

**TWELFTH REPORT**

**COMMITTEE ON PETITIONS**

**(SEVENTEENTH LOK SABHA)**

**MINISTRY OF EDUCATION**

**(DEPARTMENT OF SCHOOL EDUCATION & LITERACY)**

**(Presented to Lok Sabha on 21.9.2020)**



**LOK SABHA SECRETARIAT  
NEW DELHI**

***September, 2020/Bhadrapada, 1942 (Saka)***

**CPB. NO. 1 Vol. XII**

**Price: Rs.....**

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**Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Sixteenth Edition) and printed by the Manager, Government of India Press, Minto Road, New Delhi - 110002**

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## COMPOSITION OF THE COMMITTEE ON PETITIONS

(2019-20)

Dr. Virendra Kumar - *Chairperson*

### MEMBERS

2. Shri Anto Antony
3. Shri Sukhbir Singh Badal
4. Shri Harish Dwivedi
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12. Shri Brijendra Singh
13. Shri Sushil Kumar Singh
14. Shri Prabhubhai Nagarbhai Vasava
15. Shri Rajan Vichare

### SECRETARIAT

1. Shri T.G. Chandrasekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G. C. Dobhal - Additional Director
4. Shri Anand Kumar Hansda - Assistant Executive Officer

**TWELFTH REPORT OF THE COMMITTEE ON PETITIONS  
(SEVENTEENTH LOK SABHA)**

**INTRODUCTION**

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Twelfth Report (Seventeenth Lok Sabha) of the Committee to the House on the Action Taken by the Government on the Recommendations made by the Committee on Petitions (Sixteenth Lok Sabha) in their Sixty-Sixth Report on the Representation of Shri Satish Kumar Singh requesting for his reinstatement in the Central School for Tibetans (CST) functioning under the Central Tibetan Schools Administration (CTSA)

2. The Committee considered and adopted the draft Twelfth Report at their sitting held on 16 September, 2020.
3. The observations/recommendations of the Committee on the above matters have been included in the Report.

**NEW DELHI;**

**16 September, 2020**  
**25 Bhadrapada, 1942 (Saka)**

**DR. VIRENDRA KUMAR,**  
***Chairperson,***  
***Committee on Petitions.***

## REPORT

### **ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (SIXTEENTH LOK SABHA) IN THEIR SIXTY-SIXTH REPORT ON THE REPRESENTATION OF SHRI SATISH KUMAR SINGH REQUESTING FOR HIS REINSTATEMENT IN CENTRAL SCHOOL FOR TIBETANS (CST) UNDER CENTRAL TIBETAN SCHOOLS ADMINISTRATION (CTSA).**

The Committee on Petitions (Sixteenth Lok Sabha) presented their Sixty-Sixth Report to Lok Sabha on 11 February, 2019 which had dealt with a Representation of Shri Satish Kumar Singh requesting for his reinstatement in Central School for Tibetans (CST) under Central Tibetan Schools Administration (CTSA).

2. The Committee had made certain observations/recommendations in the matter and the Ministry of Human Resource Development (Department of School Education & Literacy) were asked to implement the recommendations and requested to furnish their action taken replies thereon for further consideration of the Committee.

3. Action Taken Replies have been received from the Ministry of Human Resource Development (Department of School Education & Literacy) *vide* their Office Memorandum No. F.2-4/2018-Sch.3 dated 6 July, 2020 in respect of all the observations/recommendations contained in the aforesaid Report. While furnishing their Action Taken Replies, the Ministry have *inter alia* submitted that the observations/ recommendations of the Committee on Petitions contained in Para 23 to 33 of the Sixty-Sixth Report have been thoroughly examined in the Department of School Education & Literacy in consultation with the Ministry of Personnel, Public Grievance & Pensions, Department of Personnel & Training (DoP&T) and the Ministry of Law & Justice, Department of Legal Affairs (DoLA).

4. The recommendations made by the Committee and the replies furnished thereto by the Ministry of Human Resource Development (Department of School Education & Literacy) are detailed in the succeeding paragraphs.

