



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

Website:www.dsssb.delhigovt.nic.in

F.No. 4(402)/DSSSB/CC-I/2015/10916

Dated:-25.01.2021

ORDER

Sub: - Compliance of order/direction dated 17.02.2020 of the Hon'ble High Court of Delhi as passed in W.P. (C) 1351/2020 titled as Neeru V/s Govt. of Delhi & Ors.

The Hon'ble High Court of Delhi vide its order dated 17.02.2020 passed in W.P. (C) 1351/2020, titled as Neeru V/s Govt. of Delhi & Ors., has directed as under:-

"That being said, we dispose of the present petition observing that if any vacancy is available in general category and the petitioner meets the cut-off and other criteria, we have no believe that the respondents would not consider the petitioner's candidature.

With the observations, the present writ petition is disposed of "

The DSSSB vide its advertisement No. 02/2010 had published the vacancies for the post of Assistant Teacher (Nursery), (Post Code 68/10) in MCD as per details given below:-

S. No.	Name of Department	Post Code	No. of vacancies advertised
1	MCD	68/10	Total=381 (UR-208, OBC-111, SC-62, including PH(OH)-08 VHVI-07)
Essential Qualification	Essential:- (i) Sr. Secondary (10+2 or intermediate or its equivalent with 45% marks from a Recognized Board). (ii) Two years diploma/ certificate course in Nursery Teachers Training or B.Ed. (Nursery) from a recognized institution or its equivalent. Desirable:- (i) Knowledge of Hindi (ii) Experience as Nursery Teacher (as per NCTE regulation 2001)		
Age Limit	Not exceeding 32 years relaxable for SC-05 years, OBC-03 years, PH&SC-15 years, PH&OBC-13 years. Departmental candidates /Govt. Employees 05 years the Age relaxation as admissible to such Govt. Servants as are working in posts which are in the same line or allied cadre and where relationship could be established that the service already rendered in particular post will be useful for the efficient discharge of the duties of the post(s) recruitment to which has been advertised.		
Cut-off date/Closing date of application			30.07.2010
The marks have been awarded out of maximum marks 197 out of 200			

The Board conducted the common examination for the post of Assistant Teacher (Nursery) under post code 03/13(GNCTD) and 68/10 (MCD) on 31.08.2014.

The mark list of all candidates appeared in the exams was uploaded on Board's website on 22.07.2015 and the final revised result was declared on 17.04.2017.

The applicant, at the time of applying for the post of Assistant Teacher (Nursery), had left the category column blank and did not mention any category in her application form. As per the policy of the Board, the results are processed in the applied category only. Since the applicant did not mention her category in her application form, her candidature was processed in unreserved category.

The last provisionally selected candidate had secured 109.50 marks under UR category, whereas the applicant /petitioner had secured 106.50. Therefore, the petitioner was not selected being below in merit in UR category.

As the petitioner was not given appointment to the post of Assistant Teacher (Nursery), therefore, she filed OA before the Ld. Tribunal, Principal Bench, New Delhi. The said OA No.1815/2017 was dismissed by the Hon'ble Tribunal on the ground that as the Petitioner did not claim OBC status, therefore, she was not entitled to be considered for appointment in OBC category.

The applicant thereafter filled W.P. (C) 1351/2020 titled as Neeru V/s Govt. of Delhi & Ors wherein Hon'ble High Court of Delhi vide order dated 17.02.2020 directed as under:-

"That being said, we dispose of the present petition observing that if any vacancy is available in general category and the petitioner meets the cut-off and other criteria, we have no believe that the respondents would not consider the petitioner's candidature.

With the observations, the present writ petition is disposed of "

In the light of above direction of Hon'ble Court, the case of applicant has again been examined and found that the last provisionally selected candidate, as on date, had secured 109.50 marks under UR category, whereas the applicant had secured 106.50. Therefore, the petitioner can not be considered for selection as she is quite below in the merit in UR category, as there are approximately 80 candidates between the applicant candidate and the last selected candidate in UR category . Further, the Recruitment process for the said post has already been closed and the waiting panel has already been expired.

In view of the above facts, the claim and candidature for selection to the post of Assistant Teacher (Nursery) (Post Code 68/10) in MCD in respect of the petitioner Neeru, Roll No. 68021032, has been considered, examined and not found admissible , in UR category, in view of the facts mentioned above, hence rejected.

This issues with approval of the Competent Authority.


Dy. Secretary, DSSSB.

To,

**Ms. Neeru D/o Sh. Om Prakash, W/o Sh. Sunil,
R/o GF-224, Pkt-9, Sec-21, Rohini, Delhi 110086.**

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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. Sr. SA (IT Branch), with the request to upload the same on the website of DSSSB.
5. Notice Board/Officer Order file.


Dy. Secretary, DSSSB.