



GOVERNMENT OF NCT OF DELHI
DELHI SUBORDINATE SERVICES SELECTION BOARD
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-110092
CONFIDENTIAL CELL- I

F.No. 4(499)/DSSSB/CC-I/2019/Pt.file/ 10942-51

Dated: 29/11/2021

ORDER

Sub: - Compliance of order/direction dated 26.11.2020 of the Hon'ble Central Administrative Tribunal as passed in OA No. 2093/2019 titled as Meenakshi & Others V/s Municipal Corporation of Delhi, GNCT of Delhi.

The Hon'ble CAT in OA No. 2093/2019, titled as Meenakshi & Others V/s Municipal Corporation of Delhi, GNCT of Delhi, vide its order dated 26.11.2020 has directed as under:-

"3..... In view of the aforesaid, the present OA is disposed of with liberty to the applicants to make a comprehensive representation to the respondents within a week and on receipt of such a comprehensive representation, the respondents shall consider and dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within a period of eight weeks of receipt of such comprehensive representation from the applicants.

4..... The OA is disposed of in above terms. There shall be no order as to costs".

2. In pursuance of above court order, a Joint representation (unsigned) has been received for consideration from Ms. Meenakshi (Roll No.2800123722), Sh. Ramveer Meena (Roll No. 2800021206), Ms. Lalta Mena (Roll No. 2800001724) & Himani Khatri (Roll No. 2800035925).

3. The DSSSB vide its advertisement No. 02/2017 had advertised 4366 vacancies (UR-1610, OBC-1286, SC-714, ST-756 including PH-VH-288) for the post of Teacher (Primary) under post code 16/17, in MCD read with Notice dated 28/07/2017. Later on, in supersession of the vacancy notice for the post code 16/17, Board had advertised afresh 4366 vacancies (UR-1610, OBC-1286, SC-714, ST-756 including PH-VH-381,

PH-OH-93) for the post of Teacher (Primary) under post code 01/18 in MCD vide its Advertisement No. 01/2018.

4. The details of the eligibility Criteria are as under:-

S. NO.	Educational and Other Qualifications as per RR is as under:- <u>Essential Qualification:-</u>			
1	1. 10 + 2 or intermediate or its equivalent from a recognized board/institution. 2. Two year's Diploma/Certificate Course/in Elementary Teacher education Course/ junior Basic Training or equivalent or bachelor of elementary education from a recognized institution. 3. Must have passed Hindi as a subject at Secondary level. 4. Must have passed English as a subject at secondary or senior secondary level. 5. Candidates must have qualified CTET.			
2	Advt. No./ Cut-off-date		Advt. No./ Cut-off-date	
3	02/17	15.09.2017	01/18	30.07.2018
4	Age Limit: Not exceeding 30 years, age Relaxation to SC/ST/OBC/Departmental Candidates/EXSM/PH in accordance with the instructions/ order issued by Govt. of India from time to time.			
5	Selection is being made on the basis of marks obtained in Tier- I (T) examination (Objective-MCQ) for 200 marks. Candidate must has to qualify in Section A & B separately as per their category (UR/OBC/SC/ST/PH/EXSM) minimum qualifying marks. However, final merit will be prepared on the basis of aggregate marks of both the sections A & B.			
6	Eligibility Criteria: 1. The candidate must be a citizen of India. 2. The educational qualification, age experience etc, as stipulated in advertisement shall be determined as on the closing date of submission of application.			
7	The Board conducted the examinations on 30/09/2018, 13/10/2018, 14/10/2018 and on dated 28/10/2018 for the post code 16/17 and 01/18.			

5. A total of 74376 candidates appeared in the above examination, out of which 8673 candidates were shortlisted for calling/uploading e-dossiers.

6. The applicants appeared in the said exam and secured the marks as per details given below:-

Sl. NO.	POST CODE	Name	Roll No.	DOB	Category	Marks
1	16/17	MS. MEENAKSHI	2800123722	08.06.1988	ST	83.03
2	01/18	SH. RAMVEER MEENA	2800021206	01.01.1988	ST	80.43
3	01/18	MS. LALTA MEENA	2800001724	01.01.1991	ST	87.70
4	01/18	MS. HIMANI KHATRI	280035925	19.03.1999	OBC	120.26

7. All the above four candidates were shortlisted for uploading e-dossiers and during the verification of E-dossier documents, it was noticed that the applicants

have failed to upload valid CTET certificates (class I to V) acquired as on cut-off date i.e. 30.07.2018 for said post code. The CTET certificates which they had uploaded were acquired after cut-off date.

