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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
***Date of decision: 15.07.2025***

+ W.P.(C) 9910/2025&CM APPL. 41313/2025  
GYAN PRAKASH DEV .....Petitioner

Through: Mr. Abhishek Usha Singh, Ms.  
DeekshaSaggi and Mr.  
RituparnUniyal, Advs.

versus

GOVERNMENT OF NCT OF DELHI AND OTHERS

.....Respondents

Through: Mr. Gaurav Dhingra and Mr.  
Shashank Singh, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE RENU BHATNAGAR**

**NAVIN CHAWLA, J. (ORAL)**

**CM APPL. 41312/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

**W.P.(C) 9910/2025 & CM APPL. 41313/2025 (stay)**

2. This petition has been filed challenging the Order dated 19.05.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi, (hereinafter referred to as, 'Tribunal') in OA No. 1860/2025 titled ***Gyan Prakash Dev v. Government of NCT of Delhi & Ors.***, dismissing the OA filed by the respondent herein. It further seeks directions to the respondents to issue an appointment letter to the petitioner as per the provisional Nomination Order dated 13.09.2024.

3. The petitioner had applied for the post of Photographer pursuant



to the Advertisement No. 02/2023 issued by the Delhi Subordinate Services Selection Board (hereinafter referred to as, 'DSSSB')/respondent no. 3 herein. The essential qualification for the said post were *inter alia* as under:

*"2. One year Certificate/Diploma in Photography/ Cinematography/Videography from any recognised institute with three years experience in photography/Cinematography/Videography in a Government Department/Public Sector Undertaking/Autonomous or Statutory Body/News Agency/News Channel/Newspaper registered with the Registrar of News Paper of India.*

*OR*

*Two year Diploma in Photography/ Cinematography/ Videography from any recognised institute with two years' experience in Photography/ Cinematography/ Videography in a Government Department/Public Sector Undertaking/Autonomous or Statutory Body/News Agency/News Channel/Newspaper registered with the Registrar of News Paper of India.*

*OR*

*NAC (National Apprenticeship Certificate) NTC (National Trade Certificate) passed in the trade of Photography/ Cinematography/Videography from any recognised institute with three years experience in Photography/ Cinematography/ Videography in a Government Department/Public Sector Undertaking/Autonomous or Statutory Body/ News Agency/ News Channel/ Newspaper registered with the Registrar of News Paper of India."*

4. The petitioner was successful in the selection process and in fact, claims that he had topped the same.



5. At the document verification stage, however, the respondents sought clarification with respect to the experience certificate submitted by the petitioner. The petitioner, at that stage, relied upon a Certificate dated 18.12.2024 issued by the Director General, National Museum, Ministry of Culture, New Delhi, which reads as under:

*“18<sup>th</sup> December, 2024*

**TO WHOM IT MAY CONCERN**

*This is to certify that Shri Gyan Prakash Dev, resident of Delhi has been called in the National Museum from time to time for still photography and also videography to cover the VVIPs visits, functions, exhibitions, press preview organized by the National Museum and Ministry of Culture Government of India from 1<sup>st</sup> May, 2020 onwards. He has been called regularly for the functions etc. in the National Museum due to his good work and performance.*

*He is well known in all aspect of digital photography and videography also photo editing in adobe photoshop software. He is a talented and dedicated and skilled photographer and videographer. He is very enthusiastic and energetic young man and always keen to learn anything that comes better for his career.*

*He bears a good more character. I wish him all the success in his life.”*

6. The respondent then sought a clarification from the Director General, National Museum, on the Certificate issued. The Director General, National Museum, vide a letter dated 17.01.2025, issued the following clarification:

*“No.DGNM-2/2025*

*17<sup>th</sup> January, 2025*

*Shri Harish Kumar Sharma*

*Sector Officer (Admn.)*

*Directorate of Information and Publicity*



*Govt. of NCT of Delhi  
Block No.-IX, Old Sectt.  
Delhi-110054*

*Sub: Regarding Experience Certificate in R/o  
Sh. Gyan Prakash Dev*

*Sir,*

*Please refer to your letter no.  
F.5(7)/DIP/Estt./Photo/2021/762 dated  
06/01/2025 on the above cited subject.*

