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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A. No.2632 of 1991.

Date of decision:-10-4-92.

K. SHYAMA PRASAD

...APPLICANT

SHRI PRAKASH REDDY WITH SHRI  
A.K.BEHRA

...COUNSEL FOR THE  
APPLICANT.

Versus

U.P.S.C. & Another

..Respondents

MRS. RAJ KUMARI CHOPRA

...COUNSEL FOR THE  
RESPONDENTS

CORAM:

THE HON'BLE MR. JUSTICE RAM PAL SINGH, VICE-CHAIRMAN.  
THE HON'BLE MR. A.B.GORTHI, MEMBER(A)

1. Whether Reporters of local papers may be allowed to see the Judgment?
2. To be referred to the Reporter or not?

J U D G M E N T

( Delivered by Hon'ble Mr.A.B.Gorthi,Member(A)

Aggrieved by his failure to qualify the Civil Services Examination held in 1990, Shri K. Shyama Prasad filed this application in which the main relief sought by him is that he be allowed to inspect his answer sheets of Psychology Paper II, because he suspects that the marks secured by him were wrongly shown as 74 instead of 174 and that the respondents be directed to correct the mistake and declare him as qualified in the examination.

2. The applicant initially appeared for the Civil Services Examination held in 1986 but did not qualify.

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He again appeared for the said examination in 1988 and having been declared successful, was allotted to the Indian Information Service, where he is presently serving. With a view to improve his performance and join ~~the~~ <sup>or</sup> more attractive service like <sup>MC</sup> I.A.S., he took the examination again 1990. For a proper appreciation of the grievance of the applicant, the marks secured by him in all the three examinations may be tabulated as shown below:

Year	General Studies Paper I-Paper II	Psychology Paper I-Paper II	Sociology Paper I-Paper II
1986	129-135	120-131	155-133
1988	148-140	153-161	167-144
1990	159-195	164-074	153-144

3. The above tabulated data would at once show that while the applicant's performance had shown a steady improvement in 1988 and 1990 in most of the subjects, it was only in Psychology Paper II of the year 1990 that it dropped considerably. The applicant's contention is that he performed equally well in Psychology Paper II and the marks shown in the result sheet is, <sup>/all</sup> in probability, <sup>due to</sup> a computer-made mistake. He, therefore, desired that his answer sheets be re-checked. His representation to the UPSC was, however, rejected.

4. The respondents refuted the allegations of the

*Subsequent*



applicant and denied that there was any mistake in the marks shown in the result sheet. Whatever marks were allotted to the applicant by the Examiner in the answer sheets were correctly transcribed into the result sheet. The respondents further asserted that there is no provision either for permitting revaluation of the answer sheets or for allowing a candidate to inspect his answer sheets.

5. By means of a Miscellaneous Petition, the applicant wanted us to direct the respondents to produce before us his answer sheets of Psychology Paper II together with the Marks Register. This prayer was vehemently opposed by the learned counsel for the respondents who drew our attention to the judgment of the Hon'ble Supreme Court in the case of MAHARASHTRA STATE BOARD OF SECONDARY AND HIGHER SECONDARY EDUCATION AND ANOTHER V. PARITOSH BHUPESH KURMARSHETH, ETC. ETC., reported in AIR 1984 Supreme Court p.1543. Relevant extracts from the said judgment are reproduced below:

"...The "process of evaluation of answer papers or of subsequent verification of marks" does not attract the principles of natural justice since no decision making process which brings about adverse evil consequences to the examinees is involved. The principle of natural justice cannot be extended beyond reasonable and rational limits and cannot be carried to such absurd lengths as to make it necessary that candidates

*[Signature]*

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who have taken a public examination should be allowed to participate in the process of evaluation of their performances or to verify the correctness of the evaluation made by the examiners by themselves conducting an inspection of the answer books and determining whether there has been a proper and fair valuation of the answers by the examiners."

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"Further, it is in the public interest that the results of public examinations when published should have some finality attached to them. If inspection, verification in the presence of the candidates and revaluation are to be allowed as of right, it may lead to gross and indefinite uncertainty, particularly in regard to the relative ranking, etc. of the candidates, besides leading to utter confusion on account of the enormity of the labour and involved in the process."

6. Shri Prakash Reddy, the learned counsel for the applicant elaborately argued that the manner in which the applicant had shown consistent all round improvement in his performance in the examinations held in 1988 and 1990 would be proof enough to show that his performance in Psychology Paper II also must have been better and that he could not have, therefore, secured marks as low as 74 when in the years 1986 and 1988, he secured as high as 131 and 161 respectively in the said paper.

7. Despite the somewhat attractive arguments advanced by the learned counsel for the applicant, we are unable to persuade ourselves to come to the conclusion that there was any mischief or mistake in the preparation of the result sheet in respect of the

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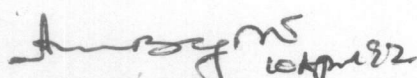
applicant. The respondents while disposing of the applicant's representation had stated as under :

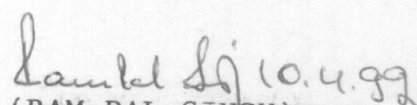
"...Rules of the examination do not provide for re-valuation of answer books. However, your answer book in Psychology Paper-II has been re-checked and it has been verified that there is no error of any kind in the marks for the paper as entered in your marks sheet."

8. There is nothing on record to show, even prima facie, that there has been an error or any irregularity in the compilation of the result sheet in respect of the applicant. We, therefore, do not feel justified in directing the respondents to produce the answer sheets or the Marks Register for our inquiry.

9. In the result, we find no merit in the application. The application as also the Misc. Petition are hereby dismissed. There shall, however, be no order as to costs.

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(A.B. GORTHI)  
MEMBER (A)

  
(RAM PAL SINGH)  
VICE CHAIRMAN