8. Hence, the candidature of above mentioned candidates was rejected vide Rejection Notice no. 786 dated 12.07.2019, as they were not meeting one of the essential qualifications i.e., CTET acquired before cut-off date.

9. The applicants have brought forward the argument that they could not acquire the CTET qualification as on cut-off date as CBSE did not conduct the exam for CTET in the year 2017. Hence, they are entitled for getting relaxation in cut-off date. In this regard, it is clarified that acquiring CTET as on cut-off date is one of the essential eligibility criteria and the relaxation in this regard to them can not be given at this stage. The candidates were well aware that they were not eligible since not having essential qualification as on cut-off date. Giving relaxation to them at this stage will be injustice with those similarly placed candidates who did not apply for the post for the reason that they did not have CTET as on cut-off date. In this regard, the attention is invited to Para 4(2) of Advertisement for the said Post Code related to eligibility criteria as given below:-

"4. Eligibility Criteria:- (ii) The educational qualification, age, experience etc., as stipulated in Advertisement shall be determined as on the closing date of submission of application."

10. The above criteria is applied uniformly by the Board and any relaxation at this stage will not be in equality with other candidates. Moreover, sufficient number of candidates had applied with the above eligibility criteria and were available with the Board for selection. Further, the result process has also been closed.

11. They have also placed reliance on the judgment of High Court of Punjab and Haryana at Chandigarh in CWP. No. 27315/18 titled as Poonam Gulati & Others. VS Union of India Ors. In this regard, it is mentioned that on perusal of the judgment of CWP No. 27315 titled as Poonam Gulati & Ors. V/S Union of India & Ors., the Hon'ble High Court of Punjab and Haryana, it appears that the High Court have passed the said order in particular facts and circumstances of the case as **one time measure**.

12. Similarly, applicants have further placed reliance on WPC No. 9040/2019 titled as Praveen Khatri and Ors Vs GNCT of Delhi of Hon'ble Delhi High Court. In this connection also, the Hon'ble High Court of Delhi in WP(C) No. 9040/2019 titled as Praveen Khatri and Ors. VS Govt. of NCT of Delhi & Ors, has advised to take a call regarding relaxing condition in case of the qualified candidates who have obtained the CTET qualification after cut-off date, but before their appointment, only on order to achieve the objective of filling large number of vacancies **as a special case**. The same cannot become precedence.

13. In view of the above facts, the claim and candidature for selection to the post of Teacher (Primary) in MCD under post code 16/17 & 01/18 in respect of the



petitioner Meenakshi and all the other applicant(s) has been considered, examined and not found admissible in view of the facts mentioned above, hence rejected.

This issues with approval of the Competent Authority.


Dy. Secretary, DSSSB

To,

**Meenakshi D/o Sh. Prahlad Singh,
R/o B-226/224, Rama Park Road,
Mohan Garden, Dwarka More, New Delhi-110059.**

**Sh. Ramveer Meena S/o Sh. Harnath Meena,
R/o The Kathumur, Bhanokhar, Alwar,
Rajasthan- 301035.**

**Ms. Lalta Meena D/o Sh. Ram Kaishan Meena,
R/o Village-Devanwara, Post- Gothra,
Tehsil & Distt. Dausa-Rajasthan-303501.**

**Ms. Himani Khatri D/o Sh. Parveen Singh,
R/o H. No. 38, Nangloi Extn.-IV,
Nangloi, Delhi-110041.**

F. No. 4(499)/DSSSB/CC-I/2019/Pt.file/ 10942-5/

Dated: 29.01.2021

Copy for information and further necessary action to:

1. PS to the Chairman, DSSSB.
2. Sr. PA to the COE, DSSSB.
3. Dy. Secretary (Legal), DSSSB.
4. SA, IT Branch, with the request to upload the same on the website of DSSSB.
5. Notice Board/Officer Order file.


Dy. Secretary, DSSSB