

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

O.A. No.2963/2018  
M.A.No.3308/2018

Orders reserved on : 07.08.2018

Orders pronounced on : 09.08.2018

**Hon'ble Ms. Nita Chowdhury, Member (A)**  
**Hon'ble Mr. S.N. Terdal, Member (J)**

NEERAJ YADAV  
S/o Sh. Dayanand Yadav,  
Aged about 26 years,  
R/o Village Gagarwas PO Bawania,  
District Mehargarh, Haryana,  
Post Guest Teacher TGT PET,  
Emp ID 2017002446  
Group – B

....Applicant

(By Advocate : Shri Khagesh B. Jha)

VERSUS

1. Govt. of NCT of Delhi,  
Through its Director Education,  
Old Secretariat,  
Civil Lines, New Delhi-110054.
2. Office of Deputy Director of Education,  
District South East,  
C- Block, Defence Colony,  
New Delhi-110024.

.....Respondents

**ORDER**

**Ms. Nita Chowdhury, Member (A):**

Heard.

2. In the instant OA, the applicant sought the following reliefs:-

“(i) direct the respondents to quash the Impugned Order dated 21.05.2018 issued by the office of Deputy Director of Education, District South East for arbitrarily and illegally rejecting the candidature of the applicant, Emp ID 2017002446, for engagement as Guest Teacher TGT PET;

- (ii) direct the respondents to consider the candidature of the applicant as per the merit for the post applied;
- (iii) issue any appropriate order or direction as this Hon'ble Tribunal may deem fit and proper in the interest of justice and in the favor of the applicant; and
- (iv) allow the present application with cost in favor of the applicant."

3. This is the second round of litigation, as the applicant has earlier filed OA No.1174/2018 along with other which was disposed of by this Tribunal vide Order dated 21.3.2018, *inter alia*, observed as under:-

"In view of the limited prayer made by learned counsel for the applicants without going into the merits of the case, we direct the respondents to decide the representations moved by the applicants by a reasoned and speaking order within a period of six weeks from the date of receipt of certified copy of this order."

4. In pursuance of the said Order of this Tribunal, the respondents have passed the order dated 21.5.2018 (Annexure A(1)) rejected the representation of the applicant.

5. Being aggrieved by the said order dated 21.5.2018, the applicant has filed the instant OA challenging the same.

6. We have perused the impugned order dated 21.5.2018 in which they have stated that the department issued circular dated 13.6.2017 permitting such candidates desirous of making corrections in their Educational Qualifications in online application to go to the link provided by department website for making online corrections up to 19.06.2017. The respondents further stated that the candidature of the applicant for engagement as Guest Teacher TGT PET was rejected by District as the applicant wrongly

mentioned year of passing Senior Secondary Examination as 2005 instead of 2007 in his online application. The candidate did not make necessary correction in the Educational Qualification in the online application for making online correction, as per department circular dated 13.6.2017. Further as per Note:- 3 in the online application of the candidate, no correction was to be allowed after submission of application.

7. After perusal of the OA, it is clear that applicant has failed to avail the opportunity of corrections of his educational qualifications in online application, which was permissible upto 19.6.2017. It is not the case of the applicant that by any certain reasons which were beyond his control, he was deprived to avail the opportunity to correct his educational qualifications. By the aforesaid impugned order, the respondents have clearly given the reasons for rejection of candidature of the applicant which cannot be said to be arbitrary and illegal. The only ground taken by the applicant is that only three days' time was granted to correct the details through the circular dated 13.6.2017 and also due to technical glitches in the software, the applicant had corrected the online application but failed to upload the corrected online application. This ground is not sustainable in the eyes of law in view of the fact that as per the applicant's own admission, three days' time was granted for this purpose, but he failed to do so and the said ground of technical glitches in the software is nothing but an afterthought plea of the applicant. As such we do not find any illegality in the said impugned order.

8. The similar issue of non-uploadtion of certain information on website before the cut off date was raised before this Tribunal in

OA No.2635/2018 (**Smt. Anu Kumari** vs. **Union of India and another**) in which this Tribunal, vide Order dated 31.7.2018, held that “..... It discloses that between 16.01.2018 and 29.01.2018, the applicant made attempts to access the website 8 times, and it was available on 5 occasions. However, she did not chose to communicate the same, which needed nothing more than pressing a button on the keyboard.”

9. In view of the above discussions, for the foregoing reasons and having regard to the judgment of this Tribunal in the case of **Smt. Anu Kumari** (supra), we do not find any merit in the instant OA. All the candidates were given an equal opportunity to upload the correct details with regard to their online applications. The applicant cannot be given further opportunity to upload the application beyond the period of time fixed for the same as this will violate principle of equality before law given to all the candidates. It is pertinent to mention that now a day’s aspirants of advertised posts are required to fill their applications online and it is incumbent upon all the aspirants to strictly follow the instructions with regard to their candidature. The same is accordingly dismissed at the admission stage itself. There shall be no order as to costs.

**(S.N. Terdal)**  
**Member (J)**

**(Nita Chowdhury)**  
**Member (A)**

/ravi/