

Govt. of NCT OF DELHI
Delhi Subordinate Services Selection Board
FC-18, Institutional Area, Karkardooma,
www.dsssb.delhigovt.nic.in - Delhi - 110302. Ph. 22370237

F.4(375)/CC-I/Court Case/PGT English/2012-13/

Dated:

ORDER No. 324

Compliance of order/direction of the Hon'ble Central Administrative Tribunal as passed in OA No. 1572/2013, titled as Sh. Mohinder Singh Vs. DSSSB, GNCTD & Ors.

The Hon'ble CAT vide its order dated 17.12.2013 in OA No. 1572/2013 titled Mohinder Singh Vs. DSSSB & Ors has directed as under:-

"We agree with the applicant that the issue involved in the present case is not one of reservation of posts for the ex-servicemen but the question is that of extending age relaxation to the applicant as an ex-serviceman. The OM dated 07.09.1981 will have to be applied to all the posts that have been advertised unless it can be shown that there is a decision of the competent authority not to extend that benefit in any category or categories of posts on valid and justifiable reasons. In the absence of any averment in this regard in the present case, we are of the view that the applicant should be considered for age relaxation, as admissible to the ex-servicemen in accordance with the existing rules, and further considered for offering appointment to the post of PGT (English) male provided there still remains unfilled OBC vacancy. The OA is allowed with the above directions. No Costs."

In compliance of the above mentioned order of the Hon'ble CAT, the case of applicant i.e. Sh. Mohinder Singh has been reconsidered for the post PGT (English) (Male), post code 21/10 and it is informed that:-

That the result was processed as per advertisement. The age limit for the said post as per the Advertisement is below 36 years (relaxable for SC 05 years, OBC 05 years, PH 10 years, PH & SC 15 years, PH & OBC 13 years & departmental candidates for 05 years).

That the applicant, Sh. Mohinder Singh Roll No. 02111791 applied for the examination under post code 21/10 and he was issued admit card under OBC category without conducting scrutiny at the time of issuance admit card as per practice of the board. The applicant appeared in the examination and obtained 98/200 marks under the post code 21/10 and was in the zone of consideration. However, at the time of preparation of final result, while checking the eligibility as per advertisement of the post, it was found that the applicant was overage and hence he was declared as Not Eligible.

That the age limit as on closing date required as per Advertisement for the post was below the age was 36 years. The applicant being of OBC Category was also given benefit of 03 years age relaxation as per advertisement. However, the age of the applicant as on closing date i.e. 30.07.2010 was found to be 47 years 02 months and 23 days completed as his date of birth is 07.05.1963. Therefore, the applicant was obviously over age as per requirement for the post.

That there was no vacancy of EXSM category in the Advertisement which was published as per requisition received from the User Department i.e. Directorate of Education. Therefore, the applicant who marked EXSM category along with OBC category in the application form could not be given the benefit of EXSM category and was considered under OBC category only.

That initially 14 UR (including 01 OH & 01 VH), 04 SC candidates and 07 OBC candidates were provisionally selected vide result notice of post of PGT(Male) (English), Post Code 21/10 declared vide Result Notice No. 287 dated 17-08-12 and the candidature of one UR, one SC & two OBC candidates were kept pending due to want of 'various certificates'. Later, after the candidate submitted the requisite certificates, they were also declared provisionally selected vide Result Notice No. 304 dated 01-02-2013. Thus, all the 25 available vacancies of post of PGT(Male) (English), Post Code 21/10 were filled up by the Board.

That the recruitment process for the post of PGT(Male)(English), Post Code 21/10 was subsequently closed with the approval of the Competent Authority. A copy of vacancy position of post of PGT(Male)(English), Post Code 21/10 sent to the User Department after closure of recruitment process.

In view of above, it is submitted that the applicant i.e. Sh. Mohinder Singh cannot be considered for selection to the post of PGT(male)(English), Post code 21/10 as there is no vacancy available in OBC Category as all the available 07 vacancies under OBC category in the said post code have been filled up by the Board. In fact all the 25 vacancies under all categories in this post code were filled up by the Board and the recruitment process was closed by the Board.

Encl: as above

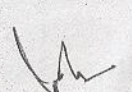
DY. SECRETARY (CC-I)

Sh. Mohinder Singh
H. No. 277 (Back Side),
Kakrolla Housing Complex,
Dwarka Mor, New Delhi-110059.

No.F.4(375)/CC-I/Court Case/PGT Eng./DSSSB/2012-13/198-204 Dated: 02/04/2014

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 regarding the compliance of the order.
5. Programmer, IT Branch, with the request to upload the order on the website of DSSSB.
6. Notice Board.
7. Office Order file.


DY. SECRETARY (CC-I)