

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

No.F. 3(40)/CC III/DSSSB/Result/2011-12/986-90 Dated: 14/09/16

ORDER

1. This is a speaking order in the matter of Shri Jai Karan Singh vs. Shri Janak Digal, Chairman, DSSSB (OA No.877/2014) with reference to the Result Notice No. 57 of even No./ 1947 dated 30.04.2012. The result was declared as per the merit of combined Part I (Objective) & Part II (Descriptive) Examination held on 25.09.2011 and after determining eligibility for the post as per the provisions of Statutory RRs and term and conditions of the advertisements.
2. Whereas the candidature of Shri Jai Karan Singh (Roll No.06410615 & whose name appears in the merit list at Rank No. 11) was kept pending in view of the fact, that his signature on the admit card do not tally with the signature available on the application form.
3. Whereas, the Board had referred the matter to the Forensic Laboratory for the authenticity of the 02 (two signatures in the original application form and admit card.
4. Whereas, the aggrieved applicant filed on O.A. before the Hon'ble Tribunal i.e., O.A.No.877/2014. The Hon'ble CAT passed an order dated 13.11.2014 in O.A.No.877/2014 in the matter of Jai Karan Singh vs. DSSSB & Ors. The observation and operative part of the judgment is reproduced hereunder:

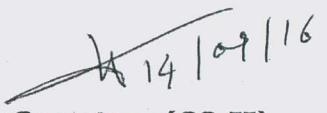
"The Controversy involved in the matter being very narrow, we dispose of the Original Application with direction to respondent No.1 to take up the matter with the Director, Central Forensic Laboratory, Delhi, within two weeks from the date of receipt of a copy of this order, to give its report and respondent No. 2, i.e. the Labour Department could ensure that the Central Forensic Laboratory give its report within further two weeks. Thereafter the respondents would take a final view regarding candidature of the applicant within a period of four weeks. No. Costs."

5. Whereas, as stated in Para 3 above, the Board had already taken up the matter with Forensic Science Laboratory vide this office letter 24.01.2013. The Assistant Director (FSL) vide Report No. FSL.2015/D-0483 dated 19.10.2015 has opined that:

"The model & design of questioned signature in the red enclosed portion marked Q1 found different from the model & design of admitted signatures in the red enclosed portions marked A1 to A3. Hence, these are not technically comparable. Further attempt can be made if some standard signatures of similar model of the person concerned are supplied to this laboratory for examination".

- 5A. Whereas, vide affidavit dated February, 2016 the Hon'ble CAT was informed that DSSSB will approach the FSL for a more categorical opinion. Accordingly, DSSSB wrote to FSL vide dated 13.07.2016. However, no reply to the same has been received. In parallel it was established that DSSSB did not possess any other signature in block by Shri Jai Karan Singh contemporary to the point of time.
6. Accordingly, the DSSSB has reviewed the matter. It is an undisputed fact that the signature made on the application form by the candidate is in running script and, the signature on the admit card **on day of Exam** is in block letters. Embedded in the very definition/nomenclature of "Signature" is consistency and habituality and thus is considered as a crucial marker of identity. Thus the undisputed voluntary action by the candidate Shri Jai Karan Singh (even if his own – if conceded for argument sake) to append a different signature on the admit card had correctly resulted in the DSSSB withholding his candidature on ground of it being a suspect transaction/action by the candidate.
7. Whereas, the Board in its advertisement for the post of vide Advt. 03/09 had categorically stated that the application of the candidate will be treated as invalid/rejected in case signature is in block letters. It is clear that Shri Jai Karan Singh understood and complied with the instruction and rightly signed on the application form twice in running script. However, this explicit and previously understood and complied with instruction was violated on the crucial examination day and the signature on the admit card on the day of exam is in block letters.
8. Whereas, the DSSSB is duty bound to ensure filters which minimize chance of unfair practice such as impersonation. Thus the prohibition against use of block letters for certain purposes is a crucial defence and a vital building block against suspect transactions.
9. Whereas, in this case Shri Jai Karan Singh not only violated this instruction but also indulged in a suspect activity of using a different signature altogether.

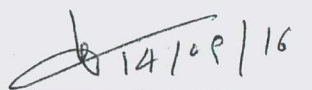
10. Whereas, all candidates also carry the legal burden of not indulging in any suspect transaction suggestive of potential unfair means.
11. Whereas, without doubt Shri Jai Karan Singh, even assuming that he himself was present in the exam hall, did, without any compulsion or explanation, indulge in a prohibited activity.
12. Whereas, the initial/prima-facie suspicion of the DSSSB has been comprehensively borne out by Central Forensic Science Laboratory i.e. the 2 signature are **not** comparable.
13. Whereas, contemporary to the point of time, no other document contains Shri Jai Karan Singh signature's in block letters.
14. Whereas, Shri Jai Karan Singh has not given evidence that signature in block letters were his habitual signature.
15. Accordingly, the competent authority of DSSSB having giving its anxious consideration to relevant material available on records and the directions of the Hon'ble CAT finds no basis to review its decision of cancellation of the candidature of Shri Jai Karan Singh for reasons stated in paragraphs above.


Deputy Secretary (CC-II)

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Deputy Secretary (CC-II)