corporation

4th Floor, Dr.S.P.M Civil Centre

New Delhi-110002

Sh.Amit Yadav

Commissioner

East Delhi Municipal Corporation

419, Udyog Sadan Patparganj Industrial Area

Delhi

..... Respondents

ORDER

1. A representation filed by Sh.P.S.Dhama a disabled person states that the posts of School Inspector under all the three Municipal Corporation of Delhi namely North Delhi Municipal Corporation, South Delhi Municipal Corporation and East Delhi Municipal Corporation have not been filled up by direct recruitment for the last ten years and through promotion for the last seven years and instead appointments have been made through promotion and through deputation by giving look after charge to the School Inspector without following any system of seniority etc.
2. The representation was forwarded to the Commissioners of all the Corporations. In the response filed by the three Corporations it has been indicated that the work relating to promotion to the post of School Inspector has been assigned to North Delhi Municipal Corporation. The post of School Inspector was in Group B category and in the year 2011

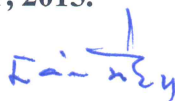
the post was upgraded to Group A and accordingly a requisition was sent to Union Public Service Commission (UPSC) which is under process. And since there was an acute shortage of officers at various levels some senior principals agreed to work as School Inspectors without any extra remuneration they therefore are deployed on adhoc basis till appointment of regular incumbents. A rejoinder was filed by the petitioner stating that not only Principals even teachers were employed as School inspectors who did not either have any experience of school administration nor have been given any training for the same. The contention that only senior Principals etc. were appointed as School Inspectors was not correct as no seniority list has been prepared so far of the teachers/Principals.

3. I have considered the representation and the replies filed by the concerned officers of the three Corporations. The work of recruitment to the post of School Inspectors has been assigned to the South Delhi Municipal Corporation and since the post of School Inspector is a Group A post there is no reservation in promotion to Group A post. There is a need therefore to prepare a seniority list of Principals/teachers and if there is a need to appoint School Inspectors on look after charge in exigencies of public services it should be done on the basis of seniority of Principals/teachers. Further there is no provision in the Recruitment Rules for granting promotion to the post of Principal under the disabled category after completing eight years service and therefore it is not possible to support the case of Sh.P.S.Dhama to promote him from back date.

4. Ordered accordingly.

Given under my hand and the seal of the Court this 12th day of October, 2015.




(K.S. Mehra) 12/10/15
Commissioner

Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
25-D, Mata Sundari Road, New Delhi-02