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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 543/2001

New Delhi this the 7th day of November, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

National Federation of the Blind
through its General Secretary
Sh.S.K.Rungta, having its National Office
at 2721, Chowk Sangtrashan, Pahar Ganj,
Delhi.

2. Anil Kumar Singh
S/O Sh. Suraj Pal SIngh HCGBS
Kingsway Camp, Sewa Kutir, New Delhi

3. Hare Krishna Behera
S/O Shri Rishikesh Behera
R/O RZ82, Jain Colony, Part-II,
Uttam Nagar, New Delhi-59

.. Applicants

(None for the applicants)

VERSUS

Delhi Subordinate Services Selection Board
Through its Chairman, having its office
UTCS Building Behind Karkardooma Court
Complex, Vishwas Nagar, Shahdara, Delhi-32

.. Respondent

(By Advocate Shri Vijay Pandita)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

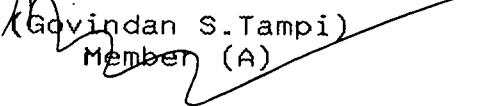
We note that none has been appearing on behalf of the applicants after the notice had been issued by the order dated 8.3.2001. Reply on behalf of respondent i.e. Delhi Subordinate Services Selection Board (DSSSB) has been filed on 24.7.2001. No rejoinder has been filed on behalf of the applicants in spite of the fact that this case had been adjourned at least on seven dates when the OA was listed.

2. In the circumstances, we have perused the documents on record and heard Shri Vijay Pandita, learned counsel for the respondents. We note that the applicants through the National federation of the Blind as applicant No.1, had made a number of representations to various Boards and Corporations like the Delhi Vidyut Board, Municipal Corporation of Delhi, New Delhi Municipal Corporation as well as Secretary (Services), Govt.of NCT of Delhi. None of these parties have been impleaded as parties in the OA. The main contention of the applicants in the OA is that a certain percentage should be earmarked for blind candidates in respect of Group 'C' posts. They have prayed that the advertisement issued by the respondents i.e. DDSSB dated 30.10.2000 should be modified to allow blind candidates to appear in the written examination either with some help or in braille. We note that this OA has been filed on 28.2.2001 much after the date of the advertisement. According to the learned counsel for the respondents, the Board merely makes direct recruitments to Group B and C posts in accordance with the requisitions received from the user Departments on the basis of the rosters maintained by them. As mentioned above, none of the user Departments have been impleaded and in any case, for example, the MCD and NDMC do not come within the jurisdiction of this Tribunal, as there is no Notification issued by the competent authority under Section 14 of the Administrative Tribunals Act,1985. It appears from the reply filed by the respondents that under Section 32 of the Persons with Disabilities (Equal opportunities etc.) Act,1995, they will first have to identify the posts in various

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establishments, which can be reserved for disabled persons and only then, the reservation of posts under Section 32 of the said Act can be made which will be a matter for the competent authorities, Government to look into. However, we note that the applicants themselves have not appeared to press this OA. We are also unable to come to the conclusion that the impugned advertisement dated 30.10.2000 or the subsequent actions taken by the Selection Board in pursuance thereof are totally arbitrary or against the law, including the Disabilities Act, 1995, to justify interference in the matter at this stage. However, we see force in the submissions of the applicants that the competent authority i.e. the Government of NCT, New Delhi should comply with the provisions and norms laid down in the Disabilities Act, 1995, to ensure that the provisions and norms meant to help the disabled persons in respect of examinations, and so on are fully adhered to, without any further need for directions from this Tribunal.

3. In view of what has been stated above, the OA is disposed of. No order as to costs.


(Govindan S. Tampi)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman(J)

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