



सहसंचालक तंत्रशिक्षण विभागीय कार्यालय, अमरावती.

शासकीय तंत्रनिकेतन परिसर, गाडगेनगर, अमरावती.

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प्रति,

प्राचार्य,

सर्व व्यावसायिक अभ्यासक्रम चालविणा-या संस्था,
अमरावती विभाग, अमरावती.

क्रमांक :- विकाअ/शिक्षण /UPSC/२०२५/428
दिनांक :- 11 FEB 2025

विषय :- रिट याचिका क्रमांक २४९२/२०२४ श्री. निशांत नामदेवराव गटकळ व इतर विरुद्ध महाराष्ट्र शासन व इतर या न्यायालयीन प्रकरणी मा.उच्च न्यायालय, मुंबई यांनी दिनांक २३/१०/२०२४ रोजी पारित केलेल्या आदेशाच्या अनुषंगाने आवश्यक कार्यवाही करण्याबाबत.

संदर्भ :- १.मा.संचालक, तंत्रशिक्षण संचालनालय, म.रा., मुंबई यांचे पत्र क्रमांक :-

DTEM D16/40/2025 Desk 16 दिनांक ५/२/२०२५.

२.उच्च व तंत्रशिक्षण विभागाचे क्रमांक न्यायप्र २८२५/प्र.क्र.०२/२५/ई ९४० ७११/तांशि ७ दिनांक २८/१/२०२५.

उपरोक्त विषयाबाबत आपणास कळविण्यात येते की, सोबत मा. संचालक, तंत्रशिक्षण संचालनालय, म.रा., मुंबई तसेच उच्च व तंत्रशिक्षण विभागाचे पत्र व मा.उच्च न्यायालयाच्या आदेशाची प्रत सोबत जोडलेली आहे कृपया त्याचे अवलोकन करावे. व त्याप्रमाणे कार्यवाही करावी.

याबाबत आपणास कळविण्यात येते की, मा.उच्च न्यायालयाच्या उक्त आदेशानुसार शाळा, महाविद्यालये, शैक्षणिक संस्था, विद्यापिठे इत्यादीशी थेट संबंध नसलेले, तथाकथित सामाजिक कार्यकर्ते, त्यांचे वैयक्तिक नुकसान न होणारे त्रयस्थ तक्रारदार यांच्याकडून शिक्षक/प्राध्यापक व शैक्षणिक संस्था विरुद्ध खोडसाळपणे दाखल केलेल्या तक्रारी, माहिती अधिकारांतर्गतचे अर्ज, धमक्या इत्यादीच्या अनुषंगाने कशाप्रकारे कार्यवाही करण्यात यावी याबाबत नमुद केलेले आहे. तरी त्याप्रमाणे कार्यवाही व्हावी.

सहपत्रे :- वरीलप्रमाणे.

(मनोज म. अंधारे)

प्र.सहसंचालक तंत्रशिक्षण,
अमरावती.

प्रत :- प्रोग्रामर, तंत्रशिक्षण विभागीय कार्यालय, अमरावती यांना संकेतस्थळावर टाकण्यासाठी.



तंत्रशिक्षण संचालनालय, महाराष्ट्र राज्य

३, महापालिका मार्ग, पत्र पेटी क्र.१९६७, मुंबई ४०० ००९.

दूरध्वनी क्र.०२२-६८५९७४३६/४७६,

ई-मेल-desk१६@dtmaharashtra.gov.in, वेबसाईट: http://www.dtmaharashtra.gov.in



क्रमांक : DTEM-D१६/४०/२०२५-DESK१६

दिनांक:

प्रति,

सहसंचालक,

१) तंत्रशिक्षण विभागीय कार्यालये,

मुंबई, पुणे, नाशिक, छत्रपती संभाजीनगर, अमरावती व नागपूर.

२) संचालक, महाराष्ट्र राज्य तंत्रशिक्षण मंडळ, मुंबई.

विषय :- रिट याचिका क्र. २४९२/२०२४- श्री. निशांत नामदेवराव गटकळ व इतर विरुद्ध महाराष्ट्र शासन व इतर या न्यायालयीन प्रकरणी मा. उच्च न्यायालय, मुंबई यांनी दिनांक २३.१०.२०२४ रोजी पारित केलेल्या आदेशाच्या अनुषंगाने आवश्यक कार्यवाही करण्याबाबत ..

संदर्भ:-उच्च व तंत्रशिक्षण विभागाचे क्र.न्यायप्र-२८२५/प्र.क्र.०२/२५/ई- ९४०७११/तांशि-७, दिनांक २८.०९.२०२५

उपरोक्त विषयाच्या अनुषंगाने मा. उच्च न्यायालयाच्या आदेशाची प्रत जोडली आहे. कृपया अवलोकन करावे.

मा. मुख्य सचिव कार्यालयाच्या टिप्पणीच्या अनुषंगाने मा. उच्च न्यायालयाच्या उक्त आदेशानुसार शाळा, महाविद्यालये, शैक्षणिक संस्था, विद्यापीठे इत्यादी शी थेट संबंध नसलेले, तथाकथित सामाजिक कार्यकर्ते, त्यांचे वैयक्तिक नुकसान न होणारे त्रयस्थ तक्रारदार यांच्याकडून शिक्षक/ प्राध्यापक व शैक्षणिक संस्था विरुद्ध खोडसाळपणे दाखल केलेल्या तक्रारी, माहिती अधिकारांतर्गतचे अर्ज, धमक्या इत्यादीच्या अनुषंगाने कशाप्रकारे कार्यवाही करण्यात यावी, याबाबत नमूद केले आहे.

