



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.177/Drawing Teacher/DSSSB/I.Cell/2019-20/1224-25

Dated: 12/12/19

ORDER

This order is passed in compliance of the directions of Hon'ble CAT order dated 22.10.2018 in OA No.415/2018 along with connected OAs of similar nature including OA No.431/2018-in the matter of **Chander Bose Vs. GNCT Delhi**.

2. The Hon'ble CAT while disposing the Original Application No.415/2018 along with connected has directed as under:-

- a) The respondents shall proceed to declare results of the examination which was held in pursuance of the impugned notification/advertisement
- b) The interim order passed in these OAs, shall not be construed as conferring eligibility upon them, but the same shall be decided by the respondents separately.
- c) In case the applicants or any of them are found to be in the zone of selection, the respondents shall inform such of them through a notice as to whom they are not eligible to participate in the selection process, duly indicating the reasons
- d) The applicants shall be entitled to submit their explanation/representation putting forward their grievance, within 15 days from the date of receipt of such communication
- e) Further steps shall be taken by the respondents as regards the applicants only after passing a reasoned order, on the basis of notice and reply, if any.
- f) The verification as indicated shall be undertaken along with the results in the examination.

3. In compliance of the directions of Hon'ble CAT, Sh. Chander Bose was informed vide this office Notice No.F.177/Drawing Teacher/Int. Cell/DSSSB/2019-20/4056 dated 13/06/2019 the reasons as to how he is not eligible to participate in the selection process and to submit his explanation/ representation within 15 days of the receipt of notice.

4. Sh. Chander Bose, in response to this notice, vide his representation dated 10/07/19 & 16/07/19 stated that he has appeared in the exam in year 2010 and 2014 and qualified the same in those years but could not be considered due to lesser number of vacancies i.e. 5 & 6 respectively. Since the vacancies to be filled by examination, 2017 i.e. 48 numbers were pertaining to years i.e. from 2010 onwards on account of back log vacancies and as such he qualified the said examinations of 2010 and 2014 has pre-amt right to be considered for the vacancies pertaining to yester years included in 48 numbers. Having qualified the 2017 examination he has the legitimate right to be considered for relaxation of age for the vacancies proposed to be filled by the examination, 2017 because a sufficient number of vacancies pertaining to 2010-2014

are included in the 48 vacancies proposed to be filled by examination 2017. He has requested that necessary age relaxation may be allowed to him on account of back-log vacancies for considering his candidature for examination, 2017.

5. As per advertisement No.04/2017, the prescribed age limit for the post Drawing Teacher, Post Code-91/17 is 30 years for UR/Gen. candidates and 33 years for OBC category candidates and 35 years for SC/ST candidates by giving 03 years and 05 years benefit under OBC and SC category respectively. Further, upper age limit is relaxable for Guest/contract teachers in Directorate of Education as under:-

"Relaxation in the upper age limit as a one-time measure upto the actual time spent as guest/contract teacher in Directorate of Education subject to a maximum of 05 years provided they have worked for atleast 120 days in that particular year. (This would be applicable to those guest/contract teachers who have worked for the academic years 2012-13, 2013-14, 2014-15, 2015-16 & 2016-17."

6. Further, age relaxation to Kashmiri Migrant Teachers has also been given as under:-

"One time relaxation in the upper age limit for the number of years served as teacher in Directorate of Education".

7. The candidate, Sh. Chander Bose was **37 years 05 months 30 days** as on the closing date of receipt of applications, i.e. 31.01.2018, being her date of birth as 01/08/1980. Since she had applied under UR category, he is **overage by 07 years 05 months and 30 days**.

8. **It would be pertinent to mention here that Shri Chander Bose was not in selection zone for any of the post codes** and this fact has already been conveyed to him. Further, the Board advertises the vacancies and processes the results as per the terms and conditions laid down in the Recruitment Rules, which falls under the domain of User department and, therefore, the Board has no role to play regarding relaxation of age limit.

9. Since the candidate, Sh. Chander Bose is overage by **07 years and 05 months and 30 days** his candidature for the post of Drawing Teacher is rejected being overage.

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


Dy. Secretary, DSSSB

To

Sh. Chander Bose,
E IInd, 296, Madangir,
Dr. Ambedkar Nagar, Sector-4,
New Delhi

Copy to:

DS(IT), DSSSB with the request to upload order on the official website of the Board.