



GOVERNMENT OF NCT OF DELHI
DELHI SUBORDINATE SERVICES SELECTION BOARD
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-92

No.F.4 (399)/CC-I/DSSSB/2015/8666-75

Dated: 17.07.2020.

COMPLIANCE RESULT NOTICE: 1109
HEAD CONSTABLE IN TRANSPORT DEPARTMENT, GNCTD.
UNDER POST CODE-43/13.

- 1 It is stated that vide order dated. 11.05.2018 by Ld. CAT in O.A. No. 2961/2016, titled as Mukesh Kumar Yadav V/s Govt. of NCT of Delhi & Others, the Ld. CAT has ordered, inter alia, as under:-

"12. The applicant has also mentioned in the OA that he secured 159 marks and would have been selected as an OBC candidate if the benefit was made available to him, since the last selected candidate in OBC category secured 155.25 marks. We are of the considered view that the applicant should be allowed to be placed in the OBC category to which he belongs. Accordingly, we allow the OA and quash the order dated 01.08.2016 qua the applicant. The respondents are directed to treat the applicant as OBC and consider him for the post of Head Constable under post code 43/13, if he is found otherwise eligible on all other parameters, as per law. No costs."

2. Further, the Board preferred an appeal in Hon'ble High Court vide W.P (C) No. 10007/2018 titled as Govt. of NCT of Delhi V/s Mukesh Kumar Yadav. The Appeal was dismissed by the Hon'ble High Court vide its order dated 08.03.2019, the operative part of which is re-produced as under:-

"10. In the light of the fact that the Tribunal had allowed the OA granting relief to the respondent/applicant in the peculiar facts and circumstances of the case, we are therefore, not inclined to interfere with the impugned order in exercise of our writ jurisdiction. Accordingly, the petition is dismissed."

3. Further, the Board preferred an appeal in Hon'ble Supreme Court vide SLP No. 14179/2019 titled as Govt. of NCT of Delhi & Others Vs. Mukesh Kumar Yadav. Hon'ble Supreme Court vide their order dated 18.11.2019 dismissed the Appeal. The operative part is re-produced as under:-

".....We find no reason to entertain this special leave petition, which is, accordingly, dismissed."

Pending application (s), if any, shall stand disposed of.

However, this order shall not be treated as a precedent”.

4. A Review Petition has been filed in Hon'ble Supreme Court vide Diary No. 13956 dated 07.07.2020 in the SLP No. 14179/2019 titled as Govt. of NCT of Delhi & Others Vs. Mukesh Kumar Yadav.
5. However, in compliance of Ld. CAT order dated 11.05.2018, titled as Mukesh Kumar Yadav V/s Govt. of NCT of Delhi & Others, whereby the Ld. CAT directed the DSSSB to consider the candidature of the applicant by declaring his result and the subsequent appeal of the Board having been dismissed by the Hon'ble High Court vide its order dated 08.03.2019 in W.P (C) No. 10007/2018 titled Govt. of NCT of Delhi & Others Vs. Mukesh Kumar Yadav and by the Hon'ble Supreme Court vide order 18.11.2019 in SLP No. 14179/2019 titled as Govt. of NCT of Delhi & Others Vs. Mukesh Kumar Yadav and consequently, based upon the marks obtained in written examination held on 28.09.2014 and otherwise eligibility regarding educational qualifications, age etc. as per Advertisement No. 03/13 and RRs for the post of Head Constable, Transport Department, GNCTD under Post code 43/13, the following candidate is hereby provisionally selected subject to fulfillment of eligibility criteria as per RRs to the post of Head Constable, Transport Department, GNCTD under Post code 43/13:-

OBC CATEGORY-TOTAL-01*

SL. NO.	ROLL NO.
1	16019792

- * **The provisional selection of the above one (01) candidate (OBC - 01) is subject to the outcome of the Review Petition filed in the Hon'ble Supreme Court vide Diary No. 13956 dated 07.07.2020 in the matter of SLP No. 14179/2019, titled as GNCTD Vs. Mukesh Kumar Yadav.**

Further, it is mentioned that this shall not be treated as precedent in terms of the order dated 18.11.2019 of Hon'ble Supreme Court in SLP No. 14179/2019 titled as Govt. of NCT of Delhi & Others Vs. Mukesh Kumar Yadav, as mentioned above.

