

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A.NO.113 OF 2015

New Delhi, this the 5th day of October, 2015

CORAM:

HON'BLE SHRI SUDHIR KUMAR, ADMINISTRATIVE MEMBER

&

HON'BLE SHRI RAJ VIR SHARMA, JUDICIAL MEMBER

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Mam Chand,
Aged 47 years,
s/o Sh.Nand Lal,
working as PGT (Math) in KV, OLF,
Raipur, Dehradun,
r/o vill & PO-Nawada, Dehradun 248005 Applicant

(By Advocate: Mr.Yogesh Sharma)

Vs.

1. Union of India through the Secretary,
Ministry of Human Resources Development (HRD),
Govt. of India, Shastri Bhawan, New Delhi
2. The Commissioner, Kendriya Vidyalaya Sangathan,
18, Institutional Area, Shahid Jeet Singh Mar,
New Delhi Respondents

(By Advocate: Mr.K.M.Singh)

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ORDER

RAJ VIR SHARMA, MEMBER(J):

The applicant has filed the present O.A. seeking the following reliefs:

- “(i) That the Hon’ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of respondents not awarding one mark in question of 12 to the applicant and declaring the applicant non-qualified for interview on the basis of Part II & III of the papers is illegal, arbitrary and

discriminatory and consequently, pass an order directing the respondents to award one mark to the applicant in respect of question No.12 and consequently consider the applicant for the post of Principal as per procedure and norms prescribed for the same.

- (ii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant along with the costs of litigation."

2. We have perused the records, and have heard Mr.Yogesh Sharma, learned counsel appearing for the applicant, and Mr.K.M.Singh, learned counsel appearing for the respondents.

3. The undisputed facts of the case are as follows:

2.1 The applicant joined Kendriya Vidyalaya Sangathan (for short, 'KVS') as a Trained Graduate Teacher (Math) on 21.11.1994. He was promoted to the post of Post Graduate Teacher (Math) on 14.5.2001.

2.2 KVS, vide Advertisement No.08, invited online applications from eligible persons for recruitment to Officers' Cadre and Non-Teaching posts for the years 2012-13 and 2013-14, which included the post of Principal (Post Code 63). The total number of vacancies in the post of Principal was 145, the breakups of which were UR-75, SC-22, ST-10 and OBC-38.

2.3 In response to the said Advertisement, the applicant applied for the post of Principal as an SC category candidate.

2.4 As per the scheme of examination, the written examination comprised two parts, namely, Part I and Part II. The candidates were to appear in Parts I and II of the written examination simultaneously, and their performance in Part I was to be evaluated first, and only in the event of their scoring a minimum of 09 marks (out of 20 marks) in Part I, they would be considered to have qualified in Part I, and then, their performance in Part II of the written examination was to be evaluated. If any candidate failed to score the minimum marks of 09 (out of 20 marks) in Part I of the written examination, his performance in Part II of the written examination was not to be evaluated. On the basis of their performance in Part II of the written examination, the candidates were to be short-listed to appear for interview. Thereafter, on the basis of their performance both in Part II of the written examination and in the interview, the candidates were to be selected for the post of Principal.

2.5 The applicant appeared in the written examination. As he scored 08 marks (out of 20 marks) in Part I, he did not qualify Part I of the written examination, and accordingly, his performance in Part II of the written examination was not evaluated, and he was not called to appear for interview.

3. It is the case of the applicant that Question No.12 in Part I of the written examination was as follows:

“12. निम्नलिखित में से सही उत्तर चुनिए -
(1) सही (2) दस (3) मत (4) धा

His answer to question No.12 was “(1) सही”. It is contended by the applicant that “(1) सही” and “(4) धा” are synonymous, and both are correct answers to

Question No.12. As he had given correct answer “(1) सही” to Question No.12, he ought to have been awarded 01 mark for the said answer to Question No.12, and as a result, his total marks in Part I of the written examination ought to have been 09 marks and he ought to have been found qualified in Part I of the written examination, and accordingly, his performance in Part II of the written examination would have been evaluated, and he would have been permitted to appear in the interview if he was found to have scored enough marks in Part II of the written examination. In support of his contention, the applicant has filed excerpts from a number of Hindi dictionaries in which the meaning of ‘सही’ has been stated as ‘सही’ and ‘धा’ as well.

