

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 732/97

Date of Order : 5.1.99

BETWEEN :

S.Suresh

.. Applicant.

AND

1. The Union of India, rep. by the
Director General, Telecommunications,
New Delhi.

2. The General Manager, Telecom,
West Godavari District, Eluru.

3. The Sub Divisional Officer, Phones,
Eluru.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.J.V.Lakshmana Rao

Counsel for the Respondents

.. Mr.V.Vinod Kumar

- - -

CORAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUD L.)

- - -

O R D E R

{As per Hon'ble Shri B.S.Jai parameshwar, Member (J) }

- - -

Mr.Yogender Singh for Mr.J.V.Lakshmana Rao, for
the applicant and Mr.V.Vinod Kumar, learned standing counsel
for the respondents.

R

2. The applicant was originally appointed in Telecom Department w.e.f. 2.7.79 as Technician. He was later promoted as Telecom Technical Assistant (TTA) w.e.f. 31.5.93.

3. The applicant appeared for Departmental Junior Accounts Officers Examination Part-I and got qualified on 4.4.96. He became eligible to appear for Junior Accounts Officers Part-II Examination and accordingly he appeared for Part-II examination on 18.6.96.

4. The applicant submits that the JAO Part-II examination consists of 5 papers for a maximum of 550 marks. Papers from 7 to 10 are of 100 marks each and paper 11 is of 150 marks. 40% marks in each subject is required and 45% in aggregate to pass the examination ~~and~~ provided that a minimum of 40% is secured separately in the practical papers answered with the aid of books.

5. The applicant submits that he could not ~~be~~ qualified in Part-II examination due to defective key on paper-II as it did not tally any step mark. It is stated that but for the defective official key he would have qualified in the part-II examination.

6. Hence he has filed this OA to call for records and to direct the respondents to reexamine paper-II on proper official key prepared and release supplementary list of candidates qualified in JAP Part-II examination in June 1996.

B

.. 3 ..

7. The official key to JAO Part-II examination is common to all candidates in that examination. Hence there is no individual discrimination and the applicant has failed in the examination as he had secured 30 marks.

8. The main grievance of the applicant ^{is in} ~~as~~ regards ^K the paper of official key supplied to him. It is not possible for us to check whether the official key if any given to the applicant was erroneous or not. It is also not possible to adjudicate whether the applicant had answered the question ~~correctly~~ on the basis of the guide if any given to him. This dispute has to be settled at the department level by explaining the contents of the official key if any supplied to him and also on the basis of the reply given ^{by} ~~to~~ him in the examination.

9. Hence the following directions are given :-

(a) The R-2 should collect the question papers of the said examination and also the reply given by the applicant for that question paper. If any key material has been supplied to the applicant for answer the questions, the same should be collected. On the basis of the above material the R-2 should explain to the applicant ⁱⁿ regard to the correction of his papers and also explain to him if any grievance is submitted by him during that interview.

(b) A date for the above interview should be fixed by R-2 and the applicant should be summoned on that date. The applicant

R


21

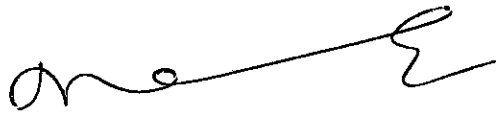
.. 4 ..

should be present for the interview. The minutes of that meeting should be recorded and shown to the applicant.

(c) The applicant is at liberty to indicate his grievance if any on the basis of the ^{memo.} ~~recorded minutes.~~ Thereafter the applicant may take such action as deemed fit.

10. With the above directions the OA is disposed of accordingly. No costs.

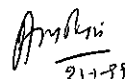

(J. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

S.199

Dated : 5th January, 1999

(Dictated in Open Court)


21-1-99

sd

COPY TO:-

1. HDHND
2. HHRP M(A)
3. HBSJP M(J)
4. D.R.(A)
5. SPARE

22/1/99
1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR :
VICE CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD :
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN :
MEMBER (A)

THE HON'BLE MR. B. S. JAI PARAMESWAR :
MEMBER (J)

DATED: 5-1-99

ORDER/JUDGMENT

M.A./R.A./C.P.NO.

In

O.A. NO. 732/97

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

