सावित्रीबाई फुले पुणे विद्यापीठ

(पूर्वीचे पुणे विद्यापीठ)

परिपत्रक क्र. ३६ /२०२५

विषय :- विभागांशी संबंधित नसलेल्या अर्जदारांकडून प्राप्त झालेल्या अर्जावर करावयाच्या कार्यवाहीबाबत.
संदर्भ :- क्र.संकीर्ण-२०२४/HTED-2011/33/2024-MHT/समन्वयक कक्ष, दि.१६/०१/२०२४.

या परिपत्रकाद्वारे सर्व संबंधितांना कळविण्यात येते की, महाराष्ट्र शासन, उच्च व तंत्र शिक्षण विभाग व शालेय शिक्षण विभागाकडे तसेच या विभागांतर्गत येणाऱ्या शैक्षणिक संस्था/विद्यापीठे/महाविद्यालय यांच्याकडे त्यांच्याशी संबंधित नसलेल्या व्यक्तींकडून संस्थेविषयी/विद्यापीठ/कर्मचाऱ्यांविरुध्द केलेल्या तक्रारीचे अर्ज प्राप्त होत असतात. अशा तक्रार अर्जाबाबत करावयाच्या कार्यवाहीकरीता मा.उच्च न्यायालय येथे दाखल रिट याचिका क्र.२४९२/२०२४ मध्ये दि.२३/१०/२०२४ रोजी न्यायनिर्णय दिला असून सदर न्याय निर्णयाची प्रत सोबत जोडून, सदर न्याय निर्णयाबाबत आपल्या अधिनस्त संस्था/महाविद्यालय यांना अवगत करण्यात यावे, असे महाराष्ट्र शासन, उच्च व तंत्र शिक्षण विभाग, मंत्रालय, यांनी संदर्भ क्र.संकीर्ण-२०२४/HTED-2011/33/2024-MHT/समन्वयक कक्ष, दि.१६/०१/२०२४ अन्वये कळविलेले आहे. सदर संदर्भीय पत्रामधील आशय स्वयंस्पष्ट असून सदर संदर्भीय पत्राची प्रत सोबत जोडली आहे.

त्यानुसार विद्यापीठातील सर्व शैक्षणिक विभाग, सर्व प्रशाला व प्रशासकीय विभाग येथील विभागप्रमुख/संचालक/शाखाप्रमुख यांनी आपल्या विभागात तसेच विद्यापीठाशी संलग्नित सर्व महाविद्यालये/परिसंस्था यांनी आपल्या स्तरावर उपरोक्त नमूद शासन पत्रामध्ये नमूद केल्यानुसार व मा.उच्च न्यायालयाच्या निर्णयानुसार कार्यवाही करावी.

(प्रा.(डॉ.) ज्योती भाकरे)
प्रभारी कुलसचिव

गणेशखिंड, पुणे – ४११ ००७)
जावक क्र. एएन/ ६३५)
दिनांक : 17 FEB 2025)

सोबत :- वरीलप्रमाणे.

प्रत माहिती व योग्य त्या कार्यवाहीसाठी :-

१. मा.विभागप्रमुख, सर्व शैक्षणिक विभाग
२. मा.संचालक, सर्व प्रशाला
३. मा.शाखाप्रमुख, सर्व प्रशासकीय शाखा
४. मा.प्राचार्य, विद्यापीठाशी संलग्न सर्व महाविद्यालये
५. मा.संचालक, विद्यापीठाच्या मान्यताप्राप्त सर्व परिसंस्था

} यांना विनंती की, वरील परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणून द्यावा.

