



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION
Solina Srinagar, Kashmir -190009

website:<http://jkpsc.nic.in>
email:jkpscsecretary@gmail.com

Jammu: 0191-2566528 (f) 2566530
Srinagar: 0194-2312629 (f) 2312631

Subject: Consideration order in compliance to the directions of Hon'ble Central Administrative Tribunal, Srinagar Bench, passed in O.A. No. 970/2023 with M.A. No. 506/2025, along with O.A. No. 765/2024 and O.A. No. 167/2024, vide order dated 01.01.2026.

Notice

Dated: 06.06.2026

Whereas, the Hon'ble Central Administrative Tribunal, in the above-stated O.A/M.A, on 01.01.2026, ordered that the petitioners "... submitted that since in some identical matters, where similar facts and law are urged, as projected in the cases on hand, the Hon'ble High Court of J&K, has passed an order dated 13-03-2018, in case titled as J&K, Public Service Commission versus Hidayat Ahad Mir and others as also the order dated 09-04-2012 passed by the Hon'ble High Court of Delhi in case titled Gunjan Sinha Jain versus Registrar General, High Court of Delhi, the petitioners be given liberty to represent before the respondent -PSC and seek consideration of their cases in the light of the judgements cited supra. 03/ In the above backdrop, it is provided that the petitioners - selected candidates, namely Jehangir Abdullah and Shivika Thakur, if they so choose, file a representation before the respondent PSC, for expeditious redressal of their grievances in the light of the mandate of judgements passed by the Hon'ble High Court of J&K and High Court of Delhi, mentioned supra, which shall be decided by the respondents - competent authority in accordance with law. However, any decision taken shall further remain subject to outcome of the O.As...."; and,

Whereas, the General Administration Department, vide communication No. GAD-SERVOKAS/339/2022 dated 12.04.2023, referred 75 vacancies to the Public Service Commission, to be filled in accordance with the Jammu and Kashmir Combined Competitive Examination Rules, 2018. Accordingly, online applications were invited vide Advertisement Notification No. 12-PSC (DR-P) of 2023 dated 13.04.2023; and,

Whereas, a total of 30,756 candidates were provisionally admitted for the Preliminary Examination conducted on 15.10.2023. Out of these, 18,882 candidates appeared in both papers, while 155 candidates appeared partially; and,

Whereas, as per the governing rules, the number of candidates to be declared qualified for the Preliminary Examination is restricted to 25 times the number of vacancies or one-third of the candidates who appeared, whichever is lower; and,

Whereas, in terms of Rule 10(c) of the J&K Public Service Commission (Conduct of Examination) Rules, 2022, the provisional answer keys for GS-I and GS-II were notified on 15.10.2023, inviting objections up to 18.10.2023. The Commission received 165 representations in GS-I (covering 34 questions) and 63 representations in GS-II (covering 11 questions). All objections were referred to a duly constituted Committee of Subject Experts. Based on expert opinion, four questions each were deleted from GS-I and GS-II; Answer keys of 10 questions in GS-I and 3 questions in GS-II were revised due to inaccuracies or typographical errors; and,

Whereas, in accordance with the extant rules, marks allotted for deleted questions were proportionately added to the scores of all candidates to maintain the overall weightage of the question papers; and,

Whereas, the result, as framed on the basis of the revised keys, was approved by the Commission on 27.10.2023 and notified vide Notification No. PSC/Exam/S/2023/68 dated 27.10.2023, declaring 2,256 candidates qualified for the Mains Examination; and,

Whereas, subsequently, further representations were received pointing out certain factual inaccuracies in the final answer key of GS-I. The Commission, for obtaining the actual facts, took up the matter with the Experts. Upon detailed scrutiny, the experts acknowledged inadvertent typographical errors in respect of two questions, necessitating correction of the final answer key. The identification of typographical errors necessitated their removal. Consequently, the result of the Preliminary Examination was corrected, and a fresh notification bearing No. PSC/Exam/S/2023/90 dated 18.11.2023 was issued, declaring 2,266 candidates qualified for the Mains Examination. As a result of this correction, 167 candidates, who were earlier declared qualified, fell below the cut-off and were excluded. 177 candidates, who had earlier not qualified but were more meritorious as per the corrected key, were included. Failure to correct the result would have unjustly deprived these 177 meritorious candidates of their rightful opportunity. Conversely, it would have allowed 167 candidates who had chosen wrong answers, progress to main examination; and,

Whereas, certain candidates who stood excluded due to the revised cut-off were, however, permitted to participate in the Mains Examination and viva-voce pursuant to interim directions of the Hon'ble Tribunal. Two of these candidates have now submitted the representations; and,

Whereas, the duty conferred upon the Public Service Commission to conduct examinations is of wide amplitude, encompassing all measures necessary to ensure a free, fair, transparent, and credible examination process. This duty inherently includes the authority to correct errors in question papers or answer keys and to undertake correct measures where warranted; and,

Whereas, The Hon'ble Supreme Court in *Rajesh Kumar & Ors. v. State of Bihar & Ors.*, (2013) 4 SCC 690, unequivocally upheld the power of an examining body to correct erroneous model answer keys, observing:

“Application of an erroneous model answer key for evaluation of answer scripts of candidates appearing in a competitive examination is bound to lead to erroneous results and an equally erroneous inter se merit list.”

Whereas, the Hon'ble Court further examined the issue whether in such situation where it is found that the model answer key applied by the examination body for evaluation is erroneous, should the whole examination be cancelled or direction could be issued to remove the defect in the model answer key and re-evaluate the answer scripts. After considering the aforesaid issue at length, the Hon'ble Supreme Court in paragraph Nos.19 and 21 held thus:-


“19. The submissions made by Mr. Rao are not without merit. Given the nature of the defect in the answer key the most natural and logical way of correcting the evaluation of the scripts was to correct the key and get the answer scripts re-evaluated on the basis thereof. There was, in the circumstances, no compelling reason for directing a fresh examination to be held by the Commission especially when there was no allegation about any malpractice, fraud or corrupt motives that could possibly vitiate the earlier examination to call for a fresh attempt by all concerned. The process of re-evaluation of the answer scripts with reference to the correct key will in addition be less expensive apart from being quicker. The process would also not give any unfair advantage to anyone of the candidates on account of the time lag between the examination earlier held and the one that may have been held pursuant to the direction of the High Court. Suffice it to say that the

re-evaluation was and is a better option, in the facts and circumstances of the case.

Whereas, in the present case, the Commission acted promptly, transparently, and strictly in accordance with expert opinion and rules. The correction was undertaken solely to rectify inadvertent error (typographical error) and to ensure that no candidate who had answered correctly was placed at a disadvantage due to an erroneous key; and,

Whereas, the matter was duly placed before the Commission for deliberation and consideration, and the Commission, in its 9th Meeting for the year 2026 held on 13.02.2026, upon detailed examination, found no merit in the claim of the applicants and accordingly rejected the same.

Now, therefore in view of the foregoing facts, statutory provisions, binding judicial precedents and the decision taken by the Commission, the representations submitted by Shri Jehangir Abdullah and Ms. Shivika Thakur, are found to be devoid of merit and are accordingly rejected.


05.06.2026

Under Secretary
J&K, Public Service Commission

No:PSC/DR/CCE-2023(7694250)

Dated: .06.2026

Copy to the:

1. Commissioner/Secretary to the Government, General Adm. Department Civil Secretariat, Jammu/Srinagar.
2. Pvt. Secretary to Chairman for information of the Hon'ble Chairman.
3. Mr. Shah Amir Ld Counsel for the Commission at Srinagar.
4. I/C website.