

GOVERNMENT OF NCT OF DELHI

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

Website: www.dsssb.delhigovt.nic.in

No.F.168/PGT (SKT)Int. Cell/DSSSB/2019-20/952-53 Dated: 27/02/2020

ORDER

This order shall dispose of the representation dated 05/04/2019 filed by Ms. Suman lata Atri (Roll No.2350002671), candidate for the post of PGT (Sanskrit) Female, Post Code-117/17 in compliance of the directions of Hon'ble CAT order dated 21/06/2019 in OA No.1844/2019

2. The Hon'ble CAT while disposing the Original Application No. 1844/2019 has directed as under:-

"To direct the respondent to consider and decide the representation of the applicant dated 05.04.2019 and pass appropriate orders within two months from the date of receipt of certified copy of this order."

3. In compliance of the directions of Hon'ble CAT order dated 21/06/2019, representation of Ms. Suman lata Atri dated 05/04/2019 was examined wherein she has stated that her candidature for the post code- 117/17 has been rejected vide Rejection Notice No. 349 dated 15.02.2019 for the reason being 'Overage'. The candidate has further stated that she is eligible for grant of age relaxation as para-06 of advertisement 04/17 as she was serving as primary teacher in South Delhi Municipal Corporation (SDMC) since 5th Jan 2010 and similar age relaxation has already been granted for appointment of TGT as well as on other post of

[Handwritten signature]

Primary Teacher of Directorate of Education as well as contractual teachers serving in various municipal corporations i.e. SDMC, EDMC and North DMC.

4. Whereas, as per advertisement No. 04/17, prescribed age limit for post of PGT(Sanskrit), Post Code -117/17 was 36 years for UR category candidates and as per para-06 of the advertisement upper age limit was relaxable for departmental candidates as under :

Category	Extent of Age Concession
Departmental candidate with at least three years continuous services in Govt. of NCT of Delhi/its local or autonomous bodies	Upto 05 years for Group B Posts(which are in same line or allied cadres and where a relationship could be established that the service already rendered in a particular post will be useful for the efficient discharge of the duties of the post.)
	Upto 40 years of age (45 years for SC/ST, 43 years for OBC) for Group 'C' post (which are in the same line or allied cadres).

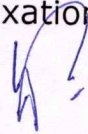
5. Along with the above, in the footnote of the above said para-06 of the advertisement it has been clearly mentioned that "This will be regulated as per DOPT Guidelines" and for this in the same advertisement Para- 6.I and 6.II specifically mentioned that age relaxation to employees of MCDs will only be granted where recruitment rules provide for the same and the conditions are as follows:-

- i. Any specific age relaxation provided in the Recruitment Rules for posts of MCDs, NDMC and Autonomous Bodies of Government of Delhi shall be applicable in respect of those particular posts.
- ii. In Recruitment Rules of the posts of MCDs, NDMC and Autonomous bodies of Government of Delhi ; wherever it

is mentioned that age relaxation shall be given as per Government of India instructions, the age relaxation given here-in-above shall be applicable”.

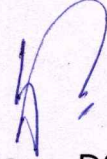
Accordingly, both the conditions stated hereinabove is required to be read in consonance and not separately.

6. Further, the user department i.e, Directorate of Education, GNCTD has not extended relaxation in upper age limit in respect of the teacher of MCD in the requisition forwarded to the Board for various teaching posts. The above age relaxation is also not available as per statutory RRs received along with the requisition for the various teaching posts from the user department i.e Directorate of Education, GNCTD.
7. Furthermore, the Para-3 of DOPT consolidated order issued on relaxation in upper age limit allowed to various categories of Government Servants Vide No. 15012/2/2010- Estt. (D) dated. 27/03/2012 clearly states that these instructions are not applicable to personnel working in the autonomous/statutory bodies, public sector under taking etc, which are governed by regulations/statute issued by the concerned administrative Ministries/Departments.
8. **Therefore, it is clearly evident that the candidate, Ms Suman Lata Atri was not eligible for age relaxation in respect of her service in SDMC, for the post of PGT(Sanskrit) Female(post code 117/17) as per the provisions of statutory RRs and DOPT instructions and conditions mentioned at para 06 (i) and 6 (ii) of the advertisement no. 04/17.**
9. The candidate, Ms. Suman lata Atri, applied for the post of PGT(Sanskrit) Female, post code 117/17 under the UR category and her age was **36 years, 2 months and 23 days** as on the closing date of receipt of applications i.e **31.01.2018**, as her date of birth being 08/11/1981 and thereby **overage by 2 month and 23 days**.
10. The Board processes results as per the terms and conditions laid down in the recruitment rules which fall under the domain of User department and Board has no role to play regarding relaxation of age limit.



11. Keeping in view of the above stated position, the candidature of the applicant, Ms. Suman Lata Atri was not considered for selection for the post of PGT (Sanskrit) Female, Post Code-117/17 under UR category and her candidature was rightly rejected by Board vide Rejection notice No. 349 dated 15.02.2019.

This issues with the approval of Competent Authority and in compliance of directions of Hon'ble CAT.



Dy. Secretary, DSSSB

Ms. Suman Lata Atri,
D/o Sh. Jai Narayan Atri ,
R/o ,E-44, Sec-11, Faridabad,
Haryana Pincode - 121006

Copy to:-

1. Dy. Secretary (IT) with the request to upload the order on the website of the Board