



Govt. of NCT OF DELHI

Delhi Subordinate Services Selection Board

FC-18, Institutional Area, Karkardooma,

www.dsssb.delhigovt.nic.in - Delhi - 110302. Ph. 22370237

OFFICE ORDER NO.:319

DATED: 30-10-2013

ORDER

The Hon'ble CAT vide its order dated 23-08-2013 in MA No. 558/2013 in OA No. 2878/2012 titled Kusum Lata Vs. DSSSB & Ors has directed that:-

"8. In the above facts and circumstances of the case, we direct the DSSSB to once again re-consider the case of the applicant strictly in accordance with the directions of the Hon'ble High Court of Delhi in Deepak Kumar's case and to pass appropriate orders immediately irrespective of the fact that they may have to consider other similar cases."

In compliance of the above mentioned order of the Hon'ble CAT, the case of applicant i.e. Ms. Kusum Lata has been reconsidered for the post PGT (English) (Female), post code 22/10 and following are the facts :-

1. As directed by the Hon'ble CAT in the above mentioned order, the case of Ms. Kusum Lata was re-considered and found that the case of the applicant is covered in accordance with the directions of Hon'ble High Court of Delhi in Deepak Kumar's case, but there is no vacancy available under SC category of the said post of PGT(Female)(English), Post code 22/10 as all the available 05 vacancies under SC category in the said post code have been filled up by the Board. In fact all the 21 vacancies under all categories in this post code were filled up by the Board and the recruitment process was closed by the Board. Thus, the applicant cannot be considered for selection to the post of PGT(English)(Female), Post Code 22/10.

The details of the case are given below:-

Initially 04 SC candidates were selected vide final result of post of PGT(Female)(English), Post Code 22/10 declared vide Result Notice No. 286 dated 17-08-12 and the candidature of one SC candidate was kept pending due to want of 'SC caste certificate'. Later, after the candidate submitted the requisite caste certificate, she was also declared selected vide Result Notice No. 305 dated 01-02-2013. Thus, all the 05 available vacancies of post of PGT(Female)(English), Post Code 22/10 were filled up by the Board and as such there is no vacancy under SC category. Copies of Result Notice No. 286 dated 17-08-12 and Result Notice No. 305 dated 01-02-13 are annexed as Annexure-I and Annexure-II respectively. In fact, all the available vacancies under all categories of post of PGT(Female)(English), Post Code 22/10 were filled up by the Board and there is no vacancy available under any category in post code 22/10.

Contd...2/-

The recruitment process for the post of PGT(Female)(English), Post Code 22/10 was subsequently closed with the approval of the Competent Authority. A copy of vacancy position of post of PGT(Female)(English), Post Code 22/10 sent to the user department after closure of recruitment process is annexed as Annexure-III.

2. Further, It is submitted that there are 05 SC (Migrant/Outsider) candidates who are above in the merit list as compared to the applicant i.e. Ms. Kusum Lata and were also declared 'Not eligible' by the Board due to judgment dated 04-08-2009 of Hon'ble Supreme Court of India which was applicable for admissibility of benefit of reservation in SC/ST category as per the advertisement of the said post. The cases of these 05 candidates are also covered in accordance with the directions of Hon'ble High Court of Delhi in Deepak Kumar's case but as there is no vacancy available under SC category of the said post of PGT(Female)(English), Post code 22/10, and as such they also cannot be considered for selection by the Board.

In view of above, it is regretted that the applicant i.e. Ms. Kusum Lata cannot be considered for selection to the post of PGT(Female)(English), Post code 22/10 as there is no vacancy available and the recruitment process of the said post has been closed

Encl: as above

Sd/-
DY. SECRETARY (CC-I)

No.F.4(375)/CC-I/Court Case/PGT Eng./DSSSB/2012-13/455 Dated:30-10-13

Copy to:-

1. Sr.PA to Chairman. DSSSB.
2. PA to the Member. DSSSB.
3. Sr. PA to the C.O.E. DSSSB.
4. Dy. Secretary, Legal Branch (in duplicate) with the request to apprise the Hon'ble CAT through Govt. Counsel on 31-10-13 regarding the compliance of the order.
5. Programmer, IT Branch, with the request to upload the order on the website of DSSSB.
6. Ms. Kusum Lata , D/o Sh. Parsu Ram , R/o House No. D-46 A, Street No. 8, Jyoti Colony, Shahdara, Delhi-110032.
7. Notice Board.
8. Office Order file.

Sd/-
DY. SECRETARY (CC-I)