5. In paras 23, 24, 25, 26, 27, 28 and 29 of the Report, the Committee had observed/recommended as follows:-

*"The Committee note that the Representationist, Shri Satish Kumar Singh had joined the Central Tibetan School Administration (CTSA) as PGT (Geography) on 1.8.1994 at Central School for Tibetans (CST) Shimla, (Himachal Pradesh) and later on, he was transferred to CST Herbertpur, Dehradun, (Uttarakhand) and thereafter, to CST, Dalhousie (Himachal Pradesh). The Committee further note that while in service under CTSA, Shri Satish Kumar Singh produced good results of the students in respect of the subjects taught by him till the year 1998 and he was also awarded 'Letter of Appreciation' in 1997-98. Nonetheless, from the submissions made by the Ministry of Human Resource Development (Department of School Education & Literacy) CTSA, the Committee also note that he was Charge-Sheeted vide CTSA Memorandum dated 11.7.2002 for different kinds of charges listed as under:-*

- (i) Not attending his allotted periods during the session 2001-2002, even on the days he was present in the school, resulting in the loss of students, of class IX, X, XI & XII.*
- (ii) Consequent upon transfer from CST, Herbertpur to CST, Dalhousie, he was directed by the Principal, CST, Herbertpur to handover the charges of Computer Lab to Shri Dawa Tashi, PGT (Tibetan) and Geography Lab to Shri Asit Katyan, PGT (History) but he did not comply with the orders of the Principal to hand over the charges of both the Labs on one pretext or the other.*
- (iii) Marked his attendance in the Attendance Register despite the fact that he was absent in the school on 7.9.2001 thereby amounting to Tampering with records. Further, on 24.7.2001, he received an Office Memorandum despite the fact that he was absent in the school on the said day. However, he received the same on some other day, tampering/ overwriting the date on office records proving that he was present on 24.7.2001.*
- (iv) Irresponsible attitude and giving wrong information in connection with the construction of staff quarters to the Authority of the School.*

*In the above stated context, the Committee further take note of the fact that the Charged Officer, i.e., the Representationist, Shri Satish Kumar Singh was given an opportunity to submit his statement of defense vide CTSA Office Memorandum dated 11.7.2002 and also through Notices published in various Newspapers. In response thereto, he forwarded a reply to CTSA through fax message dated 13.9.2002, wherein he denied the charges levelled against him, which was considered by the Disciplinary Authority of*

*CTSA and subsequently, Shri A.K Varshney, Retired Assistant Commissioner of Kendriya Vidyalaya Sangathan was appointed as the Inquiry Officer and Shri Nanak Chand, Under Secretary, CTSA as the Presenting Officer vide order dated 11/18.11.2002 for finding the truth of the case. After inquiring into the matter, all charges mentioned in the Charge Sheet had been sustained by the Inquiry Officer and subsequently, the Inquiry Report was submitted vide the Inquiry Officer's letter dated 21.4.2003 and a copy of the Inquiry Report was also forwarded to Shri Satish Kumar Singh, the Charged Officer, vide CTSA letter dated 30.4.2003 for making representation or submission for his defense within 15 days to the Disciplinary Authority in terms of the Government of India's instructions under Rule 15 of CCS(CCA) Rules, 1965. Thereafter, Shri Satish Kumar Singh vide his letter dated 21.5.2003 forwarded a reply which was also considered by the Disciplinary Authority of CTSA. However, the Major Penalty of Dismissal under Rule 11 (ix) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 from the service of Central Tibetan Schools Administration which shall ordinarily be a disqualification for future employment in the Government was imposed on Shri Satish Kumar Singh, PGT (Geography) vide Central Tibetan Schools Administration, Delhi (Disciplinary Authority) order dated 21.6.2003.*

*The Committee, also take note of the fact that Shri Satish Kumar Singh filed an appeal dated 18/22.8.2003 to the Appellate Authority, i.e., the Chairman, CTSA, against the said Dismissal Order of the Disciplinary Authority imposing upon him the aforesaid penalty. However, the Appellate Authority rejected his appeal and approved the major penalty of 'Dismissal from the Service of CTSA', which shall ordinarily be a disqualification for future Government Employment.'*

