



**JAMMU & KASHMIR PUBLIC SERVICE COMMISSION**  
**Solina, Srinagar – 190009**

**Subject:** Conduct of J&K Combined Competitive (Main) Examination, 2016-Cancellation of Zoology Paper-I reg;

**Notification No. PSC/Exam/2018/58**

**Dated: 28.07.2018**

Whereas, the J&K Public Service Commission, notified 277 posts, in the pay scale of 9300-34800 with grade pay of 4800, vide Notification No. PSC/Exam/2016/52 dated:18.06.2016, for admission of eligible candidates to the J&K Combined Competitive (Preliminary) Examination-2016, in accordance with SRO 387 dated:01.12.2008 read SRO 190 of 2016 dated:07.02.2016; and

Whereas, after conduct of the Preliminary Examination, notification to the effect of declaration of the candidates who had qualified for provisional admission to the J&K Combined Competitive (Main) Examination, 2016, was finally notified, vide Notification No. PSC/Exam/2017/44 dated:09.08.2017 and the online applications were invited, vide Notification No. PSC/Exam/2017/49 dated: 25.08.2017 inter-alia mentioning that the candidates who had applied in response to the earlier notifications need not to apply again; and

Whereas, these notifications were called in question in multiple writ petitions. Pursuant to the Hon'ble High Court Order dated:30.12.2017, J&K Combined Competitive (Main) Examination-2016 was scheduled to be held w.e.f. 19.02.2018; and

Whereas, while the conduct of J&K Combined Competitive (Main) Examination, 2016 was under process, the Hon'ble Division Bench vide order dated:13.03.2018 directed for cancellation of the examination and holding of Main Examination afresh, allowing different categories of candidates mentioned in the order ibid to participate in the Main Examination; and

Whereas, in compliance with aforesaid Judgement passed by the Hon'ble Division Bench, notification bearing no. PSC/Exam/2018/20 dated:15.03.2018, read with Notification No. PSC/Exam/2018/31 dated:17.05.2018, was issued in terms of which the schedule for conduct of the J&K Combined Competitive (Main) Examination-2016, w.e.f. 02.07.2018 to 26.07.2018, was notified inter-alia notifying the date of examination of Zoology Paper-I which was scheduled on 16.07.2018; and

Whereas, from amongst the total number of 9273 candidates admitted to the Combined Competitive (Main) Examination, 2016, 944 candidates had opted for Zoology as one of their optionals, out of whom 941 were declared as eligible and issued the admit cards; and

Whereas, the venue for the conduct of Zoology Paper-I of the J&K Combined Competitive (Main) Examination, 2016, was notified as under:

1. J&K Public Service Commission, Examination Hall, Solina, Srinagar **(for candidates who had opted for Srinagar centre)**
2. J&K Public Service Commission, Examination Hall, Resham Ghar Colony, Bakshi Nagar, Jammu **(for candidates who had opted for Jammu centre)**; and

Whereas, on the scheduled day of examination the candidates who appeared at both the centres were allowed to sit as per the seating plan and the answer scripts along with the question papers were distributed amongst these within the prescribed period by the staff who were deployed for the purpose; and

Whereas, hardly 3 to 4 minutes after the commencement of the examination at the Jammu Centre, which consisted of 03 examination halls, the majority of the candidates seated in Examination Hall No.1 rose on their chairs and started sloganeering and forcing other students to join the protest on the pretext that the Question paper was not only out of syllabus but some questions from Anthropology and Physics had been asked and that the standard of the question was tougher than the IAS examination which they alleged as a ploy for keeping them (candidates with Zoology as optional) out of the selection zone; and

Whereas, these agitating candidates were advised by the Supervisor, the Invigilating staff and the Observer, deployed by the General Administration Department for overseeing the conduct of the examination, to remain seated and not to create a situation as would be construed as "**Misbehavior**" in terms of the relevant rules warranting initiation of action in terms of Rule 19 read Rule 25 of the J&K Public Service Commission (Conduct of Examination) Rules, 2005; and

Whereas, the Deputy Controller of Examinations, nominated vide Order dated: 27.06.2018 as Incharge Control Room, Jammu, on being informed by the Supervisor and the invigilating staff about the situation, likely to impede the smooth conduct of examination, also intervened and asked the agitating students to maintain the decorum and comply with the instructions mentioned in the answer booklet failing which action as warranted under law would be taken. As per the instruction issued, it is obligatory upon the candidates not to talk with any

examinee and disturb the smooth functioning of the examination centre during the conduct of the examination. They were, accordingly, informed that the aforesaid action was in total disregard for the instructions and the rules relating good conduct in the examination liable to action envisaging declaration of those found guilty of misbehavior to being declared as failed; and

