



**GOVERNMENT OF NCT OF DELHI**  
**Delhi Subordinate Services Selection Board**  
**FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-**  
**110092**

Website: [www.dsssb.delhi.gov.in](http://www.dsssb.delhi.gov.in)

No.:- F.No.1(8006)/LC/DSSSB/21/1721-23

Dated: 8/07/2021

**ORDER**

1. This order shall dispose of the representation dated 15.01.2020 filed by Ms. Tanba Gialchhan (Roll No. 12371000258), a candidate for the post of Social Worker under Post Code - 15/18 in Health and Family Welfare Department in compliance of the directions of Hon'ble Central Administrative Tribunal vide its order dated 16.04.2021 in OA No. 245/2021, titled as Tanba Gialchhan V/s Delhi Subordinate Services Selection Board.
2. The Hon'ble Tribunal vide its Order dated 16.04.2021 in the O.A. No.245/2021 titled as Tanba Gialchhan VS DSSSB, has given the following direction:

*"Hence, with the consent of both the sides and without entering into the merit of the matter, the present OA is disposed of with direction to the respondents to issue a reasoned and speaking order on the said representation of the applicant, in the light of the decision as would be applicable, in the light of the decision as would be applicable to the present applicant. In the event, the applicant is found entitled to the reliefs as sought for in the present OA, the same shall be granted to the applicant. The entire exercise shall be completed within a period of three months from the date of communication of this Order."*

That the applicant vide his representation dated 15/01/2020 has stated as under:-

*" I am applicant of the Post Code no. 15/18 (Social Work) examination dated 27th August 2018, with roll no. 12371000258 shortlisted for submission of e-dossier under ST category with (73.50) marks. But I was not informed on my registered mobile no./email. It is clearly mentioned on result that every shortlisted candidate will be informed through email/sms.*

*Kindly consider my grievance and allow me to upload my e dossier."*

**Facts of the Case**

3. That, as per requisition received from the Health and Family Welfare Department, the DSSSB advertised the following vacancies vide its advertisement No. 02/2018

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dated 05/07/2018. The details of the vacancies as per Advertisement No. 02/2018 are as under:-

| Post Code & Post Name | Vacancies | UR | OBC | SC | ST | EX-SM |
|-----------------------|-----------|----|-----|----|----|-------|
| 15/18 Social Worker   | 21        | 12 | 05  | 02 | 02 | 02    |

4. The prescribed cut-off date for determining educational qualification, age, experience and other eligibility conditions against the post was **13/08/2018**.
5. Mode of selection to the post code 15/18 was stated as Tier I (Technical) (I-T-T) examination:- Tier I Examination for 200 marks, in the advertisement no. 02/2018.
6. As per the Board Notice dated 26/04/2013, the minimum Qualifying Marks in written examination for different categories are as under:-  
UR: - 40%  
OBC: - 35%  
SC/ST/PH: - 30%  
EXSM: - Will be given 5% relaxation in their respective categories subject to a minimum of 30%.
7. As per the Examination Scheme, the selection shall be made through one tier examination. As per RR to the Post the essential qualification to the post is Post Graduation Degree in Social Science from recognized University. Desirable two year experience in research work.
8. Eligibility Criteria: - The candidate must be a citizen of India. The educational qualification, age, experience, etc. as stipulated in advertisement shall be determined as on the closing date, i.e., 13/08/2018 of submission of application.
9. The Educational and other qualifications as per RR is as under:-

Qualifications:-

Essential:-

1. Post Graduate Degree in Social Science from recognized University.



Desirable: - NIL.

Experience: - Essential:- Nil.

Desirable: - Two year experience in Research Work.

Pay Scale:- PB-2 Rs. 9300-34800 with Grade Pay of Rs. 4200/-. (Pre revised)

Age Limit:- 21-32 Year. Age Relaxation to SC/ST/OBC/Departmental Candidates/ExSM/PH, etc. in accordance with the instructions/orders issued by Govt. of India/DoPT from time to time. (12/C)

This Post is identified suitable for PH (OL, BL, HH, LV)) Candidates as per requisition of the User Department.