*Aggrieved by the order of rejection by the Appellate Authority dated 9.1.2004, Shri Satish Kumar Singh approached the Tribunal and filed the O.A. No. 1854/2004 in CAT Delhi. The CAT quashed the said order dated 9.1.2004 with the direction to reconsider the appeal of Shri Satish Kumar Singh and to pass detailed and speaking order within a period of 45 days. Consequently, the Appellate Authority of CTSA passed a speaking order dated 25.11.2005, wherein the penalty of dismissal along with disqualification for future Government Employment maintained same, as in the earlier order dated 9.1.2004.*

*Subsequently, Shri Satish Kumar Singh again approached the Tribunal and filed O.A. No. 417/2006 in CAT, Delhi. The CAT, however, found no merits in the case and dismissed the said O.A. of Shri Satish Kumar Singh vide their judgment dated 16.7.2007.*

*While recapitulating the entire sequence of events as submitted by the Ministry of Human Resource Development (Department of School Education & Literacy)/ CTSA in imposing the harshest punishment of dismissal of Shri Satish Kumar Singh from the service of CTSA, the Committee observe that the Representationist, Shri Satish Kumar Singh has exhausted all the remedies normally available to a Government Employee.*

*The Committee examined the instant Representation at length in the light of the pleas of Shri Satish Kumar Singh and the written submissions made by the Ministry of Human Resource Development (Department of School Education & Literacy)/ CTSA as well as the depositions by their representatives and also by the representationist, Shri Satish Kumar Singh himself during the course of brief discussion held on 9 October, 2018. The Committee while considering the facts gathered therein, are constrained to observe that it was not proper on the part of the CTSA, to initiate Disciplinary Proceedings against the representationist, not only in such a hasty manner but also on various rudimentary grounds/charges. Keeping in view the excellent performance of the representationist in the capacity of a Teacher, the Committee feel that the reasonable course of action would have been to 'warn' or 'censure' him before initiating disciplinary proceedings against Shri Satish Kumar Singh, if any unreasonable conduct by him had been observed by the CTSA Authorities. The Committee are further constrained to observe that the entire episode of initiating disciplinary proceedings and imposing the harshest punishment of dismissal from service was pre-meditated, primarily, on the grounds that the Representationist was habitual of filing cases against the CTSA. It also appears to the Committee that the CTSA Authorities had first reached to the conclusion that the Representationist would be dismissed from service and thereafter the entire case of misconduct, framing of charge-sheet, initiation of disciplinary proceedings, etc., were made out. The Committee are also of the considered opinion that the quantum of punishment imposed upon Shri Singh, i.e., dismissal from the services of CTSA which shall ordinarily be a disqualification for future employment in the Government, smacks of prejudicial attitude of the CTSA Authorities and infringes the tenets of 'Proportionality of Punishment'. In the considered view of the Committee, imposition of Major Penalty, that too, in the form of 'dismissal from service' is justified and unquestionable only when an*

*employee is found to be indulged in cases connected with misappropriation of Government funds, financial irregularities, moral turpitude or some criminal conduct and/or intimidation. Considering the present employment scenario, wherein a person had to fight tooth and nail to get a Government job, the Committee feel that any case of dismissal from service, which would deprive an employee of the financial benefits as well as his family responsibilities needs a very careful and sympathetic consideration. The Committee, therefore, strongly recommend the Ministry of human Resource Development (Department of School Education & Literacy) to re-visit the decision taken by the Disciplinary Authorities of the CTSA and to reconsider the case of Shri Satish Kumar Singh for an amicable resolution, nothing less, in the form of his reinstatement in the CTSA. The various other contours of his minor misconduct connected with day-to-day functioning of the School, earlier findings of the Inquiry Committee, aspect of payment of arrears of pay and allowances, etc., should be sorted out, in a time bound manner, by way of constitution of an independent Inquiry Committee, preferably headed by a retired High Court Judge/renowned Scholar/Academician. The Committee would like to be apprised of the final conclusive action taken by the Authorities concerned in this regard within three months from the date of presentation of this Report to the House."*