DR/ Admn (NT)

महाराष्ट्र शासन
उच्च व तंत्र शिक्षण विभाग, मंत्रालय विस्तार,
मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई-४०० ०३२
Email ID:- do.asthahte-mh@ gov.in

क्रमांक:- संकीर्ण-२०२४/ HTED-2011/33/2024-MHT /समन्वय कक्ष दिनांक :- १६.०१.२०२४

प्रति,

१. आयुक्त, राज्य सामाईक प्रवेश परीक्षा कक्ष, ८ वा मजला, न्यू एक्सलसिअर इमारत, ए. के. नायक मार्ग, फोर्ट, मुंबई-४०००११.
२. सचिव, प्रवेश नियामक प्राधिकरण, ८ वा मजला, न्यू एक्सलसिअर इमारत, ए. के. नायक मार्ग, फोर्ट, मुंबई-४०००११.
३. संचालक, महाराष्ट्र राज्य तंत्रशिक्षण मंडळ, ४९, खेरवाडी, वांद्रे (पू), मुंबई-४०००५१.
४. संचालक, (उच्च शिक्षण/तंत्र शिक्षण/कला/ग्रंथालय), महाराष्ट्र राज्य, मुंबई/पुणे.
५. कुलसचिव, उ. व तं. शि विभागातंर्गत येणारी विद्यापिठे
६. संचालक, (उच्च शिक्षण/तंत्र शिक्षण/कला/ग्रंथालय), महाराष्ट्र राज्य, मुंबई/पुणे.
७. कुलसचिव, डॉ. बाबासाहेब आंबेडकर तंत्रशास्त्र विद्यापिठ, लोणेरे, ता. माणगांव, जि. रायगड.

विषय - विभागाच्या अधिनस्त संस्था व महाविद्यालय यांच्याशी संबंधित नसलेल्या अर्जदारांकडून प्राप्त झालेल्या अर्जावर करावयाच्या कार्यवाहीबाबत.

संदर्भ - मा.उच्च न्यायालय, मुंबई येथील रिट याचिका क्रमांक २४९२/ २०२४ या प्रकरणी दिलेल्या दिनांक २३.१०.०२४ चा न्यायनिर्णय .

महोदय,

उच्च व तंत्र शिक्षण विभाग व शालेय शिक्षण विभागाकडे तसेच या विभागांतर्गत येणाऱ्या शैक्षणिक संस्था / विद्यापीठे / महाविद्यालय यांच्याकडे त्यांच्याशी संबंधित नसलेल्या व्यक्तीकडून संस्थेविषयी / विद्यापीठ / कर्मचाऱ्यांविरुद्ध केलेल्या तक्रारीचे अर्ज प्राप्त होत असतात. अश्या तक्रार अर्जाबाबत करावयाच्या कार्यवाही करीता मा. उच्च न्यायालय येथे दाखल रिट याचीका क्र. २४९२/२०२४ मध्ये दिनांक २३.१०.२०२४ रोजी न्यायनिर्णय दिला असून सदर न्याय निर्णयाची प्रत सोबत जोडली आहे.

मा. न्यायालयाच्या सदर निर्णयातील परिच्छेद ५ ते १० मध्ये खालील बाबी नमूद केले आहेत.

- ५. Time and again, we have cautioned the State Authorities not to entertain the applications filed by social workers or bystanders or persons unconnected with the organization and who have not suffered any personal legal injury.
- ६. In several cases, we have noticed that the persons describing themselves as social workers, lodge complaints against teachers and professors working in Schools, Colleges and Universities and hold out threats to the education department to compel them to commence roving inquiries against such employees. We have directed that such complaints should not be entertained. In some matters, we have also held that, Writ Petitions filed by such persons who intend to settle a personal score or pray for roving inquiries, should not be entertained.
- ७. The learned Senior Advocate appearing for the Petitioners submits that Respondent No. ५ herein, has lodged several complaints against the Petitioner Institution and has also started filing RTI applications seeking personal information about the employees and the management of the Institution, though he is completely unknown and unconnected with the institution.
- ८. Respondent No. ६ - Dr. Bhausaheb B. Chavan, who is the Deputy Director of Education, Nashik, has tendered an affidavit in reply from page १०१, along with several documents, upto page १५५. He has tendered an apology and has categorically stated that the impugned orders and the impugned notices issued by him, stand withdrawn, forthwith. He further submits that after noticing several orders passed by this Court, which have been referred to herein above, he has stopped entertaining the complaints filed by strangers or bystanders and would not entertain such complaints anytime in future.
- ९. We were contemplating suo moto action against Respondent No.६, since we find that though he was aware of our earlier orders referred to in the above paragraphs, for reasons best known to him, he has wholeheartedly entertained the applications of Respondent No. ५ and has highhandedly issued an order to register an FIR against one senior member of the Management to register Management.
- १०. Respondent No.५ appears to be habituated to holding out threats of self immolation, before various Deputy Directors of Education. Some of such complaints are placed before us by Respondent No.६, along with his affidavit in reply. These threats are aimed at terrorising the Government Officials. In view of