10. The Tier-I (T) (Technical) examination for the postcodes 15/18 was held on 27/08/2019. Vide Notice No. 858 dated 18.12.2019 candidates were informed that marks statement for the post code 15/18 has been uploaded on board's website and shortlisted candidates were informed to file the e-dossier and upload all the documents of educational certificate and mark sheets, caste certificate etc.
11. Total 66 dossiers were called for verification of documents for processing of result. The link for up-loading e-dossier was kept open for a period of 15 days w.e.f. 20.12.2019 to 03.01.2020.
12. The applicant Tanba Gialchhan having Roll No. 12371000258 obtained 73.50 marks in written examination and shortlisted for uploading e-dossier between 20.12.2019 to 03.01.2020. Since candidate did not upload e-dossier within the stipulated time period hence his candidature was rejected in the post code 15/18 vide Rejection Notice No. 911 dated 24.02.2020.
13. Aggrieved by rejection of candidature vide Rejection Notice No. 911 dated 24.02.2020, Sh. Tanba Gialchhan filed the above mentioned OA No. 245/2021 titled as Tanba Gialchhan Vs DSSSB, seeking therein the following directions:
  - (i) Issue directions to the respondent to permit the applicant to upload e-dossier and consider him for the post of social worker as per the advertisement dated 13.08.2018 bearing no. 02/2018.
  - (ii) Pass any other appropriate order or relief which this hon'ble Tribunal deems fit and proper.
14. Ld. Tribunal vide its said order dated 16.04.2021, has made following observation/direction:



*"Hence, with the consent of both the sides and without entering into the merit of the matter, the present OA is disposed of with direction to the respondents to issue a reasoned and speaking order on the said representation of the applicant, in the light of the decision as would be applicable, in the light of the decision as would be applicable to the present applicant. In the event, the applicant is found entitled to the reliefs as sought for in the present OA, the same shall be granted to the applicant. The entire exercise shall be completed within a period of three months from the date of communication of this Order."*

15. In this regard, it is submitted that at Point No. 7 of Admit Card of written examination issued to candidates, it is instructed that *"candidates are advised to keep visiting DSSSB's website regularly for important information; no separate intimation will be given."*
16. The Notice No. 858 dated 18.12.2019 was uploaded on the DSSSB Website on 18.12.2019 in which at Point No. 7 it was conveyed to the candidates that " the e-dossier link shall be active from 20.12.2019 to 03.01.2020. The candidate uploading e-dossier should ensure that he /she fulfills all the eligibility criteria/all essential qualifications as per RRs for the Post as on Closing date of application, i.e. 13.08.2018. Further it was clearly mentioned in the said Notice that if any candidate fails to upload the e-dossier during the above said period, his/her candidature will be rejected and no further opportunity will be given on whatsoever ground". The above said Notice was already in public domain, hence as per direction mentioned at point No. 7 of the Admit Card of the written examination, candidate is required to visit the website of the Board regularly for updating status related to post code 15/18.
17. As regards, applicant's contention he was not informed on his registered mobile number, it is submitted that as an additional facility system generated SMSs/emails were sent to registered mobile numbers of candidates/applicants. It is reiterated that the SMSs/emails are additional facility and candidates/applicants are required to visit the website of the Board regularly for updating status of result as mentioned above.
18. The applicant Sh. Tanba Gialchhan failed to submit his e-dossiers within the stipulated period hence his candidature was rejected vide Rejection Notice No. 911 dated 24.02.2020, which is justified and is as per law.
19. Therefore, if the applicant/candidate did not upload his dossier within the stipulated period, then DSSSB cannot be held responsible. If such applicant is allowed at this



belated stage, then it would amount to put the clock back which is not possible under the settled position of law.

