



GOVERNMENT OF NCT OF DELHI  
Delhi Subordinate Services Selection Board  
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-110092  
Website: [www.dsssb.delhigovt.nic.in](http://www.dsssb.delhigovt.nic.in)

No.F.88/Rectt./Drawing Teacher/Int. Cell/DSSSB/2017-18/4024-25

Dated: 09.10.2020

## ORDER

This order shall dispose of the representation dated 17.11.2017 filed by Ms. **Sumeeksha (Roll No.12801911)**, candidate for the post of Drawing Teacher, Post Code-208/14 in compliance of the directions of Hon'ble CAT order dated 28.11.2017 in O.A. No. 4164/2017 in the matter of Ms. Sumeeksha Vs. Govt. of NCT of Delhi and Ors.

2. The Hon'ble CAT while disposing the Original Application No.4164/2017 had had passed orders dated 28.11.2017 wherein it had directed as under:-

**"The O.A. is disposed of at the admission stage itself, without going into the other merits of the case, by directing the respondents to consider Annexure A/7 (colly.) representations of the applicant, and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within 30 days from the date of receipt of a copy of this order. Till then, one post of Drawing Teacher, Post Code No.208/14, Advertisement No. 02/14 under OBC category, shall be unfilled. It is needless to mention that in the event of passing of any adverse orders by the respondents, the applicant may question the same, in accordance with law. No order as to costs"**

3. In compliance of the directions of Hon'ble CAT of Para-5 of order dated 28/11/2017, before issuance of speaking order in respect of Ms. Sumeeksha, the matter was referred to the user department i.e. Directorate of Education vide letter No. F. 99/CAT Order/Sumeeksha/int. Cell/DSSSB/2018/1262-64 dated 25.01.2018 with the request to clarify as to whether the qualification i.e. 03 years Diploma after Matriculation and the degree pursued thereafter should be treated as valid qualification for declaring her eligible keeping in view the facts that the applicant acquired Post Matriculation Diploma and not Post Graduation Diploma as prescribed in the Recruitment Rules vide notification dated 15.12.1983 applicable for the post of Drawing Teacher, Post Code-208/14.

4. Further, the Directorate of Education vide letter No. F.88/Result/Drawing Teacher/Int. Cell/DSSSB/Pt/4024-25 dated 05.04.2018 was again requested to clarify

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the anomalies in the Recruitment Rules as alleged by the candidate. However, even after lapse of considerable period of time, the user department failed to respond on the above matter till date despite sending two letters to it.

5. As the user department is the final authority regarding acceptance and/or interpretation of the recruitment rules and lack of response from their side had kept the matter pending till date. It would also be pertinent to place here on record that in OA No.4164/2017, the Director, Directorate of Education, GNCTD was also a party to the proceedings as Respondent No.3. Furthermore, the applicant had appended her application dated 17<sup>th</sup> November, 2017 as Annexure-A/7 with her OA, which in turn is directly addressed to the Secretary, Directorate of Education, GNCTD and the Board had referred to this very communication in its references addressed to the Directorate of Education, GNCTD vide letter No. F. 99/CAT Order/Sumeeksha/int. Cell/DSSSB/2018/1262-64 dated 25.01.2018 and subsequent communication bearing No. F.88/Result/Drawing Teacher/Int. Cell/DSSSB/Pt/4024-25 dated 05.04.2018. Since no reply has been received from the Dte. of Education, GNCTD till date, the Board is constrained to pass the orders in pursuance of directions of Ld. CAT in respect of interpretation of the matter of Ms. **Sumeeksha (Roll No.12801911)**, candidate for the post of Drawing Teacher, Post Code-208/14 in compliance of the directions of Hon'ble CAT order dated 28.11.2017 in O.A. No. 4164/2017 specifically on part of the Board only.

6. Whereas, as per advertisement No.02/14, the prescribed essential qualification in the Recruitment Rules are under:-

M.A. in Drawing and Painting / Fine Art from a recognized University.

OR

B.A. (Hons.) in Art and Art Education.

OR

B.A./B.A. with Drawing & Painting /Fine Art/Art with minimum 2 years full time Diploma from a recognized institution.

OR

Higher secondary/ Intermediate with minimum 4 years full time Diploma in painting / fine Art from a recognized institution / University (However, for existing Teachers the essential qualifications shall be high school with 5 years full time Diploma).

**Desirable Qualification:** At least 2 years Drawing Teacher Training course from recognized institution.



OR

02 years Teaching Experience in a recognized institutes.

**Note:-** Particulars of recognized institution for various course may be specified by the Administrator from time to time.

7. Whereas, the candidate has acquired her three years Diploma after Matriculation i.e. Post Matriculation Diploma in the year of 2005 and as per the eligibility conditions laid down in the Recruitment Rules, the candidate who is not a Graduate should possess "*Higher secondary/ Intermediate with minimum 4 years full time Diploma in painting / fine Art from a recognized institution / University*", but the applicant holds only a three year diploma that too only after matriculation and not even higher secondary/intermediate. In case the candidate claims her qualification as possessing qualification of B.A./BA with Drawing & Painting/Fine Art/Art with minimum 02 years full time diploma from a recognized Institution. The candidate had acquired her B.A. degree subsequently in 2009, the Post Matriculation three years Diploma cannot be equated with the syllabi of Post Graduate Diploma. The requirement for Graduates is a 02 (two) years Post Graduation Diploma and not a 03 years Post Matriculation Diploma. Accordingly, the candidature of Ms. Sumeeksha (Roll No. 12801911) was rejected vide Rejection Notice No. 213 dated 13.11.2017 for not having requisite qualifications as per Recruitment Rules.

8. Further, the Board processes the results uniformly as per the terms and conditions laid down in the Recruitment Rules, which falls under the domain of user department and therefore, the Board is bound to follow the terms and condition mentioned in the Recruitment Rules given by the User Department.

9. Therefore, after considering the representation dated 17/11/2017, as no new grounds have been brought out by Ms. Sumeeksha (Roll No. 12801911), the rejection of the candidate for the post of Drawing Teacher Post Code-208/14 is found to be in order for not having requisite qualification as per RRs.

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

  
Dy. Secretary, DSSSB

To

Ms. Sumeeksha D/o Shri Ram,  
R/o H.No. B-10, 2<sup>nd</sup> Floor,  
Tagore Garden Extension,  
Delhi-110007.

