

**Central Administrative Tribunal
Principal Bench**

OA No.2849/2018

New Delhi, this the 12th day of March, 2019

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

1. Vishal Chillar,
Aged about 27 years,

Post AAO, Group-B,
S/o Sh. Virender Singh,
R/o WZ-586/B, Srinagar
Street No. 1, Shakur Basti,
Pitampura, New Delhi-110034.
2. Sumit Kumar,
Aged about 24 years,
Post AAO, Group-B,
S/o Sh. Rakeshchand,
R/o B-166A, Karan Vihar,
Part-4, Kirari, Suleman Nagar,
North West, Delhi-110086.
3. Antriksh Poonia,
Aged about 23 years,
Post AAO, Group-B,
S/o Suresh Kumar Poonia
R/o Villa no. 48,
Vinayak Vihar, Ganpatpura
Mansarovar, Jaipur-302020.
4. Suraj Singh,
Aged about 22 years,
Post AAO, Group-B,
S/o Sh. Randheer Singh,
R/o C-1089/6
Indira Nagar, Lucknow,
Uttar Pradesh-226016.
5. Akshay Gupta,
Aged about 26 years,

Post AAO, Group-B,
S/o Balwant Gupta,
R/o 2/96A, Nagar Palika Road,
Sangaria, Hanumangarh
Rajastha-335063.

6. Shweta, Aged about 22 years,
Post AAO, Group-B,
D/o Sh. Mahinder,
R/o 144, Ward No. 1,
Near Police Station,
Railway Road, Kalayat, Kaithal,
Haryana-136117.
7. Waghmare Shivcharan Nilkanthrao,
Aged about 29 years,
Post AAO, Group-B,
S/o Sh. Nilkanthrao Waghmare,
R/o Shivaji Nagar,
Ausa Naka, Nilanga,
Latur, Maharashtra-413521.
8. D. Ravi Teja, Aged about 25 years,
Post AAO, Group-B,
S/o Sh. Prabhakar Teja,
R/o T2-33, Pilot Colony,
Bhupalpalle, Warangal,
Telangana-506169.
9. Vijay Kumar, Aged about 27 years,
Post AAO, Group-B,
S/o Sh. Shri Ram
R/o 7A/426,
Shaheed Sukhdev Nagar,
Wazirpur Industrial Area,
North West Delhi
Delhi-110052.
10. Raju Kumar, Aged about 25 years,
Post AAO, Group-B,
S/o Sh. Yashwant Kumar Jha,
R/o New Colony,
Khajasarai, Laheriasarai,
Darbhanga, Bihar-846001.

11. Deshbandhu Yadav,
Aged about 22 years,
Post AAO, Group-B,
S/o Sh. Krishan Kumar Yadav,
R/o Dhani-Khagawali,
VOP Khera, Tehsil Bansur,
Alwar, Rajasthan-301402.
12. Himanshu Malik,
Aged about 29 years,
Post AAO, Group-B,
S/o Sh. Satyapal Singh Malik
R/o H.No. 190/2, Premपुरी,
Muzaffarnagar, Uttar Pradesh-251002.
13. Manpreet Kaur,
Aged about 26 years,
Post AAO, Group-B,
D/o Sh. Surinder Singh,
R/o House No. – 163
Ward No.-3, Sus Road, Sunam
Sangrur, Punjab-148028.
14. Manish Kumar Sheshma
Aged about 24 years,
Post AAO, Group-B,
S/o Sh. Chhotu Ram Sheshma
R/o 54, Sheshma Mohalla, Nosal
Sikar, Rajasthan-332742.
15. Sonu Kumar Singh,
Aged about 25 years,
Post AAO, Group-B,
S/o Sh. Tej Narayan Singh,
R/o North Sadara Pally Main Gate
Durgapur, Burdwan,
West Bengal-713203.
16. Souradeep Dey,
Aged about 27 years,
Post AAO, Group-B,
S/o Sh. Avijit Dey,
R/o 11/1-A, Radha Madhab Saha Lane,
Kolkata, West Bengal-700007.

