



No.F.4 (399)/DSSSB/CC-I/2015/Vol-I/184-191

Dated:18.03.2024

SUPPLEMENTARY RESULT NOTICE: 06
Head Constable under post code 43/13
Transport Department, GNCTD.

1. In compliance of order dated 02.06.2023 passed by Ld. CAT in OA No. 923/2017 in the matter of Chandra Dutt vs. DSSSB & Ors has directed as follows:
 - "6.1 In view of above discussion, we are of the considered opinion that the applicant's case has merit. Accordingly the OA is allowed with the following directions:-
 - (i) The respondents are directed to offer appointment to the applicant for the post of Head Constable (Male) Post Code 43/13, if he is otherwise found eligible and suitable for the post in question;
 - (ii) The applicant, if so appointed, shall be entitled to pay and allowance, including pay fixation, promotion, seniority etc. on a notional basis as per his merit ranking in the selection process.
 - (iii) The exercise, as ordained above, shall be completed within a period of six weeks from the date of receipt of a certified copy of this order".
2. Whereas, the brief facts of the case and submission are given as under:
 - i. The post of Head Constable (Male), Transport Deptt., Post code-43/13 advertised on 12.09.2013 vide Vacancy Notice Advertisement No. 03/13.
 - ii. As per the Advertisement the Essential Physical Standard Criteria was fixed as:-
 1. Height-170 cms (relaxable by 5 cms for residents of hill areas).
 2. Chest 81 to 85 cms (relaxable by 5 cms for residents of hill areas).
 3. Other physical standard: Sound health/free from defect/ deformity/disease, vision 6/6 without glasses both eyes, free from colour blindness.
 - iii. One tier written exam of the said post code was conducted on 28.09.2014. Sh. Chandra Dutt was one of the candidates under UR category.
 - iv. The PET of the candidate was scheduled at Chhattarsal Stadium on 15.06.2016. The applicant appeared in the test but disqualified at preliminary stage as his height was measured 168.8 cm, however as per RR the required height was 170

cm. Therefore he was not allowed to participate in further process of selection i.e. 800 meters race in 200 seconds.

- v. The applicant filed an OA No. 3602/2016, Chandra Dutt Vs DSSSB claiming that his height measured by DSSSB as 168.8 cm during PET of the said post code is wrong as Delhi Police had measured his height as 170.2 cm during physical Endurance & Measurement Test for the Post of Dog Handler. In this OA the respondent had prayed to the Hon'ble Court that:-
 - a. Direct the Respondent to issue immediate recruitment/employment order in favour of the applicant.
 - b. Grant a stay on the process of recruitment for the Post Code-43/13- Head Constable (Male) in Transport Department GNCTD till final adjudication of the matter.
 - c. Grant any other or further relief, which this Hon'ble Tribunal may deem fit and proper under the circumstances of the application in favour of the applicant. Prayed Accordingly.
- vi Hon'ble CAT vide order dated 24.10.2016 had directed that, " the sole respondent to consider Annexure A/6 representation dated 20.06.2016 and to pass an appropriate speaking and reasoned order thereon within sixty days from the date of receipt of a copy of this order, in accordance with law. MA also stands disposed of."
- vii In view of the direction of CAT the representation dated 20.06.2016 of applicant was disposed and speaking order dated 02.01.2017 was issued.
- viii The applicant again filed OA No. 923/2017 in which the applicant has prayed to Hon'ble Court that:-
 - a. Issue immediate recruitment/employment orders in favour of the applicant or otherwise be pleased to direct the Respondent to conduct fresh PET (Physical Endurance Test) for the Applicant in a fair manner;
 - b. Grant a stay on the process of recruitment for the post code 43/13- Head Constable (Male) in Transport Department GNCTD till final adjudication of the matter.
 - c. Grant any other or further relief, which this Hon'ble Tribunal may deem fit and proper under the circumstances of the application in favour of the Applicant.
- ix. In this OA No.-923/2017 Hon'ble CAT vide Order dated 09.12.2022 had directed to get re-assessed the height of the applicant by an independent hospital of Delhi Govt.