त्यानुषंगाने आवश्यक कार्यवाही करण्याबाबत आपल्या विभागातर्गत असणा-या सर्व शासकीय, अशासकीय अनुदानित व विनाअनुदानित खाजगी संस्था व कार्यालये यांना आपल्या स्तरावरून सूचित करण्यात यावे.

Signed by

Sunil Sukhadeo Bhamare

Date: 05-02-2025 16:18:17

(डॉ. सुनिल भामरे)

सहसंचालक,

तंत्रशिक्षण संचालनालय म. रा., मुंबई.

प्रत: माहिती व पुढील कार्यवाहीसाठी

१) श्री. दवणे, उपसंचालक, तंत्रशिक्षण संचालनालय, मु. का. मुंबई.

२) तंत्रशिक्षण संचालनालय, म. रा. मुंबई येथील सर्व कार्यासने

3
24/1/24



महाराष्ट्र शासन

उच्च व तंत्र शिक्षण विभाग,

मंत्रालय, विस्तार इमारत, दालन क्र. ४३८, ४ था मजला,

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई-४०० ०३२.

ई-मेल : tashi7.hted-mh@gov.in

पत्र प्राप्त झाले

28 JAN 2025

आवक लिपिक
तंत्र शिक्षण संचालनालय
३, महापालिका मार्ग, मुंबई-९.

प्रति,

संचालक,

तंत्रशिक्षण संचालनालय,

महाराष्ट्र राज्य, मुंबई-४००००९.

दि. २८ जानेवारी, २०२५.

विषय : रिट याचिका क्र.२४९२/२०२४ - श्री. निशांत नामदेवराव गटकळ व इतर विरुद्ध महाराष्ट्र शासन व इतर या न्यायालयीन प्रकरणी मा. उच्च न्यायालय, मुंबई यांनी दि.२३/१०/२०२४ रोजी पारित केलेल्या आदेशाच्या अनुषंगाने आवश्यक कार्यवाही करण्याबाबत.

संदर्भ : मा. मुख्य सचिव कार्यालयाची टिप्पणी दि.१६/१२/२०२४.

उपरोक्त विषयाच्या अनुषंगाने प्राप्त संदर्भाधिन टिप्पणी व मा.उच्च न्यायालयाच्या आदेशाची प्रत सोबत जोडली आहे. कृपया अवलोकन व्हावे.

०२. मा. मुख्य सचिव कार्यालयाच्या टिप्पणीन्वये मा. उच्च न्यायालयाच्या उक्त आदेशानुसार शाळा, महाविद्यालये, शैक्षणिक संस्था, विद्यापीठे इ. शी थेट संबंध नसलेले, तथाकथित सामाजिक कार्यकर्ते, त्यांचे वैयक्तिक नुकसान न होणारे त्रयस्थ तक्रारदार यांच्याकडून शिक्षक/ प्राध्यापक व शैक्षणिक संस्थांविरुद्ध खोडसाळपणे दाखल केलेल्या तक्रारी, माहिती अधिकारांतर्गतचे अर्ज, धमक्या इत्यादींच्या अनुषंगाने कशाप्रकारे कार्यवाही करण्यात यावी, याबाबत नमूद केले आहे.

०३. त्यानुषंगाने आवश्यक कार्यवाही करण्याबाबत संचालनालयांतर्गत असणाऱ्या सर्व शासकीय, अशासकीय अनुदानित व विनाअनुदानित खाजगी संस्था व कार्यालये यांना आपल्या स्तरावरून सूचित करण्यात यावे.

सोबत : वरीलप्रमाणे

(समीर डेरे)

कार्यासन अधिकारी, महाराष्ट्र शासन

प्रत माहितीस्तव व आवश्यक कार्यवाहीस्तव:-

- १) सर्व अवर सचिव/कक्ष अधिकारी, तंत्रशिक्षण उपविभाग, उच्च व तंत्रशिक्षण विभाग, मंत्रालय, मुंबई.
- २) कक्ष अधिकारी (समन्वय शाखा):- यांना विनंती करण्यात येते की, मा. उच्च न्यायालयाचे उपरोक्त आदेश विभागाच्या अधिपत्याखालील सर्व संचालनालयांच्या निदर्शनास आणण्यात यावे.

डा. १६

११-
२८/१

२४/१

२४/१

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,

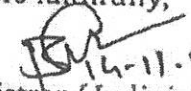
Apropos the subject, Civil Writ Petition No. 2492 of 2024 (Nishant Namdeorao Garkal & Anr. Vs. The State of Maharashtra & Ors.) was listed before the Hon'ble Court (Coram : Ravindra V. Ghuge and M. M. Sathaye, JJ) on 23rd October 2024. The Hon'ble Court is pleased to pass the order dated 23rd October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

**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.Bhausahab 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 Fogade 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.)