



F. (8768)/LC/DSSSB/23/441-446

Dated: 09.05.2023

## **ORDER**

**SUB: Compliance of order/direction dated 13.04.2023 of the Hon'ble CAT as passed in OA No. 1045/2023 titled as Shiwani Vs. GNCTD & Other.**

**WHEREAS**, the Hon'ble CAT in OA No. 1045/2023 titled as Shiwani V/s GNCT of Delhi & Others, vide its order dated 13.04.2023 has directed as under:-

*"..... At the outset, learned counsel for the applicant states that he would be satisfied if a direction is given to the respondents to dispose of the pending representation of the applicant dated 27.02.2023, by passing a reasoned and speaking order, within a limited time frame.*

*2. In view of the limited prayer made by the applicant, the respondents are hereby directed to dispose of the aforementioned representation of the applicant by passing a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order. A copy of the speaking order so passed given to the applicant.*

*3. It is made clear that we have not entered into the merits of the case. Accordingly, the present OA stands disposed of".*

**2. AND WHEREAS**, the brief facts of the case are as under:

**(a)** 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.

**(b)** The details of essential qualification, eligibility Criteria and cut off dates were as under:-

**(i) Essential Qualification**

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.

(ii) **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.

(iii) **Cut-off-dates:**

1. 15.09.2017 for Post code 16/17.
2. 30.07.2018 for post code 01/18.

(c) The Board conducted the online examinations on 30/09/2018, 13/10/2018, 14/10/2018 and 28/10/2018 for the said post codes.

3. **AND WHEREAS,** the petitioner Ms Shiwani, Roll No.2800004735 ,UR category, appeared in the said exam and secured 142.79 marks. She was shortlisted for uploading e-dossiers. However, her candidature was rejected vide Rejection Notice No. 786 date 12.07.2019 on the ground "Candidate does not possess the essential qualification i.e. CTET (Class 1 to V) as on cut-off date."

4. **AND WHEREAS,** Subsequently, the petitioner approached Ld. CAT vide OA No. 1045/2023 which has been disposed off vide order dated 13.04.2023 with direction to the respondents to dispose of the representation dated 27.02.2023 of the applicant by passing a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of the order.

5. **AND WHEREAS,** the grievances in the representation dated 27.02.2023 of the applicant are as under:

*" I Shiwani, Roll No. 2800004735, had been shortlisted for the post of PRT under Post Code 01/18 with CTET qualified in 2018. I have not yet received any information/updates from the said authorities despite writing numerous letter, visiting DSSSB office, Karkardooma, uploading documents on e-dossier as asked by the authorities. Though many candidates Swati, Anshu Sehrawat, Shweta Bhardwaj have joined the post under same circumstances of eligibility criteria. I even filed on RTI with Registration No. DSSSB/R/2021/61611 on 25.05.2021 still got no replies. I request you to please look into the matter and do the needful."*

6. **AND WHEREAS,** the first grievance in the representation is that she was not selected despite being shortlisted for uploading dossiers. In this regard,



it is submitted that petitioner Ms Shiwani, Roll No.2800004735, UR category appeared in the examination for the post of Teacher (Primary) under post code 01/18, in MCD and secured 142.79 marks. She was shortlisted for uploading e-dossiers. However, during scrutiny of dossiers, it was found that she had uploaded CTET certificate, the result of which was declared on 04.01.2019. As per the eligibility criteria, the candidate was required to possess all the essential qualification as on cut off/closing date i.e. 30.07.2018. The said criterion has been mentioned very clearly in the advertisement which is reproduced as under:

**"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."**

**7. AND WHEREAS,** the cutoff/closing date for the post code 01/18 was 30.07.2018. Thus, the candidate was required to acquire all the essential qualifications as on closing/cut-off date (30.07.2018). But she has acquired her CTET qualification on 04.01.2019 which was much later after cutoff date. She was also given sufficient opportunity to produce CTET certificate valid as on cut-off date, but she failed to furnish the same. Since, she was not having one of the essential qualifications i.e. CTET as on closing date/cut-off, her candidature was rejected vide Rejection Notice No. 786 date 12.07.2019 on the ground **"Candidate does not posses the essential qualification i.e. CTET (Class 1 to V) as on cut-off date. "**

**8. AND WHEREAS,** the another grievance is that some candidates named Ms. Swati, Ms. Anshu Sehrawat, and Ms. Shweta Bhardwaj have joined the post under same circumstances and same criteria. In this regard, it is mentioned that she has not furnished the roll numbers or any other details of these candidates, hence, in the absence of these details of the candidates, it is not possible to check or verify the same. Nevertheless, DSSSB is following the norms and rules very strictly and uniformly, hence, there is no possibility of selection of any candidate who was not fulfilling eligibility criteria as on cutoff date. Next grievance is related to not giving reply on RTI application. In this regard, it is mentioned that as per the record, the suitable reply was furnished to her. Moreover, the grievance related to RTI can be redressed in the different forum available under RTI Act 2005.

**9. Now therefore,** in Compliance of order/direction dated **13.04.2023** of the Hon'ble Central Administrative Tribunal as passed in OA No. 1045/2023 titled as Shiwani V/s GNCT of Delhi, the representation dated

27.02.2023 regarding claim for selection to the post of Teacher (Primary) in MCD under post code 16/17 & 01/18 in respect of the petitioner Ms. Shiwani (Roll No 2800004735) has been considered, examined and not found admissible in view of the facts mentioned above, hence rejected.

This issues with the approval of the Chairman, DSSSB.

/

**DY. SECRETARY  
DSSSB**

To,

Shiwani D/o Sh. Devender,  
R/o Village- Turkpur, P.O. – Mandaura,  
Teh.- Kkarkhoda, Distt.- Sonipat, Haryana

**F. (8768)/LC/DSSSB/23/441-446**

**Dated: 09.05.2023**

Copy to:-

1. PS to Chairman, DSSSB.
2. PS to COE, DSSSB.
3. Dy. Secretary (Legal), DSSSB.
- ✓ 4. Sr. System Analyst (IT), DSSSB with the request to upload notice on Board's Website.
5. Notice Board/ Office Order file.

  
**DY. SECRETARY  
DSSSB**