6. The Ministry of Human Resource Development (Department of School Education & Literacy) in their action taken replies, have submitted as under:-

*"The charges against Shri S.K. Singh are very serious and justify the imposition of the punishment of dismissal from service imposed upon him. It has been proved that Shri S.K. Singh as a teacher did not attend his classes for months despite of being present in the school and thus failed to perform the basic duty of a teacher resulting into considerable academic loss of students of senior classes including the student preparing for the final exams of CBSE. He was also of dubious integrity and shady character by making false attendance and by tampering with the official records. He considered himself above the school and Administration and disobeyed the orders of the Administration. His act has created unpleasant and undesirable atmosphere in that school and in other schools also. He was arrogant, disobedient, discourteous and shows insubordination. Because of that his ACR during the year 2000-2001 and 2001-2002 was also below average.*

*Shri S.K. Singh did not prefer any appeal in the High Court, however, he had the option to avail these remedies immediately after the judgment of the Hon'ble Central*

*Administrative Tribunal dated 16.07.2007. CTSA Service Rule does not provide any further remedy such as departmental or legal to Shri S.K. Singh praying his reinstatement in service. Shri S.K. Singh submitted his representation before the Hon'ble Committee on Petitions for reinstatement his service in CTSA after passing a period of 11 years (approx.), which is not tenable at this belated stage. In view of the judgment of the Hon'ble Central Administrative Tribunal dated 16.07.2007, the Hon'ble Committee is requested to reconsider the matter, otherwise it would cause prejudice and precedence to other such settled cases and it will be not possible to run the school with security and discipline and interest of the students would also be hampered. The reinstatement of Shri Satish Kumar Singh at this stage would infringe the legal rights of CTSA and would cause huge financial burden on the exchequer on the Government of India funds while settling his past dues and it will create indiscipline situation in the schools.*

*The Hon'ble Committee is requested to reconsider its entire recommendation made in Para 29 of this Report dated 07.02.2019 regarding reinstatement of Shri S.K. Singh in the Service and to setup a Committee for other associated issues including payment of back wages.*

*It has been observed that after failing to get relief from the Hon'ble Central Administrative Tribunal, Shri Satish Kumar Singh, ought to have approached the Higher Courts for relief, if aggrieved, which he has failed to do. It suggests an unwarranted deviation from the prescribed process of Law. Further, in terms of Rule 29 A of CCS (CCA) Rules, 1965, this Ministry makes a humble submission that recommendations of Committee of Petitions, if abided, will entail an intervention on a matter that has been adjudicated by the Hon'ble Central Administrative Tribunal (CAT) and has not been challenged in any Higher Court and has thus attained finality. Therefore, no course of action on the subject would be required and the matter may be closed."*

7. In paras 30 and 31 of the Report, the Committee had observed/recommended as follows:-

*"The representationist', Shri Satish Kumar Singh, in his Representation has submitted that, in the year 2000-01, he had made a complaint to the then Secretary, CTSA against the corruption that took place in the purchase of school items from the Plan and Non-Plan Budget of CST Herbertpur, Dehradun by the then Principal and other members of the staff. Subsequently, a three-member Committee was appointed by the then Secretary, CTSA to investigate the matter. The said Committee found that the majority of Charges levelled by Shri Satish Kumar Singh were found to be maintainable and*

*accordingly the Committee submitted their Preliminary Investigation Report in 2001. However, the Committee find it intriguing that upon arrival of a new Secretary of CTSA, again a Fact Finding Inquiry Committee comprising of the then Consultant, CTSA and an Ex-Principal, Kendriya Vidyalaya Sangathan were deputed to inquire into the alleged aspect of corruption in CST Herbertpur. The said Committee suppressed the previous Preliminary Investigation Report submitted in 2001, and nullified the charges of corruption in the CST Herbertpur by way of establishing the existence of 'Shop(s)' from where the school items were purchased and accordingly submitted their Report in the year 2007.*