such circumstances, we permit Respondent No.६ to lodge police complaints against Respondent No.५, whenever he holds out a threat of self-immolation or any such precipitative action or threat of fasting, etc., more so, in the light of the judgment delivered by this Court [Coram: Abhay S Oka (as His Lordship then was) and Sandeep K Shinde, JJ], on १२.१२.२०१८, in Writ Petition no. ८९८७ of २०१८ Balasaheb vitthalroa tidke v/s The state and another at the principal seat

मा. उच्च न्यायालयाने दिलेल्या न्यायनिर्णयाबाबत आपल्या अधिनस्त संस्था /महाविद्यालय यांना अवगत करावी, ही विनंती.

आपला,

(विशाल ताठे)
कक्ष अधिकारी, महाराष्ट्र शासन

प्रत,

१. मा. अप्पर मुख्य सचिव, उच्च व तंत्र शिक्षण विभाग, यांचे स्वीय सहायक, मंत्रालय, मुंबई.
२. निवड नस्ती (समन्वय कक्ष).

Chief Secretary Office

Please peruse a letter received from the Registrar (Judicial-I), High Court, Appellate Side, Bombay, dated 14.11.2024 communicating the order of the Hon'ble High Court dated 23.10.2024 passed in Writ Petition No. 2492/2024, (Nishant Namdeorao Gatkal and Anr. -Versus- The State of Maharashtra and Ors.) received on 27.11.2024.

The Hon'ble High Court, vide order dated 23.10.2024, has inter-alia observed and directed as follows.-

> "5. Time and again, we have cautioned the State Authorities not to entertain the applications filed by social workers or bystanders or persons unconnected with the organization and who have not suffered any personal legal injury.
>
> 6. In several cases, we have noticed that the persons describing themselves as social workers, lodge complaints against teachers and professors working in Schools, Colleges and Universities and hold out threats to the education department to compel them to commence roving inquiries against such employees. We have directed that such complaints should not be entertained. In some matters, we have also held that, Writ Petitions filed by such persons who intend to settle a personal score or pray for roving inquiries, should not be entertained.
>
> 7. The learned Senior Advocate appearing for the Petitioners submits that Respondent No. 5 herein, has lodged several complaints against the Petitioner Institution and has also started filing RTI applications seeking personal information about the employees and the management of the Institution, though he is completely unknown and unconnected with the institution.
>
> 8. Respondent No. 6 - Dr.Bhausaheb B. Chavan, who is the Deputy Director of Education, Nashik, has tendered an affidavit in reply from page 101, along with several documents, upto page 155. He has tendered an apology and has categorically stated that the impugned orders

D/C

सामान्य प्रशासन विभाग,
महाराष्ट्र शासन,
मंत्रालय, मुंबई-४०० ०३२

and the impugned notices issued by him, stand withdrawn, forthwith. He further submits that after noticing several orders passed by this Court, which have been referred to herein above, he has stopped entertaining the complaints filed by strangers or bystanders and would not entertain such complaints anytime in future.