4. Per contra, it is contended by the respondents that the correct answer to Question No.12 of Part I of the written examination is “दुर्गा” only, as opined by the Experts Committee following ‘**Manak Hindi Kosh**’ and ‘**Bhargav Adarsha Hindi Sabdakosh**’. The respondents have filed a report of the Experts Committee stating that the synonym of “भवी” is “दुर्गा” and not “पार्वती”, and that the correct answer to Question No.12 is “(4) दुर्गा”.

5. After perusing the materials placed on record, and having given our anxious consideration to the rival contentions of the parties, we have found substantial force in the opinion of the Experts Committee that “दुर्गा” is the synonym of “भवी”, and that the correct answer to Question No.12 is “(4) दुर्गा”. In **Durga Saptshati (Markendeya Purana)**, by Rishi Markandeya, **Devi Durga** is known by 108 different names. These 108 names of the Goddess **Durga** include “शङ्ख भवी”, but do not include “पार्वती”. For the purpose of clarity, the 108 sacred names of the Goddess **Durga**, as mentioned in **Durga Saptshati**

(Markendeya Purana), by *Rishi Markandeya*, are reproduced

below:

“Devi Durga is known by 108 different names. Here are the 108 names of Goddess Durga with English Meaning. These names of Maa Durga is recited to bring an end to all difficulties in one’s life.

हिंदी	English	Meaning in English
सति	Sati	One who got burned alive
क्षी	Saadhvi	The Sanguine
भवप्र	Bhavaprita	One who is loved by the universe
भवा	Bhavaani	The abode of the universe
भवमो	Bhavamochani	The absolver of the universe
आय	Aarya	Goddess
दु	Durga	The Invincible
जया	Jaya	The Victorious
आद	Aadya	The Initial reality
त्रि	Trinetra	One who has three-eyes
शुद्धि	Shooldharini	One who holds a monodent
त्रिध	Pinaakadharini	One who holds the trident of Shiva
चित्र	Chitra	The Picturesque
चंद्रघ	Chandraghanta	One who has mighty bells
महा	Mahatapa	With severe penance
मनः	Manah	Mind
बुद्धि	Buddhi	Intelligence
अह	Ahankaara	One with Pride
चितरूप	Chittarupa	One who is in thought-state
चिता :	Chita	Death-bed
चिति	Chiti	The thinking mind
सर्व	Sarvamantramayi	One who possess all the instruments of thought
सत्ता	Satta	One who is above all
सत्यन	Satyanandasvarupini	Form of Eternal bliss
अन	Ananta	One who is Infinite or beyond measure
भावि	Bhaavini	The Beautiful Woman
भाव	Bhaavya	Represents Future
भव	Bhavya	With Magnificence
अभव	Abhavya	Improper or fear-causing

सद्गति	Sadagati	Always in motion, bestowing Moksha (salvation)
शम्भु	Shaambhavi	Consort of Shambhu
देवमाता	Devamata	Mother Goddess
चिन्ता	Chinta	Tension
रत्नप्रिया	Ratnapriya	Adorned or loved by jewels
सर्वविद्या	Sarvavidya	Knowledgeable
दक्षकन्या	Dakshakanya	Daughter of Daksha
दक्षयज्ञाश्विनी	Dakshayajñavinaashini	Interrupter of the sacrifice of Daksha
अपण	Aparna	One who does not eat even leaves while fasting
अनेकवर्ण	Anekavarna	One who has many complexions
पाटला	Paatala	Red in color
पाटलवती	Paatalavati	Wearing red-color attire
पट्टाम्बरपारिधाणा	Pattaambaraparidhaana	Wearing a dress made of leather
कलामंजीरारंजिनी	Kalamanjiiraranjini	Wearing a musical anklet
अमेया	Ameyaa	One who is beyond measure
विक्रम	Vikrama	Violent
क्रूर	Krrooraa	Brutal (on demons)
सुन्दरी	Sundari	The Gorgeous
सुरसुन्दरी	Sursundari	Extremely Beautiful
वन्दुर्गा	Vandurga	Goddess of forests
मातङ्गी	Maatangi	Goddess of Matanga
मातङ्गमुनिपूजिता	Matangamunipujita	Worshipped by Sage Matanga
ब्राह्मी	Braahmi	Power of God Brahma
माहेश्वरी	Maaheshvari	Power of Lord Mahesha (Shiva)
ऐन्द्री	Aeindri	Power of God Indra
कौमाारी	Kaumaari	The adolescent
वैष्णवी	Vaishnavi	The invincible
चामुण्डा	Chaamunda	Slayer of Chanda and Munda(demons)
वाराही	Vaarahi	One who rides on Varaah
लक्ष्मी	Lakshmi	Goddess of Wealth
पुरुषाकृति	Purushaakriti	One who takes the form of a man
विमलौत्कारशिनी	Vimalauttkarshini	One who provides joy