*Yes, this is to confirm that I have issued  
the Certificate in favour of Shri Gyan Prakash  
Dev on the recommendation and certification  
of our Photographic Officer.*

*As explained by our Photographic  
Officer of National Museum, Shri Gyan  
Prakash Dev was called from time to time in  
the National Museum from 1.5.2020 onwards  
to cover the functions through Filmistan Photo  
Studio, 86-87, Model Basti, New Delhi-110005  
and the payment was made to Shri Gyan  
Prakash Dev directly by Filmistan Photo  
Studio.*

*I wish him best of luck and success in  
life in future.*

*Yours sincerely,  
(B. R. Mani)''*

7. Considering that the said Certificate and clarification does not meet the required experience for the post, the respondents cancelled the candidature of the petitioner *vide* letter dated 10.03.2025.

8. Aggrieved thereby, the petitioner first approached this Court by way of a writ petition, and pursuant to the liberty granted, approached the learned Tribunal in form of the above OA.

9. As noted hereinabove, the learned Tribunal has dismissed the OA, finding that the petitioner did not meet the required experience and the fact that his services had been availed at the National Museum could not be treated as due compliance with the experience required



for the post. We quote from the finding of the learned Tribunal as under:

*“3. We had the opportunity to peruse the said order. The order itself clarifies that the reply to the show-cause notice had been adequately considered by the competent authority. Respondents have undertaken the verification of the document of 18.12.2024 and upon verification they found that the applicant was called from time to time in the National Museum to cover the functions. However, the payment for such work was made directly by the Filmistan Photo Studio and not by the National Museum. Further, it was verified that the applicant had neither been working on contract basis nor on daily/regular basis with the National Museum directly. Infact, he is an employee of the Filmistan Photo Studio which is a private. the rules require that the experience should be from a government/PSU/Autonomous body and the experience gained from a private entity is not permissible under the Recruitment rules (RR's). Hence, the candidature of the applicant has been rightly rejected. We do not find any illegality in the action of the respondents. The order passed by the respondents is balanced and a fair decision. Hence, there is no reason for us to intervene with the decision of the respondents.”*

10. The learned counsel for the petitioner submits that the learned Tribunal has failed to appreciate that the requirement under the Advertisement was not for the candidate to be employed in full time capacity in a Government Department/public sector undertaking ('PSU') etc.; the experience required was only of having worked for a Government Department/PSU etc. He further submits that in the present case, the experience certificate issued by the Director General,



National Museum, clearly stated that the petitioner had been called in the National Museum from time to time for still photography as also videography to cover the VVIPs visits, functions etc. from 01.05.2020 onwards, and his work and performance was good. He further adds that in the explanation issued *vide* letter dated 17.01.2025, it was confirmed that the petitioner had been called from time to time in the National Museum from 01.05.2020 onwards to cover functions. He submits that merely because the petitioner was called through Filmistan Photo Studio would not, in any manner, discredit the experience of the petitioner. He contends that the petitioner was, therefore, fully eligible for the said post.

11. The above submissions are disputed by the learned counsel for the respondent, who appears on advance notice. He submits that the learned Tribunal has duly considered all the relevant factors, including the Advertisement and the certificates, and correctly found that the petitioner did not meet the required experience.

12. We have considered the submissions made by the learned counsels for the parties.

13. An informed reading of the Advertisement would clearly show that the candidate must have a three year experience in photography/cinematography/videography “in a” government department/PSU, etc.

14. In the instant case, the petitioner was not employed with a government department/PSU/Autonomous Body/Statutory Body, etc. He was working for a private firm, that is, Filmistan Photo Studio and whenever Filmistan Photo Studio was requisitioned for carrying out



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any photography or videography work at the National Museum, the employer of the petitioner, that is, Filmistan Photo Studio, used to send the petitioner for the said work. This derivative experience gained by the petitioner cannot satisfy the requirement under the Advertisement.

15. We, therefore, find no infirmity in the Impugned Order passed by the learned Tribunal.

16. The petition along with pending application is, accordingly, dismissed.

**NAVIN CHAWLA, J**

**RENU BHATNAGAR, J**

**JULY 15, 2025**

*p/kz/ik*