Whereas, the candidates were advised that there is a set procedure prescribed under rules, which provides for submission of representation(s) within 03 days commencing from the day following the day of conduct of the examination in the event of grievance regarding the question paper. The relevant rule provides as under:

***“ 12 A: Detection of wrong Question/Answers/Keys procedure for Rectification and Evaluation.***

- a) *During the course of examination, if it is revealed on scrutiny or in consequences of an representation made by the examinee(s) that:-*
- i. the question paper has printing errors, misprint or that the material printed is not legible;*
  - ii. the question(s) have been repeated; and*
  - iii. the question(s)/answer(s)/part thereof have escaped printing and the serial numbers have in consequence been disturbed.*

*The matter shall immediately be reported to the Controller of Examinations who on verification of the report shall authorize the rectification of the error through an on spot announcement in all the examination centres for which a certificate of rectification shall be recorded by the Supervisor concerned and forwarded to the Controller of Examinations for record;*

- b) *If the scrutiny of the question paper by the Invigilation staff, officials/officers of the Examination wing of the Commission or on a representation received from the candidates within three days commencing from the day following the day of conduct of examination in that paper, it is prima-facie found that:*
- i. the formulation/text of the question is admissible to different interpretations because of vagueness;*
  - ii. the question(s) recorded in the paper is incomplete;*
  - iii. the question(s) is out of syllabus notified for the purpose;*
  - iv. that all the options recorded vis-à-vis a question are wrong;*
  - v. that more than \*\*\*two options recorded are correct; and*

*The Controller of Examinations shall in that eventuality refer all these representations to a team of experts constituted with the approval of the Chairman for the purpose. The team shall comprise not less than two experts of eminence in the subject and their findings shall be final.*

- c) *In case the team of the experts confirm the incorrectness of the questions/answers/options/\_\_\_\_\*\*, the concerned questions shall be deleted from the paper and the marks allocated therefore shall be redistributed equally amongst the rest of the questions on prorata basis to ensure that the marks allocated for the question paper as a whole remain unchanged. ”*

Whereas, not paying heed to any staff present in the examination halls, almost all the candidates of Examination Hall No.1 left their seats and tried to break the window panes and enter the other examination halls with a view to instigating the candidates present in those halls to participate in the walkout. A human chain was formed by the invigilating staff and the police personnel to prevent the candidates from entering into Examination Hall Number 2 and 3. Keeping in view the less manpower available, the Additional District Magistrate, Jammu was tried to be contacted besides the Control Room of District Police Lines, Jammu who were requested to provide additional deployment to bring the situation under control. The assistance of the ITBP personnel, on guard duty in the J&K Public Service Commission Office Complex, Bakshi Nagar, Jammu, were also involved in maintenance of the Law & Order; and

Whereas, notwithstanding above the candidate from other Examination Halls also joined the course and an unruly situation was created by the agitating students; and

Whereas, the attendance rolls had not yet been circulated for seeking attendance of the candidates who were present in the Examination Halls in view of which it become difficult for the staff to identify the students responsible for disrupting smooth conduct of the examination; and

Whereas, in the absence of any record relating attendance, which could be relied upon subsequently for purposes of either considering the cases of the students having resorted to activities falling within the category of “**Unfairmeans**” or “**Misbehavior**” for penal action or accord of consideration by the Competent Authority, under rules, to the cancellation of examination or otherwise, and with a view to maintaining Law and Order besides ensuring that none of the students leave the examination hall without delivering the answer book(s) or tear the sensitive material, all the candidates under the directions of the Controller of Examinations, stationed at J&K PSC Complex, Srinagar, conveyed to the Incharge Control Room Jammu, were allowed to re-enter the Examination Hall after 45 minutes although aware of the fact that during this intervening period they would have had access to the books or object(s) in violation of the instructions of the Commission; and

Whereas, the candidates even then declined to take the examination and continued disobeying the orders and creating disturbance around the examination hall besides preventing other candidates from taking the examination on the plea that they should be compensated for the time which was wasted on account of the above situation; and

Whereas, the situation ordinarily warranted not allowing the agitating students to re-enter the examination hall besides proceeding against such students in terms of the rules leading to debarring them for appearing in the examination and subsequently declaring them as having failed in the concerned paper; and

Whereas, notwithstanding above, instructions were passed by the Controller of Examinations, J&K Public Service Commission to the Incharge Control Room, Jammu to allow all the candidates to re-enter and appear in the examination and also allowing them 30 minutes as extra time in lieu of the time consumed for provoking fellow examinees to boycott and create a disorderly scene, mainly with the objective of ensuring the maintenance of law and order and taking attendance of all the candidates which could be relied upon subsequently for purposes of consideration of matter in its entirety by the Hon'ble Commission; and