*In this regard, the Committee note from the submissions made by the representatives of the Ministry of Human Resource Development (Department of School Education & Literacy)/ CTSA during their brief discussion with the Committee on Petitions held on 9 October, 2018 that a detailed inquiry on the charges of corruption by the then Principal, CST, Herbertpur was conducted in the year 2007 by a retired Principal of Kendriya Vidyalaya and subsequently, some instructions were issued to the then Principal, CST, Herbertpur. However, the Committee are dismayed to note that there was no mention of the Preliminary Investigation Report submitted by a three-member Enquiry Committee in 2001, which had established the charges of financial irregularities in CST, Herbertpur. On this aspect, the Committee feel inclined to point out the questionable conduct of the then Principal, CST, Herbertpur in the procurement of various School Items. However, the Committee also note that pursuant to the observations made by the Committee during the brief discussion with the representatives of the Ministry of Human Resource Development (Department of School Education & Literacy)/ CTSA held on 9 October, 2018, the Ministry/CTSA had assured the Committee that the entire matter would be inquired once again and the facts would be reported thereafter. As the matter involves the applications of financial prudence and sobriety in matters involving Public Exchequer, the Committee recommend to the Ministry of Human Resource Development (Department of School Education and Literacy)/ CTSA that the entire matter of budget and expenditure in respect of procurement of school items vis-a-vis the role of the then Principal, CST Herbertpur be thoroughly investigated by an Independent Authority. The Committee would like to be apprised of the concrete action taken in this regard within three months from the date of presentation of this Report to the House."*

8. The Ministry of Human Resource Development (Department of School Education & Literacy) in their action taken replies, have submitted as under:-

*"It is submitted that in Compliance of letter No. 11/CPB/2018/R-295 Dated 19.11.2018 of Lok Sabha Secretariat, Committee on Petitions Branch, Parliament House Annexe, New Delhi-110001, Shri Vinod Kumar Deputy Commissioner, Kendriya Vidyalaya Sangathan, Dehradun Region, appointed as inquiry officer to ascertain the facts and the role of the then Principal, CST Herbertpur for placing the same before the Committee on Petitions, Lok Sabha. Shri Vinod Kumar, Assistant Commissioner & Deputy Commissioner (I/C), Kendriya Vidyalaya Sangathan, Regional Office Dehradun, submitted a detailed report vide letter No. KVS RO/DDR/Inq/CTSA/2018-19/3638 dated 04.02.2019, wherein no strength has been found in the Complaints of Shri S.K. Singh, Ex-PGT Geography. The entire inquiry report along with the annexure has been submitted to the Ministry of HRD vide this office letter No. 53-4/2018-CTSA(L&V) dated 25.02.2019 for further action. It is to be observed that the Third Inquiry Committee has not found any substantial irregularity on the part of Shri V.K. Singh, the then Principal CST Herbertpur."*

9. In para 32 of the Report, the Committee had observed/recommended as follows:-

*"During the examination of the instant Representation, the Committee observe that had the procurement of the school items been made from the Government Registered Vendors/Firms/Suppliers, the alleged financial irregularities would not have occurred. The Committee, therefore, recommend the Ministry of Human Resource Development (Department of School Education & Literacy)/CTSA to ensure that, in future, all the procurement of School and Non-School items, Services, etc., should be made from the Registered Vendors/Firms/Suppliers on Government e-Marketing (GeM) Portal of Directorate General of Supplies & Disposal (DGS&D) and at DGS&D approved rates to obviate the recurrence of any financial irregularities. The Committee would like to be apprised of the necessary action taken in this regard within three months from the date of presentation of this Report to the House."*

10. The Ministry of Human Resource Development (Department of School Education & Literacy) in their action taken replies, have submitted as under:-

*"CTSA has informed that the recommendation of this Para will be implemented in letter and spirit."*

11. In para 33 of the Report, the Committee had observed/recommended as follows:-

*"The Committee would desire the Ministry of Human Resource Development (Department of School Education & Literacy)/ CTSA to furnish a detailed Report on the various complaints received by them during the last ten years, in respect of the financial irregularities reported in any of the Central Schools for Tibetans under CTSA vis-à-vis action taken thereon, within three months from the date of presentation of this Report to the House."*

