

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1275/2020

Friday, this the 18th day of September, 2020

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Rahul DeoOraon, Aged about 30 years
S/o BirsaOraon
SarnaNivas, Booti More
P.O.-RMCH, Bariatu
P.S.-Sadar, District-Ranchi, Jharkhand.

...Applicant

(By Advocate: Mr. A. Rohan Singh)

VERSUS

1. Staff Selection Commission
Through its Chairman
CGO Complex
Lodhi Road, New Delhi.
2. The Secretary
Staff Selection Commission
CGO Complex, Lodhi Road
New Delhi.

...Respondents

(By Advocate: Mr. Vijendra Singh)

ORDER (Oral)

Mr. Justice L. Narasimha Reddy:

The applicant took part in the Combined Graduate Level Examination, 2017 (CGLE) (Tier-I). He is said to have cleared Tier I

& II examinations. However, his performance in Tier III was cancelled on the ground that he had mentioned his name in the answer script.

2. This O.A. is filed with a prayer to direct the respondents to include his name in the select list on the basis of marks obtained by him in Tier I, II & III examinations of CGLE, 2017, and to consider his answer sheet of Tier-III examination as valid.

3. The applicant contends that one of the questions involved addressing a letter and inadvertently, at the end of the letter, he mentioned his name and on that ground, his performance in Tier III was cancelled. It is also stated that the Government itself has issued a notice dated 05.08.2020 condoning the unfair practices in the examination conducted by the Staff Selection Commission (SSC) and he is entitled for similar benefits.

4. We heard Mr. A. Rohan Singh, learned counsel for applicant and Mr. Vijendra Singh, learned counsel for respondents, at the stage of admission, through video conferencing.

5. The controversy is about performance of the applicant in Tier-III examination of CGLE, 2017. As observed earlier, one of the questions involved addressing of a letter. In the instructions to the candidates, the SSC has clearly mentioned that they shall not write their name or any other word having the effect of disclosing their identity in the answer script. In the concerned question itself, it was mentioned that the candidate must treat himself as one Mr.Rajesh/Rajan/Rajani, and shall not write their names. None of these instructions and precautions have any effect on the applicant. He mentioned his name in the answer script. In other words, he did what exactly the SSC has prohibited. The consequences would naturally follow. The performance of the applicant in Tier III was cancelled and his candidature stood cancelled.

6. It is true that the SSC issued a notice on 05.08.2020 condoning the unfair practices as a one-time measure. That, however, is in respect of the Combined Higher Secondary Level Examination, (10+2) (Tier II), held in the year 2019. The circumstances under which it was issued are not immediately before us. The measure, which is evolved for the benefit of lower category examinations under the special circumstances, cannot be treated as the basis to condone

the irregularities as committed by the applicant. Further, performance of thousands of such candidates were cancelled and condonation of the same in respect of the applicant, that too, after completion of selection process, would lead to several complications.

7. We do not find any merit in the O.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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