



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

F.1 (5359)/LC/DSSSB/2016 /25181-182

Dated: 15/12/16

ORDER

Sub:- Contempt Petition in the matter of Satpal & Ors. V/s Kewal Kumar Sharma & Ors. vide CP No. 280/2016 in OA No. 4038/2014, MA no.- 4395/2015.

This order is being passed as per judgement of Hon'ble CAT vide its order dated 25/02/2016 in the matter referred above. The operative para of the judgement is reproduced hereunder:-

“5. From the above, it is clear that though the posts are different but the advertisement and the circumstances are same. Accordingly, this OA is also allowed by directing the respondents to consider the case of the applicants for selection, in accordance with law, within eight weeks from the date of receipt of a copy of this order, if they are otherwise eligible. No costs.”

Out of the 11 candidates covered under the judgement, only 2 namely Sh. Sunil S/o Sh. Jeet Singh having Roll No. 20020630, and Sh. Satpal S/o Tara Chand, having Roll No. 20020631 have qualified the skill test. The marks of these 2 candidates were also uploaded as they had also qualified the Skill(Typing) Test as per directions of Ld. CAT.

In their submission before Ld. CAT, these 2 candidates have agitated the fact that admission cards were not issued as they could not apply through the online form (OARS) which was mandated by DSSSB subsequently on receipt of paper applications earlier. Ld. CAT had directed DSSSB to process their cases. However, in order to be considered eligible, these 2 candidates were still required to produce evidence that they had applied through paper forms at the time of initial advertisement. The operative paragraph of the judgement is clear that the case of the applicants for selection will be carried forward only if they are otherwise eligible.

It is a basic fact that an applicant must have applied within stipulated period of this advertisement, if his name is to be considered for selection thereafter. Perusal of documents submitted in support of his claim by the petitioner in a way indicates that proof of having applied during the stipulated period has been given in the form of photocopies of postal orders which were supposedly submitted for payment of examination fees. During submission of application forms, all applicants were issued stamped acknowledgements by the receiving firm and in case applications were put in drop boxes, acknowledgements were later on sent through post. No such acknowledgement has been produced by both the candidates. However, the Board made additional efforts to ensure that the candidate's candidature can be verified from its own record inspite of lack of production of acknowledgement receipts. For this, the data base of the candidates in computerized form, which was prepared after closure of receipt of paper based applications, were also scrutinized but the applicants candidature could not be ascertained. The details are as under:-

01. The name of Shri Sunil Kumar S/o Sh. Jeet Singh was not found in the data base.
02. While one entry of Shri Satpal S/o Sh. Tara Chand is found in the data base, other corresponding details such as serial No. of Postal Order use for making payments for examination fee, residential address, pincode and particularly date of birth do not match with the one furnished by the candidate while making his claim.

In view of the above findings, both the candidates, Shri Sunil Kumar and Shri Satpal have failed to prove that they had applied for the post of LDC/Grade-IV(DASS) under post code 68/12,48/12 & 52/12 in response to the advertisement No. 02/2012 with closing date 15.06.2012. Their case also could not be included with other candidates who had obtained favourable judgements from Hon'ble Court on the same ground of non-applying in the online reapplication scheme since the proof of their original application in paper form has not been found.

Accordingly, Shri Sunil Kumar S/o Jeet Singh and Shri Satpal S/o Tara Chand are found ineligible for being considered for the post of LDC/Grade-IV(DASS) under post code 68/12,48/12 & 52/12 on the ground of not having produced proof of application to the post and their candidature is hereby rejected.

The petitioner is informed accordingly.

The Board reserve the right to take any further criminal or civil action as deemed appropriate.

This issues with the approval of Chairman, DSSSB.

Bhatia
15/12/2016
Dy. Secretary, (CC-II)

1) Sh. Sunil S/o Sh. Jeet Singh,
H.No. D-35, Hanuman Mandir Gali,
Phase-I, Budh Vihar, Delhi-110086.

2) Sh. Satpal S/o Sh. Tara chand,
Village- Neelwal, PO-Tikari kalan,
New Delhi-110041

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Dated:

Copy for information and further necessary action to:

1. PS to the Chairman, DSSSB.
2. PA to the COE/Member-II, DSSSB.
3. Dy. Secretary (Legal), DSSSB.
4. SA (IT) with the request to upload the same on the website of DSSSB
5. Office order file.

Bhatia
15/12/2016
Dy. Secretary, (CC-II)