



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.163/Result/TGT (English)/Male/Int. Cell/DSSSB/2019-20/5605

Dated: 11/12/19

ORDER

This order shall dispose of the representation dated 06.06.2019 filed by Sh. Sunil Kumar (Roll No.2650007118), candidate for the post of TGT (English) Male in compliance of the directions of Hon'ble CAT order dated 24.05.2019 in OA No. 1661/2019 in the matter of Sunil Kumar Vs. Govt. of NCT of Delhi and Ors.

2. The Hon'ble CAT while disposing the Original Application No.1661/2019 has directed as under:-

“the respondents is directed to consider the aforesaid representation of the applicant and dispose of the same by passing a reasoned and speaking order within a period of eight weeks from the date of receipt of a certified copy of this order”.

3. Whereas, the candidature of Sh. Sunil Kumar was rejected vide Rejection Notice No. 431 dated 07/05/2019 with the reason that the candidate applied under GCT ctgy and for age relaxation he requires service of 03 years 14 days as Guest Teacher being his date of birth as 23.03.1982 whereas the applicant worked for 120 days in 2012-14, 2015-16 & 2016-17 i.e. for 03 years and the period of service for 2017-18 could not be counted as per the terms of advertisement. Therefore, he is overage by 14 days after counting his service as Guest Teacher for the period 2013-14, 2015-16 & 2016-17.

4. Whereas, Sh. Sunil Kumar in response to rejection notice dated 07/05/2019, he has submitted his representation dated 20/05/2019 & 06/06/2019 stating that he has uploaded experience certificate for the period of 2013-14, 2015-16, 2016-17 but experience for the period of 2012-13 could not be uploaded in the e-dossier.

5. As per advertisement No.4/2017, the prescribed age limit for the post of TGT (English) Male, Post Code-131/17 is 32 years for UR/Gen. candidates. Further, upper age limit is relaxable for Guest / contract teachers in Dte. of Education as under:-

“Relaxation in the upper age limit as a onetime measure upto the actual time spent as guest/contract teacher in Directorate of Education subject, 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 numbers of years served as teacher in Directorate of Education".

7. The essential qualification for the post of TGT (English) Male is as under:-

1. "A Bachelor's Degree (Honours/Pass) or equivalent from a recognized University having secured 45% marks in aggregate, in two school subjects of which at least one out of the following should have been at the elective level :-

A. English

B. Mathematics

C. Natural / Physical Science

D. Social Science

Note :- Main subjects for (i) TGT (Natural Science/ Phy. Science) shall be Physics, Chemistry Biology, Botany and Zoology (ii) Social Science:- History / Political Science/ Economics / Business Studies / Sociology / Geography/Psychology.

Provided further that the requirement as to minimum of 45% marks in the aggregate at graduation level shall be relaxable in case of (a) Candidates who passes a Post Graduate Qualification in any of the teaching subjects listed above.

(b) Belonging to SC/ST

(c) Physically handicapped candidates

2. Degree/Diploma in Training Education or SAV certificate.

3. Working knowledge of Hindi

4. Should have qualified CTET from CBSE.

Provided that Assistant Teachers (From MCD/Dte. of Education) and Lab. Assistant shall not be required to have received 45% marks in aggregate in Bachelor's Degree (Pass/Honours) or equivalent.

N.B :- "The candidate should have studied the subject concerned as mentioned in the RR's for atleast 02 years during the Graduation course.

The elective word may also include main subject as practiced in different Universities"

8. Whereas, the representation of the candidate, Sh. Sunil Kumar has taken into consideration and after scrutiny of the documents uploaded by the candidate in his e-dossier in compliance of the Hon'ble CAT's direction in O.A. No. 1661/2019, the matter was re-examined and it has been observed that he has done B.A. with additional subject of English. The additional subject is not applicable for the post of TGT (English) as per RRs.

9. In similar case, the Hon'ble High Court in W.P. (C) No. 2514/2012 has allowed the writ petition and impugned decision dated December 01, 2011 passed by the Tribunal in favour of



Snehlata has set aside by dismissed the Original Application filed by the Snehlata with the following directions:-

"Para-15 :- In the year 2003 the respondent of W.P. (C) No.2514/2012; namely, Snehlata obtained a B.A. degree from Maharishi Dayanand University, Rohtak and had not studied Sanskrit as a subject in any of the three years of the graduation course. After completing the graduation course in the year 2003, she cleared three papers in Sanskrit language in an examination conducted by Maharishi Dayanand University and obtained a degree B.A.(Additional) pertaining to Sanskrit subject in the year 2004 i.e. after studying Sanskrit for only one year. In respect of which B.A.(Additional) Degree the University armed her with a document as under:- "Point No.1.1. Clause 19 of the ordinance of B.A./B.SC./B.COM provides as under: i) A candidate who has passed B.A. three years course of this university may appear in additional subject (s) prescribed for the course in the subsequent examination except the subject (s) with which he/she has already passed the course. Point 2 Sanskrit (Elective) subject for regular as well as distance mode and additional subject (Sanskrit) in B.A. is one and same and equal in all subject." (Emphasis Supplied).

"In para-46, the Hon'ble High Court has further stated that "The corrigendum dated March 30, 2010 prescribes 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". We emphasize the word 'studied' occurring in the corrigendum dated March 30, 2010. Respondent Snehlata who has not studied concerned subject i.e. Sanskrit subject in the graduation course undertaken by her is clearly not eligible for appointment to the post of T.G.T. (Sanskrit). After clearing the Graduation course and obtaining a degree what she has done is to have studied some kind of a course designed by the University and has learnt Sanskrit. The degree which she has in Graduation does not pertain to the subject Sanskrit".

10. Therefore, after considering the representation of Sh. Sunil Kumar (Roll No. 2650007118) candidate for the post of TGT (English) Male Post Code-131/17 and in the light of facts mentioned above, the candidature of Sh. Sunil Kumar is rejected for not having requisite qualification i.e. English subject not studied as an elective/main subject in the Graduation.

11. This issues with the approval of Competent Authority, DSSSB.


Dy. Secretary, DSSSB

To

Sunil Kumar S/o Sh. Rattan Singh,
R/o VPO- Bandaheri, Tehsil-Balasmand,
Hisar, Haryana.

