

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1858 of 2014

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1. Sudhir Kumar Singh S/O Vidya Sagar Singh Resident Of Bimalakunj, House No. 1216 Road No.1K, Asha Singh More, P.S- Colony, Gaya, P.S- Gaya, District-Gaya.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna
3. The Secretary, Bihar Staff Selection Commission Veterinary College, Patna.
4. The Principal Secretary Personnel and Administrative Reforms Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Commission : Mr. Lalit Kishore, Sr. Advocate

Mr S.S.Sundaram

For the State : Ms Shalini, AC to GP 20

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-09-2015

On 31.3.2015, the writ application was ordered to be placed before the Chairman of the Commission to examine the issue because the chaos created in the evaluation of the examination for appointment of Hindi Stenographers was required to be looked into and analyzed by him. The Chairman of the Commission has filed a counter affidavit. He has stated that after the written examination was held on 23.11.2013, the question papers and model answers were uploaded on the website of the Commission giving an opportunity to the candidates to submit their objections.

Objections were received and the same were placed before a team of experts for giving their response. The experts opined

that one question was required to be deleted and certain model answers of questions were required to be changed. The declaration of the results after evaluation of the OMR on the basis of the experts opinion formed the basis for publication of the result.

The objection of the petitioner has been crystallized in paragraph 9. There is a mismatch with regard to question no.82, rest of the questions and answers of the petitioner matches. With regard to Question no.27, there was no objection of the petitioner.

If a standard yardstick after the corrections made by the experts formed the basis for evaluation and declaration of results across the board then this Court will not examine additional objection of any other candidate now because one uniform yardstick has been applied and such disputes must come to an end or else it will become an unending exercise.

The Court, however, opines that the respondent Staff Selection Commission needs to tone up its functioning as well as ensure that the team of examiners, who have been enrolled or engaged for conduct of such examination, are needed to be upgraded, revised and if not, delete them because it cannot be the case of the Staff Selection Commission that human errors have crept into in the model questions and answers for every other examination being conducted by them. In fact, the Court would direct the Chairman to identify the

people from where the pool of questions had been sought, which have led to objection, litigation and embarrassment for the Commission. They need to be weeded out straightway and their services should not be utilized for future examinations of any kind.

The writ application otherwise is required to be dismissed. No further direction for any further correction or evaluation is required to be made in the given facts which emerge from the affidavit of the Chairman of the Staff Selection Commission.

Petitioner has filed an application under RTI for disclosure of his marks in the written examination in which he had already participated and he is supposed to have failed. Since he is already ousted from the zone of consideration, the Court comes to a considered opinion that withholding declaration of marks till completion of the selection process is not required to be followed in his case. Let the necessary input be provided to the petitioner preferably within a period of three weeks.

(Ajay Kumar Tripathi, J)

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