17. Gulshan Choudhary,
Aged about 30 years,
Post AAO, Group-B,
S/o Sh. Ashok Kumar Choudhary,
R/o H.No. – 237/1A,
South Extension, Trikuta Nagar,
Jammu, Jammu and Kashmir-180012.

18. Sanat Kumar Dubey,
Aged about 30 years,
Post AAO, Group-B,
S/o Sh. Ram Murti Dubey
R/o 116-A, Radha Nagar Colony,
Daraganj, Allahabad,
Uttar Pradesh-211005.

(Group-B), (Candidates Towards CGLE-2017)
for all applicants

...Applicants

(By Advocate: Shri Gaurav Gupta)

Versus

1. Union of India,
Through its Secretary,
Department of Personnel and Training
Ministry of Personnel, Public Grievance and
Pension, North Block, New Delhi.

2. Staff Selection Committee (Hdqr.)
Through its Chairman,
Block No. 12, CGO Complex,
Lodhi Road, Near Jawahar Lal Nehru Stadium,
New Delhi-110003. ...Respondents

(By Advocate: Shri Ranjan Tyagi)

ORDER (ORAL)

Justice L. Narasimha Reddy:-

The respondents initiated the process of selection
of candidates through the Combined Graduate Level

Examination, 2017. The process involved four stages. The applicants were declared successful in the first phase. After conducting the second phase examination, the SSC published a tentative key, for all the questions and invited objections. The objections received from the candidates were referred to the body of experts that framed the questions and on a consideration of the views expressed by them, a final key was published. The answers to as many as 11 questions were found to be inappropriate. Therefore, all of them were deleted and benefit was extended to all. As regards some other questions certain changes were made.

2. The applicants contend that the final key is also defective and the view taken by the expert body does not accord with the suggested text books prepared by the NCERT.

3. This OA is filed with a prayer to quash the final key published by the respondents for paper-VI i.e., General Studies (Finance and Economics) for the post of AAO, Tier-II Examination of CGLE-2017 on 22.02.2018 and to direct the respondents to appoint the experts and distinguished professional from the

field of finance and economics, to suggest the correct answers.

4. The respondents filed a counter affidavit opposing the OA. It is stated that on receiving the suggestions and objections from various quarters to the tentative key, the matter was referred to the experts and after thorough deliberations, the final key was published. It is stated that the subsequent examinations were also held after declaration of the results of the second phase examination.

5. We heard Shri Gaurav Gupta, learned counsel for the applicant and Shri Ranjan Tyagi, learned counsel for the respondents.

6. The dispute pertains to one paper in Tier-II examination. The tentative key was published and objections were received in respect of as many as 20 questions. All of them were referred to the body of experts that framed the question papers. Here it needs to be mentioned that the entire examination was based on multiple choice questions. The committee of experts deliberated and found that none of the answers for as many as 12 questions were correct and

accordingly they were deleted. The benefit of deletion was extended to all the candidates. In respect of eight questions, either the answers in tentative key was confirmed or they were modified with slight change. The applicants are of the view that the decision taken by the expert body and thereafter the respondents, is totally incorrect. An attempt is made to demonstrate that the answers contained in the final key are not correct.

7. Instances are not lacking where the body that conducted the examination, publishes the key which, at a later point of time, is found to be defective. The courts undertake a semblance of examination thereof. In the instant case, the situation is totally different. A tentative key was published accepting that it is possible for errors to exist, objections were invited and the expert body was made to address all of them. Once the respondents have undertaken such a detailed and objective exercise, it is not for this Tribunal to sit in appeal at the conclusions arrived at by the body of experts. Subsequent examinations have also progressed to a substantive extent. We do not find any basis to interfere with the final key published in respect

of stage two test, at this stage. The OA is dismissed.
There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

/vb/