9. We were contemplating suo moto action against Respondent No.6, since we find that though he was aware of our earlier orders referred to in the above paragraphs, for reasons best known to him, he has wholeheartedly entertained the applications of Respondent No. 5 and has highhandedly issued an order to register an FIR against one senior member of the Management.

10. Respondent No.5 appears to be habituated to holding out threats of self immolation, before various Deputy Directors of Education. Some of such complaints are placed before us by Respondent No.6, along with his affidavit in reply. These threats are aimed at terrorising the Government Officials. In view of such circumstances, we permit Respondent No.6 to lodge police complaints against Respondent No.5, whenever he holds out a threat of self-immolation or any such precipitative action or threat of fasting, etc., more so, in the light of the judgment delivered by **this Court [Coram: Abhay S Oka (as His Lordship then was) and Sandeep K Shinde, JJ], on 12.12.2018, in Writ Petition no. 8987 of 2018 (Balasaheb Vitthalrao Tidke v/s The State and another), at the Principal seat.**

14. We direct the Registrar (Judicial) to place a copy of this order before the Chief Secretary of the State of Maharashtra, as well as, the Principal Secretaries, General Administration Department and the School and College Education Department, in order to issue strict directions to all the Education Departments and the Statutory Authorities to refrain from entertaining such complaints/applications/representations or of threats, by unconnected people, more so, in view of the Notification dated 3rd December 1958, the Circular dated 26th December, 2019 and the Government Resolution dated 14th October, 2019 referred to herein above."

Considering the directions passed by the Hon'ble High Court issued vide order dated 23.10.2024, referred hereinabove, the General Administration Department may be requested to issue strict directions to all the Statutory Authorities, as well as the School Education Department and the Higher & Technical Education Department may be requested to issue strict directions to all the officers/authorities under these departments, to refrain from entertaining complaints/applications/ representations or threats, by unconnected people, more so, in view of the Notification dated 03.12.1958, the Circular dated 26.12.2019 and the Government Resolution dated 14.10.2019.

A copy of the directions issued by the departments (GAD, School Education and Higher & Technical Education) shall be forwarded to the Chief Secretary Office.

Submitted for approval.

Bhongade 12.12.24
DS (Law) (CSO)

JS (CSO) 12/12/2024

Hon. CS 16/12/24

ACS (GAD) (Services)

PS (Sch. Edu.)

PS (Hig. & Tech. Edu)

Tel & Fax. No. 022-22673619 (O)
Email : rgjudl-bhc@nic.in

O.W. No. R (J-1)/ 603/2024
Date : 14th November 2024

From :
H. M. BHOSALE
Registrar(Judicial–I),
High Court, Appellate Side, Bombay.

To,
1. The Chief Secretary,
State of Maharashtra,
Mantralaya, Mumbai.

2. The Principal Secretary
General Administration Department
Mantralaya, Mumbai.

3. The Principal Secretary,
School and College Education Department,
Mantralaya, Mumbai.

Subject : **Compliance of directions issued by the Hon'ble Court in Civil Writ Petition No. 2492 of 2024 vide order dated 23rd October 2024.....**

Sir,

Apropos the subject, Civil Writ Petition No. 2492 of 2024 (Nishant Namdeorao Gatkal & Anr. Vs. The State of Maharashtra & Ors.) was listed before the Hon'ble Court (**Coram : Ravindra V. Ghuge and M. M. Sathaye, JJ**) on 23rd October 2024. The Hon'ble Court is pleased to pass the order dated 23rd October 2024.

I am further to state that in the said order, the Hon'ble Court has issued directions to your goodselves

In turn, I am directed to forward the copy of the said order dated 23rd October 2024 to your goodselves for necessary action at your end.

Accordingly, I am enclosing herewith a copy of the said order dated 23rd October 2024, which is self explanatory, with a request to do the needful as per the directions of the Hon'ble Court.