20. Further, there were only two vacancies for ST category, which have already been filled and process of selection under Post Code 15/18 has been closed vide Result Notice No. 910 dated 24.02.2020. Waiting panel has also expired on 23.02.2021.
21. That a similar issue has already been decided by the Hon'ble Tribunal vide its judgment dated 18/02/2019 passed in O.A No 549/2019 titled as Mr. Pushpendra Singh Parnami Vs DSSSB & Anr., whereby the Hon'ble Tribunal dismissed the O.A of the candidate who failed to upload the e-dossier within the stipulated period. The Hon'ble Tribunal has observed the following vide its order dated 18/02/2019 in the said matter:
- "4 A perusal of the record clearly reveals that the applicant had been requested to upload the requisite documents in the e-dossier module only on 22.01.2019, whereas as per the notice, it was to be submitted during the period from 07.09.2018 to 16.09.2018. Hence, there is a clear cut delay in submitting the documents on the basis of which the respondents have rightly rejected the candidature of the applicant. Hence, we do not find any procedural lapse on the part of the respondents in following the instructions contained in the notice impugned in this OA nor found any illegality in rejecting the candidature of the applicant."*
- "5 In view of above, there is no merit in the OA and at the initial stage, the same is dismissed."*
- A copy of the order dated 18.02.2019 passed by the Hon'ble Tribunal in O.A. No. 549/2019 titled as Mr. Pushpendra Singh Parnami Vs DSSSB & Anr.
22. That a similar issue has also been decided recently by the Ld. Tribunal vide its judgment dated 01/11/2019 passed in O.A No. 1254/2018 titled as Pooja Rai Vs DSSSB & Anr, whereby the Hon'ble Tribunal dismissed the O.A. of the candidate who failed to upload the e-dossier within the stipulated period.
23. Furthermore, the Hon'ble High Court has also upheld the said order of Hon'ble Tribunal, while dismissing the Writ Petition No 2892/2019 in the matter of Pushpender Singh Parnami Vs DSSSB & Anr, vide its order/judgment dated



25/03/2019. The Hon'ble High Court has categorically held the following in the said judgment:

*"Having missed the bus, he cannot be permitted to submit his documents/e-dossiers after the cut-off date. If such relaxation were to be granted to one candidate, it would be discriminatory in respect of others, who may have similarly missed the bus and this would render the entire process undertaken by the DSSSB as open ended."*

A copy of the order dated 25/03/2019 passed by the Hon'ble High Court of Delhi in W.P No 2892/2019 titled as Mr Pushpendra Singh Parnami Vs DSSSB & Anr.

24. That the Hon'ble High Court of Delhi in CWP No 4085/2019 in the matter of Mrs. Jyoti Vs Govt. of NCT of Delhi, while upholding the order dated 19/03/2019 of the learned Tribunal in OA No 800/2019 categorically held as follows:

*"The DSSSB had re-fixed their schedule by allowing the candidates to upload their e-dossiers from 04.02.2019 to 13.02.2019 and, therefore, even if it is accepted that the petitioner got notice of the said extension only on 08.02.2019 (for which there is no proof placed on record), she had sufficient time even after 08.02.2019 to upload her e-dossiers. The Tribunal has found and we agree with the said findings, that if the petitioner is permitted to upload her e-dossier after the closing of the scheduled period, the same would amount to discrimination against others, who may have similarly not been able to upload their e-dossiers by the notified date and time i.e 13.02.2019. Merely because the petitioner claims that she was pregnant or out of town is no ground for extension of time as the selection process which is undertaken on a very large scale, cannot be delayed or withheld on account of the circumstances of a particular candidate."*

*"The petition is dismissed along with pending application."*

25. In view of above, the candidature of applicant Sh. Tanba Gialchhan (Roll No. 12371000258) was rejected lawfully vide Rejection Notice No. 911 dated 24.02.2020.
26. This issues with the approval of Competent Authority and in compliance of the directions of Hon'ble Central Administrative Tribunal in the OA No. 245/2021 titled as Tanba Gialchhan VS DSSSB.



27. Let this order be served upon Sh. Tanba Gialchhan, Date of Birth:- 30.07.85, S/o Chhering Donsal, (Roll No. 12371000258) under post code 15/18, Social Worker in Health and Family Department, R/o VPO: Pooh, Tehsil : Pooh, District: Kinnaur, Himachal Pradesh -172111.

  
**Dy. Secretary, DSSSB**

Sh. Tanba Gialchhan,  
S/o Chhering Donsal,  
R/o VPO: Pooh, Tehsil : Pooh,  
District: Kinnaur, Himachal Pradesh -172111.