

**BEFORE THE GOA COMMISSION FOR SCHEDULED CASTES &
SCHEDULED TRIBES**

Shram Shakti Bhavan, Gr.floor, Patto Panaji – Goa

Case No. 2/405/GCSCST/20-21

Shri. Saprem Shirvoikar,

R/o. H.no. 414, Oityant, Near Mahalaxmi,

Taleigao- Goa.

...APPLICANT

Versus


The Assistant Registrar,

Academic PG, Goa University,

Taleigao- Goa.

...RESPONDENT

JUDGEMENT



The Applicant Shri. Saprem Shirvoikar along-with United Tribals Associations Alliance (UTTA) organisation, who carry out lot of social work and support to needy tribal people, had approached this Commission to inquire into the matter pertaining to denial of Ph.D admission in the subject of law. This Commission have taken the Cognizance and issued the notice to both the parties.

1. The Applicant Shri Saprem Shirvoikar, submits that he belongs to Scheduled Tribe (ST) Community and working as an Assistant Professor in Govind Ramnath Kare College of Law, Margao. He has answered and cleared the Ph.D entrance test in the subject of Law in the year 2016 and after that the Applicant made three attempts for the interview in August 2016, April 2017 and April 2018. The validity of the entrance test qualified is for two years from the date of passing. Further the Applicant submits that, when he was called for the interview, every time he was told that there is no vacant seat reserved for ST Category by Goa University.

2. The United Tribals Associations Alliance (UTTA) submits that the Goa University has amended OB-9 ordinance of Ph.D degree in July 2010 and in the said amended Ordinance, Goa University adopted reservation of Ph.D admission seat as per the State/National reservation policy.
3. The Respondent submits that in July - August 2016 examination Shri. Saprem Shirvoikar was qualified for interview upon answering the entrance test and there was a vacancy for the reserved category in Govind Ramnath Kare College of Law. The Applicant was not selected upon being interviewed by the Ph.D selection committee in the subject of law. In January 2017 again though Applicant was exempted from answering the entrance test as he had a valid GUPET score for that year the Applicant was not selected by the Ph.D selection committee though he was called for the interview. In July - August 2017 there was no vacancy for Ph.D examination program for the reserved categories. In March 2018 again the Applicant exempted from answering the entrance test and was called for the interview before the Ph.D selection committee however the applicant was not selected. In July - August 2018 and April 2019 there was no vacancies notified for the reserve categories.
4. After considering all the facts and information and the documents placed on the records, The Commission observed that the Applicant was the only candidate appearing in Scheduled Tribe Category. The Applicant was not selected upon being interviewed by the Ph.D Selection Committee in the subject of Law without citing any reason, thereby depriving the fundamental right of the Scheduled Tribes candidate. Further it is observed that the Goa University has failed to follow the reservation policy in terms of ordinance wherein the Admission to the candidates to the Ph.D shall be as per the



State/National Reservation policy and thereby it has affected the candidature to be selected for the said seat in the year 2016. The selection process at the time of viva was not held in proper manner and also the seat which was notified as reserved category is not shown properly.

RECOMMENDATION

The Goa Commission for SC/ST recommends the Respondent Goa University that the immediate vacancy shall be given to the Applicant Shri. Saprem Shirvoikar being reserved category for Ph.D seat in the subject of law with immediate effect.

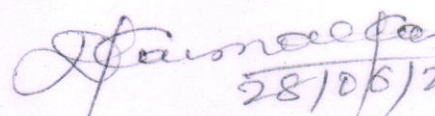
The Action Taken Report of this recommendation shall be submitted to this Commission within the period of three weeks.

Given under my hand and seal of this Commission.



Dated: 28th June 2023




28/06/2023
(Deepak Karmalkar)
Chairperson
Goa Commission for SC/ST