Yours faithfully,

14-11-2024

Registrar (Judicial-I)

Encl : Copy of order dated 23/10/2024

Ahuja pc/desktop/AHUJA/LETTERS/letter..2.doc

THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2492 OF 2024

Nishant Namdeorao Gatkal and Another ... Petitioners

versus

The State of Maharashtra and Others ... Respondents

....

Mr.Narendra V. Bandiwadekar, Senior Advocate with Mr.Vinayak Kumbhar, Mr.Rajendra B. Khaire and Mr.Aniket S. Phapale i/b. Ms.Ashwini N.Bandiwadekar for the Petitioners.

Mr.Vikas M. Mali, AGP for Respondent Nos. 1 to 3-State.

Ms.Ronita Bhattacharya Bector for Respondent No.5.

Mr.Akshay S. Karlekar for Respondent No.6.

Dr.Bhausaheb B.Chavan, Deputy Director, Nashik Division present in person.

....

CORAM : RAVINDRA V. GHUGE &
M.M. SATHAYE, JJ.

DATE : 23RD OCTOBER, 2024

P.C.:

1. On 18th October, 2024, we had passed the following order :

> *"1. A glaring conduct of Dr. B. B. Chavan, Deputy Director of Education, Nashik Division, Nashik and his repeated disobedience of the High Court's orders, practically showing signs of overbearing the majesty of law, is prima facie indicated through the records before us. It is in this backdrop that we*

are permitting the Petitioners to add Dr. B. B. Chavan,

Deputy Director of Education, Nashik Division, Nashik as Respondent No. 6 in this proceeding.

2. The learned AGP submits that he would take appropriate instructions and advise Dr. B. B. Chavan, Deputy Director of Education, Nashik Division, Nashik to remain present before the Court, on 22/10/2024.

3. The order dated 05/07/2024, placed before us, is marked as ***"X-1"*** *for identification.*

4. In the meanwhile, the order dated 28/12/2023 and order dated 05/07/2024, passed by Dr. B. B. Chavan, Deputy Director of Education, Nashik Division, Nashik shall stand stayed.
travel and tours
5. Stand over to 22/10/2024, at 2.30 P.M.".

2. The learned Senior Advocate for the Petitioners, relies upon the following judgments/orders delivered by this Court, at the Principal seat and at the Aurangabad Bench :-

(i) Judgment dated 8th December, 2023 delivered by this Court at Aurangabad ***in Writ Petition No. 7740 of 2021 (Sandeep Chudaman Shinde and Another V/s. The State of Maharashtra and Others);***

(ii) Order dated 13th September, 2024 delivered by this Court at Aurangabad in ***Writ Petition No. 9740 of 2024 (Vaishali Prakash Upasani alias Vaishali Pravin Deshpande and Others Versus The State of Maharashtra and Others);***

(iii) Order dated 16th July, 2024 delivered by this Court at Aurangabad in ***Writ Petition No. 7230 of 2024 (Kashinath Rajaram Patil and Others Versus***

The State of Maharashtra, through Its Principal Secretary and Others);

(iv) Order dated 6th August, 2024 delivered by this Court at Aurangabad in ***Writ Petition No. 4893 of 2024 (Pratidnya Trimbakrao Chavan and Others Versus The State of Maharashtra through Its Secretary and Others);***

(v) Order dated 23rd June, 2021 delivered by this Court at Aurangabad in ***Writ Petition No. 5973 of 2020 (Hemraj Jagannath Fegade Versus The State of Maharashtra and Others).***

(vi) Order dated 01st August, 2024 delivered by this Court at Aurangabad in ***Writ Petition no. 7964 of 2024 (Vikas Dharma Sonawane and others Versus The State of Maharashtra and Others).***

3. He also points out a Government Notification, dated 14th October, 2019 issued by the General Administration Department, Mantralaya, State of Maharashtra, directing all concerned not to entertain complaints or applications received from those who have no connection with any institution or through agents etc., He further points out a Circular issued by the Commissionerate of Education, Maharashtra State, dated 26th December, 2019 specifically issuing instructions that the applications regarding personal grievances should be accepted only from persons who are themselves aggrieved and not through agents or strangers. He also relies upon a Notification dated 3rd December, 1958 which introduced the Rules for the preparation, submission and disposal

of the applications to the Government.

