

GAHC040008232022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C) 241/2022

1:Maki Doke Kato
W/o Lt. Yomli Kato,
Resident of Village Kato, PO and PS Kamba, District Siang, Arunachal Pradesh.

VERSUS

1:THE STATE OF AP and 3 Ors.
Represented by the Secretary/Commissioner (Home), Govt. of Arunachal Pradesh,
Itanagar.

2:The Director General of Police
Govt. of Arunachal Pradesh
PHQ
Itanagar.

3:The Assistant Inspector General of Police
Govt. of Arunachal Pradesh
PHQ
Itanagar.

4:The Chairman
of the Typing Test Board held on 16.05.2017
C/o Director General of Police
PHQ
Itanagar

Advocate for the Petitioner : T T Tara

Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG**

ORDER

Date : 28-06-2023

Heard Mr. T.T. Tara, learned counsel for the petitioner along with Mr. I. Riram, learned Government Advocate.

The writ petition filed under Article 226 of the Constitution of India is with regards to the notification issued by the State respondents dated 31.01.2022, which is the Result Notice, stating that in the Department Competitive Examination typing speed tests result for promotion to the single vacant post of Lower Division Clerk (LDC) which was conducted amongst eligible Grade-IV Staffs (now MTS) of the Government on both different dates *i.e.* 21.12.2015, 28.02.2017, 17.05.2017 and 20.07.2017, no candidate could qualified the minimum typing speed of 30 WPM as specified in the Recruitment Rules in force at that time.

Mr. T.T. Tara, learned counsel for the petitioner submits that the impugned result of the Department Competitive Examination is liable to be set aside. The learned counsel submits that the petitioner had typed 32 words per minute and the State respondent had wrongly calculated the number of words typed by the petitioner by not counting the full stops, commas and abbreviations. That the evaluation officers has wrongly marked total typed 28 words out of which 21 words are correct. Thus, the notification dated 31.01.2022 is in violation of the (Ministerial) Common Recruitment Rule, 2008.

Mr. I. Riram, learned Government Advocate on the other hand submits that the State respondents have rightly calculated the words typed within the prescribed time. That the method of calculation of the learned counsel for the petitioner, is not correct and that the State respondents had correctly evaluated the number of words typed by the petitioner, which did not come up to 30 WPM.

Having heard the submissions made by learned counsels for both the parties, this court finds that neither of the parties have produced any guidelines on the method of evaluation for this court to decide whether the evaluation made by the petitioner is correct or not.

In view of the above, this court finds it appropriate to direct the State respondents to conduct afresh examination of typing speed by giving clear instructions as to what will be counted as 'words' for valuation of the typing speed test and to clarify whether the candidate should have typed a minimum '*correct*' words.

Accordingly, with the above directions, W.P.(C) 241 (AP) of 2022 stands disposed.

JUDGE

Comparing Assistant