12. The Ministry of Human Resource Development (Department of School Education & Literacy) in their action taken replies, have submitted as under:-

*"During last 10 years, CTSA, HQ, Delhi has not received any complaints on financial irregularities from its School Unit run in all over India except one written complaints letter in the fake names against Shri S. P. Singh, the then Principal, CST Herbertpur. Despite of this, CTSA has conducted fact finding inquiry through a Committee comprising one Principal from CTSA and Deputy Commissioner of Kendriya Vidyalaya, Dehradun. As per report of the fact finding committee, no financial irregularities were found in the funds provided by the CTSA/ Government of India.*

*However, some present lapses have been reported in the fund collected under Parent Teacher Association and not by the Principal of the School. In one of such cases, where a Principal has kept the fund and utilised for the welfare of the School. Matter was enquired and the strict warning letter was issued to the Principal and he was also transferred to another School and he is kept under watch and no further irregularities were observed."*

## OBSERVATIONS/RECOMMENDATIONS

### *Reconsidering the request of Shri Satish Kumar Singh, ex-PGT for his reinstatement in the Central Tibetan Schools Administration (CTSA).*

13. The Committee, while going through the entire sequence of events as submitted by the Ministry of Human Resource Development (Department of School Education & Literacy)/ Central Tibetan School Administration (CTSA) in imposing the harshest major penalty of dismissal of Shri Satish Kumar Singh from the service of CTSA under Rule 11(ix) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 which shall ordinarily be a disqualification for further employment in the Government, had observed that the representationist, Shri Satish Kumar Singh, had exhausted all the remedies normally available to a Government Employee. The Committee were also constrained to observe that it was not proper on the part of the CTSA, to initiate Disciplinary Proceedings against the representationist, not only in such a hasty manner but also on various rudimentary grounds/charges. Keeping in view the excellent performance of the representationist in the capacity of a Teacher, the Committee further felt that the reasonable course of action would have been to 'warn' or 'censure' him before initiating disciplinary proceedings against Shri Satish Kumar Singh, if any unreasonable conduct from him had been observed by the CTSA Authorities. The Committee were also unhappy to observe that the entire episode of initiating disciplinary proceedings and imposing the harshest punishment of dismissal from service was pre-meditated, primarily, on the grounds that the representationist was habitual of filing cases against the CTSA. It also appeared to the Committee that the CTSA Authorities had first reached to the conclusion that the representationist would be dismissed from service and thereafter, the entire case of misconduct, framing of charge-sheet, initiation of disciplinary proceedings, etc., were made out. The Committee were also of the considered opinion that the quantum of punishment imposed upon Shri Satish Kumar

Singh, i.e., dismissal from the services of CTSA which shall ordinarily be a disqualification for future employment in the Government, was an indication of prejudicial attitude of the CTSA Authorities and infringes the tenets of 'Proportionality of Punishment'. The Committee were also constrained to express, in their original report, that imposition of Major Penalty, that too, in the form of 'dismissal from service' is justified and unquestionable only when an employee is found to be indulged in cases connected with misappropriation of Government funds, financial irregularities, moral turpitude or some criminal conduct and/ or intimidation. Considering the employment scenario, wherein, a person had to fight tooth and nail to get a Government job, the Committee had felt that any case of dismissal from service, which would deprive an employee of the financial benefits as well as his family responsibilities needs a very careful and sympathetic consideration.

14. In this sequel, the Committee had strongly recommended the Ministry of Human Resource Development (Department of School Education & Literacy) to re-visit the decision taken by the Disciplinary Authorities of the CTSA and to reconsider the case of Shri Satish Kumar Singh for an amicable resolution, nothing less, in the form of his reinstatement in the CTSA. The Committee had further recommended that the various other contours of his minor misconduct connected with day-to-day functioning of the School, earlier findings of the Inquiry Committee, aspect of payment of arrears of pay and allowances, etc., should be sorted out, in a time bound manner, by way of constitution of an independent Inquiry Committee, preferably headed by a retired High Court Judge/renowned Scholar/Academician.

