



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/2019-20/122-23 Dated: 16/3/20

ORDER

This order shall dispose of the representation dated 03.07.2019 filed by Sh. Aatmaram Mali (Roll No.111809100175), candidate for the post of Drawing Teacher, Post code-91/17 in compliance of the directions of Hon'ble CAT order dated 24.10.2018 in OA No.539/2018 along with connected OAs of similar nature including OA No.565/2018 in the matter of **Hari Shankar Vs. DSSSB.**

2. The Hon'ble CAT while disposing the Original Application No.539/2018 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. Aatmaram Mali was informed vide this office Notice No.F.177/Drawing Teacher/Int. Cell/DSSSB/2019-20/4054 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. Aatmaram Mali in response to the notice dated 13/06/2019 submitted his representation dated 03/07/2019, received in the Board on 10/07/2019 stating therein that he was within the age limit as on 15/09/2017 in terms of advertisement No.02/2017. However, he became overage as on 31/01/2018 in terms of advertisement No.04/2017. By prescribing a new closing/cut of date and thereby debarring his claim for the post of Drawing Teacher is unjustified and contrary to the letter and spirit of the judgment passed by the Hon'ble Delhi High

● Court in Const. Case (C) No.1133/2016 vide order dated 11.11.2017. He further stated that the cut off date should be considered as 15.09.2017 instead of 31.01.2018. He has, therefore, requested to consider his candidature for appointment to the post of Drawing Teacher (Post Code-91/17) advertised vide advertisement No.04/2017.

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. Atmaram Mali was **30 years 30 days** as on the closing date of receipt of applications, i.e. 31.01.2018, being his date of birth as 01/01/1988. Since he had applied under UR category, he is **overage by 30 days**.

8. The Board process 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. Therefore, after considering the reply dated 03.07.2019 in response to the Board's notice dated 03/07/2019, Sh. Atmaram Mali is still overage by 21 days and, therefore, 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. Atmaram Mali,
Vill. Dhada, Post Darda Hind
Tehsil & Distt: District Tonk, Rajasthan-

Copy to:

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