GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION (E-III BRANCH)
OLD SECRETARIAT, DELHI-110 054.

No. DE3(3)/E-III/TR/2013/516-524

Dated: 30/1/14

ORDER

Whereas, the Hon'ble CAT vide order dated 03.12.2013 in OA No. 4219/2013 titled as Kishan Pal Tevathia & Anr. Vs. GNCT of Delhi has directed as under:

"7. Thus, in the facts of the case, there appears no reason to interfere with the impugned order of transfer in a proceeding under Section 19 of the Administrative Tribunals Act, 1985. However, keeping in view the submissions made and also in the facts of the case and law as declared by the Apex Court, this application is being disposed of with the direction to the applicant made through their representations dated 27.09.2013 contained in Annexure A-4 to this application or a fresh one, if filed, within ten days from date of issuance of certified copy of this order and to take appropriate decision in accordance with law expeditiously, preferably within a fortnight from date of making of such representation.

8. In the result, this application is finally disposed of with the above direction."

And whereas, it is observed that Sh. K. P. Tevathia, TGT (Social Science) and Sh. Brahm Pal Singh, TGT (Natural Science) approached Hon'ble CAT against transfer order dated 26.09.2013 vide which they were transferred from G.Co-ed SSS, Sector-15, Rohini-1413071 to Mubarakpur Dabas, GBSS-1412091 and Nithari, GBSS-1412132 respectively.

And whereas, the said transfer had been done in the light of complaints of female staff and Vice Principal of the Govt. Co-ed SSS, Sector 15, Rohini, Delhi and consequential inquiry report conducted by the DEO Zone-XIII and subsequent recommendation of DDE (North) vide U.C. Note No. 5100 dated 06.09.2013 to keep the congenial and healthy atmosphere in Govt. Co-ed SSS, Sector-15, Rohini, Delhi with lock in period of two years on MIS vide this office order No. DE.3(8)/E-III/TR/2013/2408-2417 dated 26.09.2013.

And whereas, representation dated 10.12.2013 has been made by the said Sh. K. P. Tevathia, TGT (S. Sc.) for cancellation of transfer.
order dated 26.09.2013, however, no fresh representation has been made by the said Sh. Brahm Pal Singh, TGT (N. Sc.) in the matter.

And whereas, a perusal of the representation made by Sh. K. P. Tevathia, TGT (S. Sc.) reveals that he has submitted that his transfer was made due to his proximity with the Principal Sh. Punrikaksh and due to the false complaints and propaganda circulated by the Vice Principal Sh. Naresh Kumar Bhardwaj. Further, Sh. K. P. Tevathia, TGT (S. Sc.) has alleged bias at the level of Dy. Director of Education, District North West-B for the transfer as well as the applicant not getting the State Teacher's Award for the year 2013. He has also stated that the online complaints received against him are unsigned and that his transfer on the basis of these unsigned online complaints shows the planning and bias of the senior officers.

And whereas, it is seen that various complaints were received against the petitioners as well as the Principal of Government Co-ed SSS, Sector-15, Rohini in which the Deputy Director of Education (North West-B) directed Ms. Kamla Goel, DEO Zone-XIII to enquire and submit a report. The DEO had submitted a report dated 23.07.2013 which has been examined. It is observed that the inquiry report clearly paints out the state of indiscipline in the school and the dissatisfaction and resentment of the staff against the petitioners due to their unparliamentarily/indecent and impolite language as well as their dictatorial attitude.

Now, therefore, in view of the facts and circumstances mentioned above it is seen that there is no merit in the representation dated 10.12.2013 and 27.09.2013 received from the petitioners and the same is therefore rejected.

This complies with the judgment dated 03.12.2013 passed by the Hon'ble CAT in OA No. 4219/2013.

This issues with the prior approval of the Competent Authority.

(PAWAN KUMAR)
ASSTT. DIRECTOR OF EDUCATION (E-III)

Sh. K. P. Tevathia, TGT (S.Sc.) &
Sh. Brahm Pal Singh, TGT (N. Sc.),
Through H.o'S, G.Co-ed SSS, Sec-15,
Rohini, Dehi.
Copy forwarded to the following for necessary action to:

1. PS to Principal Secretary (Education).
2. PS to Director (Education).
3. RI concerned.
4. DDE (North West-B).
5. EC concerned.
7. O! (IT).
8. Guard File.

(PAWAN KUMAR)
ASSTT. DIRECTOR OF EDUCATION (E-III)