15. In response to the above recommendations, the Ministry of Human Resource Development (Department of School Education & Literacy), in their action taken replies, have *inter alia* submitted that the charges against Shri Satish Kumar Singh are very

serious and justify the imposition of the punishment of dismissal from service imposed upon him. The Ministry have further submitted that Shri Satish Kumar Singh did not prefer any appeal in the High Court, however, he had the option to avail these remedies immediately after the judgment of the Hon'ble Central Administrative Tribunal dated 16.07.2007. Moreover, CTSA Service Rule(s) do not provide any further remedy such as departmental or legal to Shri Satish Kumar Singh praying his reinstatement in service. The Ministry have also contended that Shri Satish Kumar Singh submitted his representation before the Hon'ble Committee on Petitions for reinstatement of his service in CTSA after passing a period of approximately 11 years, which is not tenable at this belated stage and have requested the Committee to reconsider the matter, otherwise it would cause prejudice and precedence to other such settled cases and it would be not possible to run the school with security & discipline and interests of the students would also be hampered. The Ministry have further contended that the reinstatement of Shri Singh, at this stage, would infringe the legal rights of CTSA and would cause huge financial burden on the exchequer on the Government of India funds while settling his past dues and it would create indiscipline situation in the schools.

16. The Committee are not satisfied with the averments made by the Ministry of Human Resource Development (Department of School Education & Literacy), especially, the argument that the representationist, Shri Satish Kumar Singh had the option to avail the remedy immediately after the judgment of the Central Administrative Tribunal (CAT) dated 16.07.2007 and he did not prefer any appeal in the High Court and instead preferred to submit a representation before the Committee on Petitions for reinstatement of his service in CTSA after a lapse of approximately 11 years and therefore, his demands are not tenable at this belated stage. The Committee, further, find it contradictory that on one hand, the Ministry are emphasising that after failing to get relief from the CAT, Shri Satish Kumar Singh, ought to have approached the Higher Courts for relief and on the

other, the Ministry are bringing out the fact that CTSA Service Rule does not provide any further remedy such as departmental or legal to Shri Satish Kumar Singh praying for his reinstatement in service. Notwithstanding the fact that the instant matter has been adjudicated by the Central Administrative Tribunal (CAT), the Committee are not inclined to endorse the views of the Ministry that since the orders of the CAT has not been challenged in any Higher Court and has, therefore, the instant case has attained its finality. The Committee also wish to point out that CAT has been established with the primary objective of providing an in-expensive and speedy relief to Central Government Employees in respect of their grievances related to service matters. In the considered view of the Committee, it is not incumbent upon a Petitioner to approach the High Court or the Supreme Court for redressal of his/her grievances, in case the Petitioner is not satisfied or aggrieved by the orders/judgement of the CAT. In the context of representationist approaching the Parliamentary Committee on Petitions for redressal of his grievances, the Committee wish to inform the Ministry that as per the mandate of the Committee as prescribed in the Rules of Procedure and Conduct of Business in Lok Sabha and/or Directions by the Speaker, Lok Sabha, any citizen of India has an inherent right to approach the Committee for appropriate redressal of his/her grievances and there is also no bar for the Committee on Petitions, Lok Sabha even for taking an old or unresolved matter for detailed examination, investigation and report. Considering all above factors in their consideration, the Committee, once again strongly reiterate that the Ministry of Human Resource Development (Department of School Education & Literacy) should re-visit the decision taken by the Disciplinary Authorities of the CTSA and reconsider the prayer of Shri Satish Kumar Singh for his reinstatement in the services of CTSA. The Committee would like to be apprised of the conclusive action taken by the Authorities concerned, in this regard, within three months from the date of presentation of this Report to the House.