6. The selection of the above total **01 candidate (OBC-01)** shall be further subject to genuineness of the documents on the basis of which they have claimed to have fulfilled all the eligibility conditions as prescribed in the RRs and terms and conditions of advertisement inviting applications and subject to thorough verification of their identity with reference to their photographs, signatures/ handwriting etc. On the application form, admission certificate etc. **The candidature of the candidate is liable to be cancelled by the User Department, in case, candidate is found not fulfilling all the eligibility conditions of the Recruitment Rules for the posts or for any other genuine reason. The decision of the User Department regarding the eligibility of the candidate shall be final and binding on the candidate. The Competent Authority of the Department concerned shall issue the offer of appointment to the candidates after being satisfied about their eligibility as laid down in the recruitment rules and after verification of**

the correctness of the information furnished in the application form and the documents related to Educational Qualification, Age and other essential certificates.

7. The User department shall also check the eligibility of the reservation benefit, if any. Further, if applicable, User Department shall verify the genuineness of the caste certificate furnished by the candidate prior to issuing offer of appointment to the candidates. The Competent Authority of the User Department shall arrange to verify the correctness of the information/ documents as furnished in the application forms and e-dossier vis-à-vis the original documents. The user Department is requested to ascertain the scrutiny/correctness of the same at their own level before issuing the offer of appointment to the provisionally selected candidates. Further, the appointing authority shall verify and satisfy itself about the authenticity of documents/certificates and essential qualification for the post before finally appointing the candidate. The User Department is also requested to rectify/correct, in case, any minor/clerical error/deficiency noticed in the documents of the candidate at their own level.
8. It is stated that the User Department shall verify the genuineness of the caste certificate furnished by the candidates in the light of Notification No. 36012/22/93-Estt.(SCT) dated 08/09/1993 issued by DOPT and other instructions/ guidelines issued from time to time by the competent authorities prior to issuance of offer of appointment to the candidate. It is further stated that, prior to appointment, the user department must satisfy, itself, that the above candidates are fulfilling the necessary criteria as prescribed for entitlement of OBC(Delhi) certificate as specified in various Orders/Guidelines/Circulars including order dated 07/03/2017 issued by Revenue Deptt, GNCTD after thorough verification of caste certificate.
9. User Department shall also get the SC/ST/OBC certificates verified from the issuing authority. Further, in case of the OBC candidates, it may also be verified that the candidate does not belong to creamy layer of the schedule of Govt. of India, DOPT O.M. No. 36012/22/93-Estt.(SCT) dated 08.09.1993, O.M. No. 36033/3/2004-Estt. (Res) dated 09.03.2004 and 14/10/2008 and 36033/1/2013-Estt. (Res) dated 27.05.2013 & 13.09.2017.
10. The Competent Authority of the Department concerned shall issue the appointment letters to the candidates after verification of the correctness of the information furnished in the application form and the documents related to education qualification, age and other essential certificates including caste certificate as per Government of India instructions issued in this regard **vide MHA OM No. 2/29/54-RPS, 19/11/54.**
11. The User department shall ensure that the appointment made is in conformity with DOPT guidelines and instructions of Govt issued from time to time.
12. Mere inclusion of the name of the candidate in the result notice does not confer any right upon the candidate over the post unless the user department is satisfied after such inquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post.

13. **The recruitment process for the post of Head Constable under Post Code 43/13 in Transport Department, GNCTD has already been closed subject to disposal of pending cases.**
14. The result for the post of **Head Constable** under Post Code 43/13 in **Transport Department**, GNCTD will be subject to outcome of pending court cases, if any.
15. **The User department shall ensure that the appointment made is in conformity with DOPT guidelines and instructions of Govt. issued from time to time.**
16. Mere inclusion of the name of the candidate in the result notice does not confer any right upon the candidate over the post unless the user department is satisfied after such inquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post.
17. The marks of last provisionally nominated candidates in each category, after this result, are as follows:-

UR	OBC	SC	ST	EXSM
165.75	157.75	144.25	104.50	113.50

18. **While every care has been taken in preparing the results, the DSSSB reserves the right to rectify errors and omissions, if any.**

This issues with the prior approval of the Competent Authority of DSSSB.


Deputy Secretary, DSSSB