

**CENTRAL ADMINISTRATIVE TRIBUNAL
61/35, COPERNICUS MARG, NEW DELHI-110001**

Order Sheet

Item no.: 2
O.A./173/2023 (DELHI)
[RECRUITMENT]
With
M.A./203/2023
MA Joining Together
Court No.: 1

No of Adjournment:

Order Dated: 19/01/2023

**SAROJ DEVI MEENA
Vs
UNION PUBLIC SERVICE COMMISSION**

For Applicant(s) Advocate : Mr. Ranjit Sharma

For Respondent(s) Advocate : Mr. R.V. Sinha for R-1, Mr. Girish C. Jha with Mr. Dhurendra Singh for R-2 and 3

Order of The Tribunal

MA No. 203/2023

Since the grievance of the applicants is similar, the permission to file single joint OA is granted.

MA is accordingly allowed.

OA No. 173/2023

Heard learned counsel for the parties.

The present application is filed by the applicants feeling aggrieved by rejection of their candidature to the post of Principal under the Directorate of Education, GNCTD. Initially, the Respondent No. 1 issued an Advertisement No. 07/2021 (Vacancy No. 21040701324) to fill 363 vacancies for the post of Principal in Directorate of Education, GNCTD on 24.04.2021. The last date of submission of

application was 13.05.2021. However, due to Covid-19 pandemic, the process of receiving application was kept on hold and the said process was reactivated vide notice dated 10.07.2021. What is relevant by this notice is that the last date for making application online was extended from 13.05.2021 to 29.07.2021.

The essential qualification, as regard to education, for the post of Principal is (i) Master Degree from a recognised University/Institute; (ii) Bachelor of Education from a recognised University/Institute. There is no dispute that the applicants fulfill the essential qualification. However, the essential qualification, as regard to experience, stipulates 10 years of teaching (Vice Principal/Post Graduate Teacher/Trained Graduate Teacher) in a recognised High School/Higher Secondary School/ Senior Secondary School/Intermediate College. The applicants had not completed 10 years of experience as on 13.05.2021, however, they completed the said experience as on 29.07.2021, which was the last date of application pursuant to notice dated 10.07.2021.

As stated above, the applicants' claim is that they fulfilled the eligibility criteria of the experience as on 29.07.2021. However, the main contention of learned counsel for the respondents is that only the date for making an application online was extended from 13.05.2021 to 29.07.2021, the eligibility and other conditions as mentioned in the earlier advertisement published on 24.04.2021 for the said vacancy remained unchanged, i.e., the applicants ought to have completed the eligibility criteria as regard to experience as on 13.05.2021.

We are, *prima facie*, unable to accept the argument of learned counsel for the respondents.

We have perused the initial advertisement dated 24.04.2021. In this advertisement, the date for determining the eligibility of all the candidates in every respect, shall be the prescribed closing date for submission of online recruitment application. Thus, in our view, in the present case, the closing date for submission of online application was extended to 29.07.2021. Therefore, the

applicants' eligibility, as regards experience, will have to be determined with reference to the revised closing date for submission of online application, i.e., on 29.07.2021. Hence, we *prima facie* found that the rejection of applicants' candidature is not valid.

In the above circumstances, we issue notice to the respondents. Notice is made returnable after four weeks. Mr. R.V. Sinha and Mr. Girish C. Jha, learned counsels accept notice on behalf of Respondent No. 1 and Respondents No. 2 and 3, respectively.

Since the interview for the post of Principal is scheduled to be held from 30.01.2023, as an interim measure, we direct the respondents to allow the applicants to participate provisionally in the interview process, after verifying that the applicants possess 10 years of qualifying experience as on 29.07.2021. Needless to mention, the result of the applicants in the interview process shall be subject to final outcome of the OA.

Stand over to 15.03.2023.

Order by ***Dasti.***

Mohd. Jamshed
Member (A)

Justice Ranjit More
Chairman

/akshaya/