**Inquiry against the then Principal, Central School for Tibetans (CST), Herbertpur, Dehradun for alleged financial and administrative irregularities.**

17. While examining the instant Representation of Shri Satish Kumar Singh, the Committee had noted that on the complaint of the Representationist to the then Secretary, CTSA, a detailed inquiry on the charges of corruption by the then Principal, CST, Herbertpur was conducted in the year 2007 by a retired Principal of Kendriya Vidyalaya and subsequently, the then Principal, CST, Herbertpur was also transferred. However, the Committee were dismayed to note that there was no mention of the Preliminary Investigation Report submitted by a three-member Inquiry Committee in 2001, which had established the charges of financial irregularities in CST, Herbertpur and also from the point of view of vigilance. As the matter was related with the aspect of public exchequer, the Committee had recommended to the Ministry of Human Resource Development (Department of School Education & Literacy)/CTSA that the entire matter of budget and expenditure in respect of procurement of school items *vis-a-vis* the role of the then Principal, CST, Herbertpur be thoroughly investigated by an Independent Agency.

18. In response, the Ministry of Human Resource Development (Department of School Education & Literacy), in their action taken replies, have submitted that Shri Vinod Kumar, Deputy Commissioner, Kendriya Vidyalaya Sangathan, Dehradun Region was appointed as the Inquiry Officer to ascertain the facts and the role of the then Principal, CST Herbertpur for placing the same before the Committee on Petitions, Lok Sabha. Shri Vinod Kumar, Assistant Commissioner & Deputy Commissioner (I/C), Kendriya Vidyalaya Sangathan, Regional Office Dehradun, submitted a detailed Report *vide* letter No. KVS RO/DDR/Inq./CTSA/2018-19/3638 dated 04.02.2019, wherein, no strength has been found in the complaints of Shri Satish Kumar Singh, Ex-PGT Geography. The entire Inquiry Report along with the Annexure has been submitted to the Ministry *vide* letter No. 53-

4/2018-CTSA(L&V) dated 25.02.2019 for further action. The Ministry have further submitted that the Third Inquiry Committee has not found any substantial irregularity on the part of Shri V.K. Singh, the then Principal, CST Herbertpur.

19. The Committee are surprised to note that the Ministry of Human Resource Development (Department of School Education & Literacy) have not brought into focus the detailed Inquiry conducted in the year 2007 by a retired Principal of Kendriya Vidyalaya on the charges of corruption by the then Principal, CST, Herbertpur and subsequently, some instructions were issued to the then Principal, CST, Herbertpur who was also transferred. The Committee are not happy to observe that the Ministry of Human Resource Development (Department of School Education & Literacy) have not considered the entire matter with the seriousness it deserved by getting the same investigated *vis-a-vis* the role of the then Principal, CST, Herbertpur by an Independent Agency and instead, appointed Shri Vinod Kumar, Deputy Commissioner, Kendriya Vidyalaya Sangathan, Dehradun Region as the Inquiry Officer, who in Committee's opinion, is an in-house cadre officer of Kendriya Vidyalaya Sangathan. Further, the Ministry of Human Resource Development (Department of School Education & Literacy) have neither apprised the Committee about the details of the latest Inquiry Report nor the necessary follow up action taken by the Ministry/CTSA Authorities up on receipt of the said Report vide CTSA letter No. 53-4/2018-CTSA(L&V) dated 25.02.2019. The Committee, therefore, would like to be apprised of the details on the above mentioned aspects at the earliest.

**Mandatory procurement of goods and services through the National Public Procurement Portal i.e., Government e-Marketing (GeM)**

20. As regards procurement of the school items *viz.*, goods and services by the Schools under CTSA, the Committee had recommended the Ministry of Human Resource

Development (Department of School Education & Literacy)/CTSA to ensure that all the procurement of School and Non-School items, Services, etc., should be made from the Registered Vendors/Firms/Suppliers on the Government e-Marketing (GeM) Portal of Directorate General of Supplies & Disposal (DGS&D), at DGS&D approved rates.

21. In response to the above recommendation, the Ministry of Human Resource Development (Department of School Education & Literacy), in their action taken replies, have though submitted that the CTSA has informed that the above recommendation would be implemented in letter and spirit, the Committee would like to reiterate that the Ministry should ensure early implementation of the relevant recommendation of the Committee on Petitions by the Schools under CTSA to obviate the recurrence of any financial irregularities, in future.

NEW DELHI;

16 September, 2020

*25 Bhadrapada, 1942 (Saka)*

DR. VIRENDRA KUMAR,  
Chairperson,  
*Committee on Petitions.*

