



GOVERNMENT OF NCT OF DELHI  
DELHI SUBORDINATE SERVICES SELECTION BOARD  
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-110092

F.1 (151)/CC-II/DSSSB/2008/part-1

Dated:

ORDER

**Sub: Compliance of order dated 4.7.2012 of Ld. CAT in O.A.No. 636/2011 titled Sunita Kumari & Ors. Vs MCD& ors.**

The Hon'ble CAT in OA No. 636/2011 titled Sunita Kumari & Ors. V/s MCD & Ors vide its order dated 04.07.2012 has directed as under:-

*" 13. In view of the aforementioned, we deem it appropriate to dispose of the OA with a direction to the respondents to verify whether the applicants had raised the plea of benefit of age relaxation to contractual employees at par with departmental employees or to the extent of contractual service rendered by them or not in their petition decided along W.P.(C) No. 7297/2007 on 11.8.2008. In case it is found that the applicants had raised such plea in their petition before the Hon'ble High Court, the applicant would not be entitled to any relief from the respondents and it would be for them to work out their right in such other proceedings, which can be resorted to them in accordance with law. In case it is revealed that the benefit of contractual service rendered by them in MCD was not sought by them in their petition before the Hon'ble High Court for the purpose of age relaxation and the challenge in the petition was confined to recruitment rules only, the respondents would consider giving the applicants the benefit of the judgment of Hon'ble High Court in Preeti Rathi's case(supra). In such situation, in case of applicants from 2006 or 2007 or 2008 batch of ETE, they would be given the benefit of the said judgement of Hon'ble High Court with reference to the recruitment rules in vogue prior to 13.7.2007, otherwise such benefit would be given to them with reference to the age limit prescribed in recruitment rules dated 13.7.2007."*

In compliance of the above order, the case of applicant Ms. Shivani Thakur Roll No.016412671 has been re examined and it is found that:-

1. The applicant Ms. Shivani Thakur had applied for the post of Teacher (Primary), MCD under post code No.0165/07, under SC category. The DSSSB had conducted the examination for this post on 15.06.2008 and the result for the post code was declared on 25.09.2008.
2. The applicant obtained 115/200 marks in part-II (Descriptive) exam,
3. the applicant vide letter dated 13.05.2013 has submitted duly filled application form for the post along with documents for reconstruction of dossier and her case was carefully examined before declaration of the result.

4. The documents furnished by the candidate were scrutinized and it was observed that the applicant Ms. Shivani Thakur does not fulfill the eligibility condition of the RRs for the post of having 50% marks in Senior Secondary Examination as she has obtained 49.25% in Senior Secondary Examination.

5. The applicant has submitted the SC certificate which was issued on 07.08.2009 in support of her claim for reservation, after cut off date i.e. 29.10.2007. She has also submitted a copy of FIR/NCR dated 27.07.2009 in support of her earlier SC certificate.

6. In response to Board's letter dated 07.06.2013 and subsequent reminder dated 12.07.2013, the applicant vide letter dated 19.07.2013 has submitted the caste certificate of her brother Mr. Vijay Singh S/o Devi Singh, which was issued from Tehsildar- Mant, Distt- Mathura (UP), along with inquiry report of Tehsildar- Mant, Distt.- Mathura (UP) and failed to submit any proof regarding SC certificate at the time of cut off date i.e. 29.10.2007, in support of her claim for reservation.

7. Sufficient opportunity was provided to the candidate to produce documentary evidence in support of her claim of having SC certificate on cut off date i.e. 29.10.2007. However, on the basis of the documents provided by the applicant, and on careful examination of dates specified thereon, the fact that candidate was in possession of SC certificate (issued by Govt. of NCT of Delhi) on cut off date could not be established.

In view of the above facts, that the applicant Ms. Shivani Thakur cannot be considered for selection to the post of Teacher (Primary) in MCD, under post code- 0165/07 under SC category.

This issues with prior approval of the competent authority.

(Prashant Raghav)  
Dy. Secretary CC-II

**MS. Shivani Thakur D/o Sh. Devi Singh**  
**R/o, X-244, Street No.-6, Near- Shiv Mandir,**  
**X- Block, Brahampuri, Delhi-110053.**

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Copy for information and further necessary action to:

1. PS to the Chairman, DSSSB.
2. PS to Member, DSSSB
3. PS to Secretary, DSSSB.
4. PS to COE, DSSSB.
5. Dy. Secretary (Legal), DSSSB.
- ✓ 6. Programmer (IT), with the request to upload the same on the website of DSSSB.
7. Notice Board.
8. Office order file.

Dated: 12/08/13

(Pranshant Raghav)  
Dy. Secretary, CC-II