



GOVERNMENT OF NCT OF DELHI
DELHI SUBORDINATE SERVICES SELECTION BOARD
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-92

No. F4 (378)/DSSSB/CC-II/2012-13/ 6488-96

Dated: 16.10.2019

SUPPLEMENTARY RESULT NOTICE: 829
TGT, ENGLISH (FEMALE), POST CODE NO. 52/10,
DIRECTORATE OF EDUCATION, DELHI.

1. It is stated that vide order dated 29/04/2019 in OA No. 1949/2015, titled Parminder Kaur Vs. GNCT of Delhi & ors the Ld. Tribunal has ordered as under:

"5. We fully agree with the decision given by the Hon'ble High court of Delhi to the effect that similarly situated persons who acquired a qualification which is higher than the qualification prescribed for appointment to the post of TGT (English), thus the present O.A. is allowed. Accordingly we direct the respondents to quash and set aside the result notice No. 217 date 17-09-2014 to the extent of declaring ineligibility or/non-allocation of applicant to the post code 52/10 and direct the respondents to consider applicant for the said post, if she is otherwise eligible. The said exercise shall be done within two months from the date of receipt of a certified copy of this order. The name of the applicant shall be interpolated at appropriate place".

2. Since the Ld. Tribunal has relied upon the judgment of Hon'ble High Court on WP(c) No.1520/2012 and connected cases in the matter of Govt. of NCT of Delhi and Ors. Vs. Sachin Gupta and Ors., in **Paras 29, 40, 41 & 50** of their judgment and in which the decision rendered by the Tribunal was upheld except that the applicants will not be entitled to the back wages but would be entitled to all consequential benefits such as seniority, notional pay fixation etc. The said paragraphs of the judgment of the Hon'ble High Court read as under:-

"29. The expression 'elective subject' was not defined in the Recruitment Rules.

40. To repeat, corrigendum dated March 30, 2010 prescribes that the expression 'elective subject' occurring in the recruitment Rules means that the candidate should have studied the subject concerned as mentioned in the RRs in all parts/years of graduation. The elective word may also include main subject as practiced in different universities" It is clear that the ethos of the prescription contained in the corrigendum dated March 30,2010 that the candidate should have studied the subject concerned as mentioned in the RRs in all parts/years of graduation" is that the candidate should have a deep understanding of the subject in which he is desirous of imparting education to the children.

41. All universities in India do not offer a particular elective subject in all three years of graduation course as in the case of Nainika, Vikra Singh and Sachin Gupta, where Delhi University did not teach English/Hindi/Economics in all three years of B.A. program/B.Com (H) course(s) conducted by it. If the corrigendum dated March 30,2010 is given a literal interpretation, all such candidates who have studied concerned subject for which they have applied from the Universities which are not teaching said subject in all

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three years of graduation course offered by them would be rendered ineligible for appointment to the post of TGT despite the fact they have studied the concerned subject in all parts/years in which the subject is taught by the university and have a good understanding thereof. This is absurd. It is a settled legal position that where literal meaning of a statute or rule leads to an absurdity, the principle of literal interpretation need not be followed and recourse should be taken to the purposive and meaningful interpretation to avoid injustice, absurdity and contradiction so that the intent of the purpose of Legislature is given effect to. Therefore, a WP(C) 1520/2012 conn. Matters page 18 of 24 meaningful and practical interpretation has to be given to the corrigendum dated March 30,2010 and same should be interpreted as follows: "The candidate should have studied the subject concerned as mentioned in the RRs in all parts/years in which the subject was taught during the Graduation course."

50. *In view of aforesaid authoritative pronouncements, we hold that respondent Neelam Rana is eligible for being appointed to the post of TGT (English), particularly when the Directorate of Education has placed no material before us to show that the person who has studied English at graduate level would be better equipped to teach English to students vis-a-viz a person who has obtained a Post Graduate degree in English Language."*

3. In compliance of the orders of Ld. Tribunal dated 29-4-2019 in OA No. 1949/2015 titled Parminder Kaur Vs. GNCTD & Ors, the following candidate is hereby provisionally selected subject to fulfillment of eligibility criteria as per RRs to the post of TGT (English)(female) in Dte. of Education under post code 52/10 in UR category.

Sl. No.	Roll No.
01.	05211608

4. The competent Authority of the user Department concerned shall issue the appointment letter to the candidate after verification of the correctness of the information furnished in the application form and the documents related to education qualifications, age and other essential certificates including caste certificate as per Government of India instructions issued in this regard vide MHA OM No.2/29/54-RPS. 19/11/54
5. The user department shall also check the eligibility of the reservation benefit, if any. Further if applicable, user department shall verify the genuineness of the caste certificate furnished by the candidate prior to issuing offer of appointment to the candidate. The Competent Authority of the user Department shall arrange to verify the correctness of the information/documents as furnished in the application forms and e-dossier vis-à-vis the original documents. The user department is requested to ascertain the scrutiny/correctness of the same at their own level before issuing the offer of appointment to the provisionally selected candidate. Further, the appointing authority shall verify and satisfy itself about the authenticity of documents/certificates and essential qualification for the post before finally appointing the candidate. The user Department is also requested to rectify/correct, in case, any minor/clerical error /deficiency noticed in the documents of the candidate at their own level.

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6. The user department shall ensure that the appointment made is in conformity with DOPT guidelines and instructions of Govt. issued from time to time.
7. Mere inclusion of the name of the candidate in the result notice does not confer any right upon the candidate over the post unless the User Department is satisfied after such inquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post.
8. While every care has been taken in preparing the result, the DSSSB reserves the right to rectify errors and omissions, if any.
9. This issues with the prior approval of the Competent Authority of DSSSB.



**Deputy Secretary
DSSSB**