4. We have considered the submissions of the learned Advocates for the respective sides, including the learned Advocate representing Respondent No.5, original Complainant.

5. Time and again, we have cautioned the State Authorities not to entertain the applications filed by social workers or bystanders or persons unconnected with the organization and who have not suffered any personal legal injury.

6. In several cases, we have noticed that the persons describing themselves as social workers, lodge complaints against teachers and professors working in Schools, Colleges and Universities and hold out threats to the education department to compel them to commence roving inquiries against such employees. We have directed that such complaints should not be entertained. In some matters, we have also held that, Writ Petitions filed by such persons who intend to settle a personal score or pray for roving inquiries, should not be entertained.

7. The learned Senior Advocate appearing for the Petitioners

submits that Respondent No. 5 herein, has lodged several complaints against the Petitioner Institution and has also started filing RTI applications seeking personal information about the employees and the management of the Institution, though he is completely unknown and unconnected with the institution.

8. Respondent No. 6- Dr.Bhausaheb B. Chavan, who is the Deputy Director of Education, Nashik, has tendered an affidavit in reply from page 101, along with several documents, upto page 155. He has tendered an apology and has categorically stated that the impugned orders and the impugned notices issued by him, stand withdrawn, forthwith. He further submits that after noticing several orders passed by this Court, which have been referred to herein above, he has stopped entertaining the complaints filed by strangers or bystanders and would not entertain such complaints anytime in future.

9. We were contemplating *suo moto* action against Respondent No.6, since we find that though he was aware of our earlier orders referred to in the above paragraphs, for reasons best known to him, he has wholeheartedly entertained the applications of Respondent No.5 and has highhandedly issued an order to register an FIR against one senior

member of the Management.

10. Respondent No.5 appears to be habituated to holding out threats of self immolation, before various Deputy Directors of Education. Some of such complaints are placed before us by Respondent No.6, along with his affidavit in reply. These threats are aimed at terrorising the Government Officials. In view of such circumstances, we permit Respondent No.6 to lodge police complaints against Respondent No.5, whenever he holds out a threat of self-immolation or any such precipitative action or threat of fasting, etc., more so, in the light of the judgment delivered by **this Court [Coram: Abhay S Oka (as His Lordship then was) and Sandeep K Shinde, JJ]**, on 12.12.2018, in ***Writ Petition no. 8987 of 2018- (Balasaheb Vitthalrao Tidke v/s The State and another)*, at the Principal seat.**

11. The learned Advocate representing Respondent No.5, graciously submits that she has already advised Respondent No.5 to refrain from indulging in such acts, hereinafter.

12. Considering that Respondent No.6 has recalled the impugned orders, as well as, the order dated 05.7.2024, **this Writ Petition**

is disposed off. Needless to state, the salary bills of the Petitioners, which are not generated or not accepted for ten months, shall be generated and acted upon, forthwith, by the concerned, for payment of arrears and regular monthly payments.

13. Considering the unconditional apology tendered by Dr. B. B. Chavan, we would render a quietus to the said issue.

14. We direct the Registrar (Judicial) to place a copy of this order before the Chief Secretary of the State of Maharashtra, as well as, the Principal Secretaries, General Administration Department and the School and College Education Department, in order to issue strict directions to all the Education Departments and the Statutory Authorities to refrain from entertaining such complaints/applications/representations or of threats, by unconnected people, more so, in view of the Notification dated 3rd December 1958, the Circular dated 26th December, 2019 and the Government Resolution dated 14th October, 2019 referred to herein above.

(M.M. SATHAYE, J.) **(RAVINDRA V. GHUGE, J.)**