In view of the above directions, the height of the applicant was re-measured as 170.5 cm at GTB Hospital, GNCTD on 06.03.2023. In view of the above facts and submission it is apparent that the height of Chandra Dutt is measured as 170.5 cm by Medical Board, GTB Hospital on 06.03.2023. As per RR, the required height was 170 cm. and thus the height of Chandra Dutt is found above essential height of 170cm required by RR.

3. **The following candidate is hereby provisionally selected subject to fulfillment of eligibility criteria as per RR to the post of Head Constable, Transport Department, GNCTD under Post Code 43/13.**

UR CATEGORY-TOTAL-01

SL. NO.	ROLL NO.
1	16003633

4. The provisional selection of the above **One (01) candidate (UR-01)** shall be further subject to thorough verification of the candidature of the candidate by the User Department. 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 Board has not undertaken scrutiny of documents in the dossier and other terms and conditions of recruitment notified by the Board in the advertisement of the said post code at this stage. The eligibility as per Recruitment Rules and other terms and conditions as specified in the advertisement no. 03/13 and relaxations as per rules in respect of educational qualifications, experience, etc. shall be scrutinized/verified by the User Department for determining eligibility of the candidate for the post code 43/13 as on cut-off date 18.10.2013 before issuance of offer of appointment to the post.
5. **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 dossier vis-à-vis the original documents. 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.**

6. The 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.**
7. It is also brought into the kind notice of User Department/Competent Authority that the available records of the candidate is not in OARS module/e-dossier. As per result notice no. 661 dated 01.06.2018, e- dossier would be active from 06.06.2018 to 20.06.2018 but the candidate has not submitted the dossier as per record. As per available records, copies of 10th certificate, marks sheet, adhar card, passport, Attendance sheet of Written test and Physical test, Admit cards of Written test and Physical test and Original Photo attendance dt. 18.01.2024 forwarded to P&P Branch for onward transmission to User Department.
8. The Competent Authority of the Department concerned shall issue the appointment letter to the candidate after being satisfied about their eligibility as laid down in the Recruitment Rules and after verification of the correctness of the information/documents as furnished in the application form and E-dossier vis-à-vis the original documents related to education qualification, age and other essential certification as per instruction issued by Govt. of India in this regard vide **MHA OM. No. 2/29/54-RRs-19-11-54.**
9. **The User department shall ensure that the appointment made is in conformity with DOPT guidelines and instructions of Govt. issued from time to time.**
10. 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.
11. Further, the Recruitment process for the said post has already been closed and unfilled vacancies have also been returned to user department vide letter dated and the waiting panel has also been expired.
12. **While every care has been taken in preparing the result, DSSSB reserves the right to rectify errors and omissions, if any detected at any stage.**
13. The nomination of the candidate is subject to outcome of review petition filed in the matter, if any. Further, the User Department shall also ensure that subsequent appointment and any other action **subject to outcome of review petition filed in the matter at any stage.**

14. The marks of last selected candidate for following categories is as under:

Category	UR	OBC	SC	ST	ExSM
Marks	165.75	157.75	144.25	104.50	113.50

This issues with the approval of the Chairman, DSSSB.



Deputy Secretary, DSSSB

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Copy to:

1. PS to Chairman, DSSSB
2. PS to COE, DSSSB
3. PS TO Commissioner, Transport Department, GNCT of Delhi.
4. Sr. System Analyst, DSSSB with the request to upload notice on Board's Website.
5. Dy. Secretary (P&P), DSSSB with request to take necessary steps as per the directions given by Hon'ble HC vide its order dated 02.06.2023.
6. Dy. Secretary (Legal Cell), DSSSB.
7. Dy. Secretary Exam Branch, DSSSB. For information and necessary action.
8. Assistant Director (Planning), DSSSB.
9. Office Order File/Guard file.



Deputy Secretary, DSSSB