



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

F. No. 4 (25)/CC-1/DSSSB/2001/P-I/ 87-92

Dated: 23/02/2024

ORDER

Sub: Compliance of order/direction dated 24.07.2023 of the Hon'ble Central Administrative Tribunal as passed in OA No. 2037/2023 titled as Sunil Kumar V/s GNCT of Delhi & Others.

WHEREAS, the Hon'ble CAT in OA No. 2037/2023 titled as Sunil Kumar V/S GNCT of Delhi & Others, vide its order dated 24.07.2023 has directed as under:

"3.----- Accordingly, it is disposed of with a direction to the competent authority amongst the respondents to take an appropriate decision, in accordance with the rules and against the background of facts and circumstances of the case, upon the pending representation of the applicant. The decisions shall be taken within a period of 12 weeks from the date of receipt of a certified copy of this order and communicated to the applicant immediately thereafter.

7. Before parting we would like to emphatically state that neither is this order to be construed as a condonation of delay in filing the OA nor as any comment upon the merits of the claim of the applicant.

8. The OA stands disposed of against the background of the aforesaid directions. There shall be no orders as to costs".

AND WHEREAS, the brief facts of case is that the DSSSB advertised for filling up of 293 Vacancies. (UR-116, SC-50, ST-22 and OBC-105) vide Advt. No.003/99, Dt. 06/05/1999 for the post of Fire Operator (Post Code 91/99) of Delhi Fire Service, GNCTD. Later on, the user Department enhanced additional 22 Vacancies (UR-11, OBC-6, SC-3, ST-2) making it to total of 315 vacancies (UR-127, SC-53, ST-24 and OBC-111).

AND WHEREAS, as per the scheme of the exam, there were three parts i.e. Written Test, Physical Endurance Test (PET) and Driving Test. The examination was conducted for maximum marks of 120, 10 and 140(Theory-40 Marks+ Practical Driving Test -100 Marks) respectively. Later on, with the approval of Chairman DSSSB, the component of each examination i.e Written, PET, and Driving Test was made to 100 marks each with total maximum of 300 marks.

Based on above, the Board prepared a Merit List and made selection by filling up 191 vacancies (UR-127, SC-10, ST-09 and OBC-45) on the basis of Maximum marks of 300 (100 in each part).

AND WHEREAS, the mark of last selected candidate in UR category was 184 and the marks of Sh. Sunil Kumar, UR category candidate was 180.00. So being below in the merit, he was not selected. No vacancy in UR category remained vacant as all the vacancies of UR category (Total 127) were filled.

AND WHEREAS, in compliance of above mentioned order dated 24.07.2023 of Ld. CAT in OA No. 2037/2023, the representations of Sh. Sunil Kumar have been examined and it is found that in his representations dated 20.01.2023 & 02.06.2023, he has mainly raised the issue that he had applied for the post of Fire Operators in post code 91/99. Subsequently, result was declared by using conversion of marks to 100 each part in violation of the recruitment rules as well as that advertisement. He was shocked as despite obtaining much higher marks than the last selected candidates, in almost all examinations except 2-5 marks less in physical endurance test, still was not selected. He has also given references of some court cases filed by him and some other applicants which were disposed off on some grounds.

AND WHEREAS, he has further mentioned that it has come to his knowledge that the OA No 3643/2017 filed By the similarly situated person of the applicant has been decided on 04.01.23 on the premises that in compliance of the directions of the tribunal's order dated 28.10.14 passed in OA No 426/2005, the entire merit list was re-drawn. Accordingly with directions to supply the applicant the status with respect to his result as well as last selected candidate who has been selected in terms of the redrawn merit list and therefore the applicant submitted a detailed representation on 02.06.23 in continuation to his earlier representation dt. 20.01.23 with prayers to kindly supply the status of the applicant with respect to his result as well as last selected Candidate who has been selected in terms of the re-drawn merit list in terms of the law laid down by the Hon'ble Tribunal being the similar situated persons. Further consider the case of the applicant also for appointment accordingly.

AND WHEREAS, the contention of applicant that the entire merit list was re-drawn and whole selection was done on the basis of redrawn merit list is wrong. In this regard, it is stated that the whole selection was made as per merit prepared originally on the basis of 300 maximum marks (100 marks to each three parts i.e. Written Test, Physical Endurance Test (PET) and Practical Driving Test.) and not on redrawn merit list. As regard the order dated 28.10.2014 of OA No 426/2005, it is clarified that the same was applicable to only Shri Manoj Kumar, the petitioner only and not to any other candidate.

AND WHEREAS, the selection of all the candidates in all category has been made as per merit prepared originally on the basis of 300 maximum marks and not on the re-drawn merit and all such selected candidates are already in



service for more than 20 years, so request for disclosing the marks of redrawn merit list at this belated stage is not desirable. It is merely misuse of process on the part of candidate.

Now therefore, in Compliance of order/direction dated 24.07.2023 of the Hon'ble Central Administrative Tribunal as passed in OA No. 2037/2023 titled as Sunil Kumar Vs. GNCT of Delhi, the representation dated 20.01.2023 & 02.06.2023 regarding claim for declaration of his marks as per redrawn merit list and selection for the post of Fire Operator, Post Code 91/99 in Delhi Fire Services (DFS), GNCT of Delhi in respect of the petitioner Sh. Sunil Kumar (Roll No. 30117114), UR category, has been considered, examined and not found admissible in view of the facts mentioned above, hence rejected.

This issues with the approval of the Chairman, DSSSB.


Dy. Secretary
DSSSB

To,

SH. SUNIL KUMAR S/O SH. MAHABIR SINGH,
R/O - 144/76, VILLAGE & P.O. KANJHAWLA,
DELHI- 110081.

F. No. 4 (25)/CC-1/DSSSB/2001/P-I/ 87-92

Dated: 23/02/2024

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2. PS to COE, DSSSB.
3. Dy. Secretary (Legal Cell), DSSSB.
- ✓ 4. Sr. System Analyst (IT Branch), DSSSB with the request to upload notice on Board's Website.
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Dy. Secretary
DSSSB