



**Central Administrative Tribunal
Principal Bench: New Delhi**

O.A. No.1812/2021

This the 3rd day of September, 2021

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Harsh Lata, D/o Shri Om Pal
R/o RZ-46 A/4, Gali No.2
Main Sagar Pur
Delhi-110046.

...Petitioner

(By Advocate: Mr. Ajit Singh)

Versus

Govt. of NCT of Delhi
Delhi Subordinate Services Selection Board
Through its Chairman
FC-18, Institutional Area
Karkardooma, Delhi.

...Respondents

(By Advocate: Mr. Amit Anand)

ORDER (ORAL)

Hon'ble Ms. Manjula Das, Chairman

The applicant has filed the present OA under Section 19 of the Administrative Tribunals Act, 1985, seeking the following reliefs:-



“a) order/directions, directing the respondent that the action of the respondent for not allowing the petitioner to appear and give examination of PGT Hindi on 18/7/2021 despite issuing the E-admit card is illegal, arbitrary and discriminatory, and provide an attempt to petitioner to give said examination of PGT Hindi again,; and

b) direction be issued to the respondent to rectify gender mistake by removing ‘Male’ and entering ‘Female’ in place of ‘Male’ as the petitioner is Female candidate, in the computer system/records of the respondent so that petitioner shall not suffer in future examinations conducted by the respondent (DSSSB) and petitioner will be entitled for the relaxations/benefit given to the female candidates from time to time by the respondents.”

2. It is stated that the applicant registered herself with Online Application and Registration System (OARS) portal of respondent-Delhi Subordinate Services Selection Board(DSSSB), Government of NCT of Delhi, in the year 2013, for various posts of Assistant Teacher (Primary), TGT (Hindi) and PGT (Hindi). Thereafter, in the year 2018, the respondent-DSSSB announced and conducted the PGT Hindi examination on 23.07.2018, TGT Hindi examination on 28.08.2018 and Assistant Teacher Primary on 14.11.2018. When the applicant



received the admit card for the said posts, she came to know that against the column 'Gender', she has been shown as 'Male'. The applicant brought this fact to the knowledge of respondent department. Immediately thereafter the applicant visited the office of DSSSB. The applicant contends that the concerned officer informed her that the correction in the OARS portal would not affect her candidature for appearing in the examination, and the correction in the column 'Gender' will be done at the time of final selection, if she is shortlisted and succeeds in the examination. The applicant appeared in all the examinations conducted on 23.07.2018, 28.08.2018 and 14.11.2018 as a 'male' candidate.

3. Learned counsel for the applicant submitted that the applicant made several representations requesting the respondent for correction in the OARS system, i.e., on 19.12.2019, 19.02.2020 and 29.06.2021. However, none of them have been responded to nor the correction in the OARS portal was carried out. It is further submitted that the respondents again announced selection to the post of PGT Hindi, fixing the date of



examination as 18.07.2021. This time also she was shown as a 'male' candidate in the admit card issued to her. On 18.07.2021, she was not permitted to appear in the examination for the reason that the admit card shows her as a male candidate.

4. The respondents again advertised the posts of TGT Hindi-Female and the date of examination are fixed as 04.09.2021 and 05.09.2021. It is contended by the learned counsel for the applicant that since the name of the applicant has been shown as a male candidate in the OARS portal, the respondents will not allow her to appear in the examination. Hence, the present OA has been filed seeking a direction to the respondents to make necessary correction regarding her gender in the OARS system, and allow her to appear in the said examination.

5. Heard Mr. Ajit Singh, learned counsel for the applicant and Mr. Amit Anand, learned counsel for the respondent at the state of admission itself.

6. It is not disputed that the applicant had applied for various posts advertised, and filled the form wherein



she mentioned herself as a 'male' candidate. This is the reason that she was not permitted to appear in the examination held on 18.07.2021. The applicant appeared in the examinations held in the year 2018 as a male candidate, but she could not qualify that time. The applicant made her first representation to the respondents for carrying out corrections in their OARS system on 19.12.2019 i.e, almost after one year of the previous examination. If the applicant came to know about the fault in her application form, she was expected to approach the respondents immediately after that in the year 2018 itself, seeking correction in her details. She did not take any steps at that stage. It was only after another examination was announced and scheduled, that the applicant came forward with her grievance that her details may be corrected in the OARS portal. It needs to be mentioned that the entire process of receiving applications, short-listing candidates, issuance of admit cards, tabulation of marks and the selection of candidates, is through online system, and human intervention is virtually minimum. The



correction in the application form of the applicant cannot be made, at this stage.

7. We do not find any merit in this O.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Manjula Das)
Chairman

/rk/mbt/vb/