



GOVERNMENT OF NCT OF DELHI
Delhi Subordinate Services Selection Board
FC-18, INSTITUTIONAL AREA, KARKARDOOMA,
DELHI-110092
Website:www.dsssb.delhigovt.nic.in

No. F.4(388)/CC-I/DSSSB/2013 **6638-41**

Dated:- **17/11/2020**

ORDER

The Ld. Central Administrative Tribunal in O.A. No. 2243/2019, titled as Shehnaz Khan V/s GNCTD & Ors. vide its order dated 05/08/2019 has directed, inter alia, as under:-

"4. The applicant made a representation way back on 10.03.2017. Though in the normal course, the wait-list should lapse by this time, the way the development has taken place, i.e., the selections having been made in the year 2017 in respect of a Notification issued in the year 2009, it appears that the wait-list is still alive. This, however, is a matter of verification. In case the wait-list is still in force and the name of Mr. Abubakar was deleted from that, the respondents can consider the feasibility of including the name of the applicant, provided that there is none before her to be included in the wait-list. The respondents shall pass an appropriate order in this behalf, within two weeks from today.

5. Accordingly, the O.A. is disposed of. There shall be no order as to costs."

2. In compliance of the above order dated 05/08/2019, the candidature of Ms Shehnaz Khan Roll No. 06900847 was thoroughly examined and it is seen that, as per requisition received from the user department (MCD), the DSSSB advertised 200 (UR-82, OBC-62, SC-37, ST-19, including PH (OH-OA/OL/OAL/BL-2, VH/B/LV-4) and EXSM-27) vacancies for the post of Primary Teacher Urdu in MCD under Post code 69/09 vide Advt. No. 004/2009. The cut off date was 15.01.2010.

3. The written examination in respect of the above mentioned post code was held on 28.04.2013. Ms. Shehnaz Khan, the petitioner herein, had applied in UR category for the above mentioned post and was issued Roll. No. 06900847 under UR Category. She appeared in the written examination, held on 28.04.2013.

4. The result of the said post code was declared vide **Result Notice No 322 dated 01/03/2014. At the time of declaration of above result, the Wait list/select panel was also maintained and the same was valid up to 28.02.2015. Subsequently, supplementary results were declared on dated 08/05/2014, 24.07.2014, 09.03.2015 and 10.06.2016.**

5. The recruitment process has already been closed and total unfilled vacancies 59 (UR-Nil, OBC-27, SC-14, ST-18) have already been returned to the user department vide letter dated 08.06.2018.

6. It is stated that as per the then existing policy of the board, Waiting panel was prepared up to the extent of 10% of the posts notified, in addition to the number of candidates selected as per the Notified vacancies.

7. In the instant case, total vacancies under UR category were 82, and hence, the waiting panel of 08 candidates was maintained in UR category. The validity of the panel was up to 28.02.2015. The 8th candidate i.e the last candidate of the waiting panel in UR category has secured 94.25 marks, whereas the applicant Ms. Shehnaz Khan has secured 93.50 marks only i.e. less than the marks obtained by the last candidate of waiting panel. It is clear that the applicant was not in the waiting list/reserved panel for the post of Primary Teacher Urdu in MCD under Post code 69/09. Therefore, question regarding selection of the applicant from the waiting panel against the vacancy arising on account of return of dossiers does not arise.

8. It is stated that the waiting panel in respect of UR Category for the above post has already been exhausted, as out of 08 candidates, 03 candidates had been selected vide Result Notice No. 322 dated 08.05.2014 and the remaining 05 candidates had also been selected and accordingly their dossiers had already been forwarded to the User Department on 29.06.2016.

9. It is stated that the applicant has claimed her selection to the post against her assumption regarding vacancy arising on account of return of dossier of Sh. Abu Bakar (Roll No. 6901339) who was earlier placed in waiting panel. It is informed that as per record available in DSSSB, till date no such dossier has been returned by the User Department i.e. MCD. Moreover, even if the dossier of Sh. Abu Bakar or any other is returned by the User Department, still the applicant could not be considered for the post of Primary Teacher Urdu in MCD under Post code 69/09 as the applicant was not in the waiting panel as per the prevalent policy on that date .

10. In view of the above facts, the claim and candidature for selection to the post of Primary Teacher (Urdu) under post code 69/09 in MCD in respect of the applicant Ms. Shehnaz Khan having Roll No. 06900847 has been considered, examined and not found admissible, and hence, rejected.

This issues with the prior approval of the Competent Authority.

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**Shehnaz Khan D/o Sh. Saeeduzzaman Khan,
R/o D-49, Ground Floor, Abul Fazal,
Jamia Nagar, New Delhi – 110025.**

Deputy Secretary (DSSSB)

Dated:- 17/1/2020