

“No carelessness until there is a cure. Wear Mask, follow physical distancing & maintain hand hygiene.”

**PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
Website: www.pgc.delhigovt.nic.in Email: pgcdelhi@nic.in**

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 09.11.2020

Complainant : Sh. Rohit – Present.
Respondent : The Chairman,
Delhi Subordinate Services Selection Board,
Govt.of NCT of Delhi.
Through Sh.V.P. Jha,
Dy.Secretary(CC-II) Branch – Present.
Grievance No. : PGC/2020/A.II/DSSSB/01

1. Brief facts of the case

1.1 Sh. Rohit has filed a grievance petition in Public Grievances Commission aggrieved by sending of notification on the wrong e-mail ID by DSSSB.

2. Facts emerged during the proceedings.

2.1 An action taken report has been filed by Sh.V.P. Jha, Dy.Secretary(CC-II) of the respondent department. It has been stated that *“...With regard to the claim of the applicant that the message regarding uploading the e-dossier was given on another e-mail address in place of his e mail address, it is informed that e-mail and mobile numbers are required to be entered by the candidates themselves(online) in their application form of a particular post code and any information including e-mail address and mobile number once entered and submitted in the application form of that Post Code to the Board cannot be altered retrospectively and Board has no interference in this matter.*

Further, the candidate was shortlisted for uploading e-dossier vide Notice No.821 dated 25.09.2019. The e-dossier link for uploading

the requisite documents was activated during the period 27.09.2019 to 11.10.2019. As Sh.Rohit had not uploaded e-dossier within the stipulated time period accordingly his candidature in post code 86/17 was rejected vide rejection Notice No.972 dated 12.03.2020 on the ground that the candidate had not uploaded and submitted requisite documents within prescribed time period as was directed to do vide Notice No.821 dated 25.09.2019 which was published on the official website of the Board.

Further, if the applicant/candidate did not upload his dossier within stipulated period, the DSSSB cannot be held responsible. If such applicant(s) is allowed at this belated stage, then it would amount to turn the clock back, which is not possible under the settled position of law. Further, during the prescribed notified period i.e. 27.09.2019 to 11.10.2019, total 796 candidates were shortlisted to upload/submit their requisite documents as per RRs to the post out of which 755 candidates have submitted their e-dossier and there are 41 candidates who did not upload/submit their e-dossier by cutoff date i.e. 11/10/2019 in the post code 86/17. The main result in the post code has already been issued and published on Boards Website vide Result Notice No.971 dated 12/03/2020 and Supplementary Result Notice No.989 dated 10.06.2020 and Supplementary Result Notice No.1019 dated 04.08.2020.

Similar issues have already been decided by the Hon'ble High Court of Delhi vide its judgment dated 25.03.2019 passed in W.P.(C) 2892/2019 titled "Pushpendra Singh Parnami Vs. Delhi Subordinate Services Selection Board(DSSSB) & Anr, whereby the Hon'ble Court dismissed the W.P(C) of the petitioner who failed to upload the e-dossier within the stipulated period The Hon'ble High Court has observed the following vide its order dated 25.03.2019:-

"The submission of the petitioner is that he belongs to a very remote area in the State of Rajasthan and due to lack of internet connectivity and his illness he could not learn about the result declared by the DSSSB on its website. We are unable to accept this submission. The petitioner while applying for the post of PGT(History) was well aware that the result of the written examination would be uploaded by the DSSSB on its website and it was for the petitioner to track the same and to respond in terms of the advertisement issued by the respondent.

Having missed the bus, he cannot be permitted to submit his documents/e-dossiers after the cut-off date. If such relaxation were to be granted to one candidate, it would be discriminatory in respect of others, who may have similarly missed the bus and this would render the entire process undertaken by the DSSSB as open ended.

In view of the aforesaid, we find no merit in the present petition and the same is dismissed.”

Similarly, in W.P.(C) No.4085/2019 in the matter of Mrs. Jyoti Vs.Govt.of NCT of Delhi and Anr. in its order dated 22.04.2019 it has been observed and ordered by the Hon’ble High Court of Delhi that:-

“The tribunal has found and we agree with the said findings, that if the petitioner is permitted to upload her e-dossier after the closing of the scheduled period, the same would amount to discrimination against others, who may have similarly not been able to upload their e-dossier by the notified date and time i.e. 13.02.2019. Merely because the petitioner claim that she was pregnant or out of town is no ground for extension of time as the selection process which is undertaken on very large scale, cannot be delayed or withheld on account of the circumstances of a particular candidate.”

3. Directions:

3.1 In view of the submissions made by the representative of Delhi Subordinate Services Selection Board, GNCTD and the judgments of the Hon’ble High Court of Delhi, the Commission finds no merit in the present petition of the complainant and the same is dismissed.

(MRS. MADHU SHARAN)
MEMBER(PGC)

PGC/2020/A.II/DSSSB/01

Dated:

1. The Chairman, Delhi Subordinate Services Selection Board, Govt.of NCT of Delhi, FC-18, Institutional Area, Karkardooma, Delhi-110092.
2. The Deputy Secretary/Nodal Officer(PGC), Delhi Subordinate Services Selection Board, Govt.of NCT of Delhi, FC-18, Institutional Area, Karkardooma, Delhi-110092.
3. Sh.Rohit.