ज्ञा □	Gyaana	Full of Knowledge
क्रिय □	Kriya	One who is in action
मि □ □	Nitya	The eternal one
बुद्धि □ □	Buddhida	The bestower of wisdom
बहु □ □	Bahula	One who is in various forms
सह्य □ □	Bahulaprema	One who is loved by all
सर्ववाह □ □ □	Sarvavahanavahana	One who rides all vehicles
निशुम्भ □ □ □ □	NishumbhaShumbhaHanani	Slayer of the demon-brothers Shumbha Nishumbha
महिशुर □ □ □ □	MahishasuraMardini	Slayer of the bull-demon Mahishaasura
मधुकैतब □ □ □	MadhuKaitabhaHantri	Slayer of the demon-duo Madhu and Kaitabha
चण्डमण्ड विनाशि □ □ □ □	ChandaMundaVinashini	Destroyer of the ferocious asuras Chanda and Munda
सर्वविनाश □ □ □ □	Sarvasuravinasha	Destroyer of all demons
सर्वविघ्न □ □ □ □	Sarvadaanavaghaatini	Possessing the power to kill all the demons
सर्वज्ञ □ □ □ □ □	Sarvashaastramayi	One who is deft in all theories
सत्य □ □	Satya	The truth
सर्वविध □ □ □ □	Sarvaastradhaarini	Possessor of all the missile weapons
अनेकशस्त्र □ □ □ □ □	Anekashastrahasta	Possessor of many hand weapons
अनेकशस्त्र □ □ □ □ □	AnekastraDhaarini	Possessor of many missile weapons
कौमारी □ □	Komaari	The beautiful adolescent
एककन्य □ □	Ekakanya	The girl child
कौशरी □ □	Kaishori	The adolescent
युवती □	Yuvati	The Woman
यति □	Yati	Ascetic, one who renounces the world
अप्रौढ □	Apraudha	One who never gets old
प्राढ □	Praudha	One who is old
वृद्धमाता □ □	Vridhdhamaata	The old mother (loosely)
बलप्रद □	Balaprada	The bestower of strength
महोदरी □	Mahodari	One who has huge belly which stores the universe
मुक्तशेष □ □	Muktakesha	One who has open tresses
घोररूप □	Ghorarupa	Having a fierce outlook
प्रबला □	Mahaabala	Having immense strength

अग्नि	Agnijwaala	One who is poignant like fire
रुद्रमुखी	Raudramukhi	One who has a fierce face like destroyer Rudra
कालरात्रि	Kaalaratri	Goddess who is black like night
तपस्वी	Tapasvini	one who is engaged in penance
नारयणी	Narayani	The destructive aspect of Lord Narayana (Brahma)
भद्रकाली	Bhadrakaali	Fierce form of Kali
विष्णुमया	Vishnumaya	Spell of Lord Vishnu
जलदारी	Jalodari	Abode of the ethereal universe
शिवदूत	Shivadooti	Ambassador of Lord Shiva
क्रूर	Karaali	The Violent
अनन्ता	Ananta	The Infinite
परमेश्वरी	Parameshvari	The Ultimate Goddess
कट्यायनी	Katyayani	One who is worshipped by sage Katyanan
सवित्री	Savitri	Daughter of the Sun God Savitr
प्राक्शा	Pratyaksha	One who is real
ब्रह्मवादिनी	Brahmavaadini	One who is present everywhere

All these names are well versed in Durga Saptshati by Rishi Markandeya in **which Lord Shiva told Devi Parvati** one-hundred and eight names, by the means of which Durga or Adi Shakti can be pleased. This is same as given above.”

6. In the above view of the matter, we do not find any merit in the O.A. which is accordingly dismissed. The interim order passed by the Tribunal on 19.1.2015 stands vacated. No costs.

(RAJ VIR SHARMA)
JUDICIAL MEMBER

(SUDHIR KUMAR)
ADMINISTRATIVE MEMBER

