

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(E-IV Direct Recruitment Cell)
DIRECTORATE OF EDUCATION, OLD SECTT, DELHI- 110 054

DE.4(2)/DRC/(E-IV)/PRT/2019/ 5733

Dated: 31/7/2020

ORDER

Whereas candidate Ms. Poonam Yadav DOB 15-Jan-85 Roll No. 111808902314 was provisionally selected by the DSSSB for the post of Assistant Teacher (Primary), under post code-89/17. The candidate was issued Offer of Appointment on 24.09.2019 and during the course of document verification, the candidate was issued a Deficiency Memo dated 25.09.2019 regarding NCTE recognition certificate and overage by 16 days. The candidate vide her letter dated 27.09.2019 submitted only NCTE affiliation letter. But no document for claiming age relaxation was provided.

Whereas, during the course of dealing a large number of appointment cases in a strictly time bound manner, the dossier of Ms. Poonam Yadav had also been counted inadvertently for appointment, and, accordingly the candidate was issued Appointment Order dated 31.10.2019. Thereafter, on 29.06.2020 the candidate's Appointment Order was cancelled on the grounds for Non-Reporting for duty.

Whereas, at a later stage, on going through the dossier, it was observed that through CAT's order dated 30.01.2018 in O.A./476/2018 Sushobha Yadav & Others V/S Govt. of NCTD, the candidate Ms Poonam Yadav had been permitted by the Hon'ble Tribunal for participating in exam/selection process provisionally. It was directed by the Hon'ble Tribunal that the candidate's age relaxation claim shall also be considered by the Competent Authority. However, such participation shall not confer any right or equity in favour of the applicant

Whereas, on 30.01.2020, the Hon'ble High Court vide Order no. in WP(C) 1445/2019 & ors. dated 30.01.2020 (in reference to CAT OA No. 463/2018 & ors dated 23.10.2018) set aside the impugned orders passed by the Hon'ble CAT. The operative part of this Order has been quoted herein under: " Accordingly, we set-aside the impugned orders of the Tribunal, being conscious of the fact that to a large extent the orders already stand complied with. We also make it clear that if any of the respondents are aggrieved by the orders of rejection, they would be at liberty to seek such remedy as available to them in accordance with law."


Whereas, as per prevailing Recruitment Rules for the post of Assistant Teacher (Primary), the age criteria is "Not exceeding 30 years", age relaxation will be given as per DoPT guidelines at "para 6" as published under advertisement no. 04/17 dated 20.12.2017.

Whereas, the Circular dated 01.11.1980 has also been withdrawn and is no more effective with the amendments of RRs for the post of Assistant Teacher (Primary), by the Gazette Notification dated 16.05.2013. Therefore, the candidate's claim for seeking age relaxation under Circular dated 01.11.1980 is not maintainable. The candidate is overage by 16 days and thus she does not fulfill the essential eligibility criteria as prescribed in advertisement no. 04/17 dated 20.12.2017 for the post of Assistant Teacher (Primary), under post code-89/17.

In view of the above facts and circumstances, the Offer of Appointment No. DE 4(2)/DRC/E-IV/PRT/2019/3086 dated 24.09.2019 and Appointment Order No. DE-4(2)/DRC/E-IV/PRT/2019/1067 dated 31.10.2019 in respect of Ms. Poonam Yadav are hereby withdrawn and candidature of Ms. Poonam Yadav DOB 15-Jan-85 Roll No. 111808902314 for the post of Assistant Teacher (Primary), under post code-89/17 stands cancelled. Further, the order no. DE 4(13)/DRC/(E-IV)/Misc.NotJoin/2019/2001-05 dated 29/06/2020 regarding cancellation of candidature stands withdrawn.

This issue with the prior approval of the Competent Authority.

Ms. Poonam Yadav D/o Sh. Ramkishan
House No. -86, Village-Bhalswa,
Delhi-110033


Section Officer
E-IV, DR Cell


Section Officer
DR Cell (E-IV)
Dte. of Education
Govt. of NCT of Delhi

DE.4(2)/DRC/(E-IV)/PRT/2019/ 5733 to 5737

Dated: 3/7/2020

Copy forwarded for information and necessary action to:-

1. PS to Secy., Education
2. PS to DE, Dte of Education
3. Dy. Secy. (P&P), DSSSB, Karkardooma, Delhi.
4. Programmer MIS to upload on Public Circular.
5. Guard File.


Section Officer
E-IV, DR Cell
DR Cell (E-IV)
Dte. of Education
Govt. of NCT of Delhi