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Whereas, as against 498 candidate admitted for appearing in Zoology Paper-I of the J&K Combined Competitive (Main) Examination, 2016 and allotted to J&K Public Service Commission, Resham Ghar Colony, Bakshi Nagar, Jammu only 397 candidates were found to have appeared in the examination. As regards the attendance of the students scheduled to appear in Zoology Paper-I conducted at J&K Public Service Commission, Examination Hall, Solina Srinagar, a total of 338 candidates, out of 443 appeared in the examination which was held in a smooth and uninterrupted manner; and

Whereas, the process relating conduct of the J&K Combined Competitive (Main) Examination, 2016 concluded on 26.07.2018, sequel whereof the matter was placed before the Hon'ble Commission for consideration, in its 4<sup>th</sup> meeting held on 26.07.2018; and

Whereas, the Hon'ble Commission was informed by the Hon'ble Chairman about the chronological event of the happenings relating to the conduct of the Zoology Paper-I of J&K Combined Competitive (Main) Examination, 2016, at Jammu centre, which was held on 16.07.2018. The Commission was unanimous in its view about the cancellation of the examination of Zoology Paper-I, as a whole, notwithstanding smooth conduct of the examination of this paper at Srinagar centre, taking note of the fact that the KAS examination being a

competitive examination and not being of qualifying nature, the assessment of the candidates cannot be made on the basis of different parameters and that by cancelling the examination for the Jammu centre only, there was every likelihood of subjecting the students allotted to the two centres to differential assessment, notwithstanding the fact that the examination at Srinagar centre was taken by the students as per the instructions of the Commission.

After detailed deliberations, the Hon'ble Commission was pleased to observe as under:

*“the Commission was apprised about the circumstances under which some of the candidates appearing in the Zoology paper-I of J&K Combined Competitive (Main) Examination-2016 held on 16.07.2018 at J&K Public Service Commission, Examination Hall, Reshan Garh Colony, Jammu, disturbed smooth conduct of the examination. It was also informed that notwithstanding their misconduct which would warrant declaring them as having failed in the said paper besides debarring them for future examinations as well were allowed to re-enter into the examination hall after about 30 minutes. Taking serious note the Commission observed that such a decision should not have been taken in view of its being not within the domain of the officers and also being without any legality. The Commission also observed that not only were the agitated candidates allowed to re-enter in the Examination hall, but they, along with others, were granted extra time of 30 minutes to compensate for the time wasted by them in creating ruckus and disturbing the smooth conduct of the examination, which was totally unwarranted.*

*Observed as such, the Commission felt that the situation would ordinarily warrant cancellation of the examination of this paper of J&K PSC examination centre Jammu. However, taking note of lapse on part of the officers(s) of the Commission in allowing the candidates to re-entre the examination hall in utter violation of the norms compounded by grant of extra 30 minutes, it was decided after threadbare deliberations that whole of the examination for Zoology Paper-I be held afresh and the notice in this regard be issued on the aforesaid lines at the earliest. ”*

Now, therefore, in view of the above position, the examination of Zoology Paper-I of J&K Combined Competitive (Main) Examination, 2016, conducted on 16.07.2018, is hereby cancelled, which shall be conducted afresh on 08.08.2018 from 02.00Pm to 05.00Pm at both the centres i.e. J&K Public Service

Commission, Examination Hall, Bakshi Nagar, Jammu/J&K Public Service Commission, Examination Hall, Solina Srinagar respectively. Only those candidates who appeared in the Zoology Paper-I on 16.07.2018 at the above centres shall be allowed to re-appear.



**(Khalid Majeed), KAS  
Controller of Examinations  
J&K Public Service Commission**

Dated:28.07.2018

No. PSC/Exam/CCE(M)/2016-18

Copy to the

1. Director Information J&K Govt. He is requested to publish the notification in two local leading dailies of Srinagar/Jammu.
2. General Manager, Govt. Press, Srinagar for publication of notification in the extra ordinary issue of the Govt. Gazette.
3. DCoE/ACoE, J&K Public Service Commission.
4. Pvt. Secretary to Chairman for information of the Hon'ble Chairman, J&K Public Service Commission
5. Pvt. Secretary to Member, Mr/Ms \_\_\_\_\_ for information of the Hon'ble Member.
6. P.A to Secretary, J&K Public Service Commission.
7. I/C Website for uploading the notice on the website.
8. I/C Camp Office, Jammu for displaying the Notification on the Notice Board of the Commission.
9. Main file/Programme file.