
(2025) 09 CAT CK 0465

In the Central Administrative Tribunal, Principal Bench, New Delhi

Case No : Original Application No. 522 Of 2025

Aman Kumar & Ors.

APPELLANT

Vs

Staff Selection Commission

RESPONDENT

Date of Decision : 18-09-2025

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2025) 09 CAT CK 0465

Hon'ble Judges : Harvinder Kaur Oberoi, Member (J); Dr. Sumeet Jerath, Member (A)

Bench : Division Bench

Advocate : Puneet Rathi, Dilbagh Singh

Final Decision : Disposed Of

Judgement

Harvinder Kaur Oberoi, Member (J)

1. The applicants, 6 in number, had participated in the Combined Graduate Level Examination, 2024 for recruitment to various Group 'B' and 'C' posts conducted by the SSC. The Applicants qualified in the Tier-I examination.

2. The Tier-II examination was conducted on 18.01.2025 in two sessions at Avsar Modern High School and Training Institute, Roorkee. The Applicants faced several technical glitches in Session I of the examination, such as system crashes, freezing screens with active timers, loss of attempted answers, malfunctioning hardware and ineffective response from invigilators. Similar disruptions were also faced during the Typing Test (Data Entry Speed Test) held in Session II.

3. The Applicants made multiple representations highlighting these issues. While the Respondent admitted technical glitches, it decided to re-conduct only the Typing Test on 31.01.2025 and not Session I of Paper I. Aggrieved by this selective re-test policy, the Applicants have approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

“(i) issue an appropriate, order, or direction quashing the Tier II Examination conducted on January 18, 2025, and direct the Respondent to reconduct the same in a fair and impartial manner;

(ii) direct the Respondent to constitute an independent committee to investigate the extent and impact of the technical glitches that occurred during the Tier II Examination and to take appropriate remedial measures;

(iii) direct the Respondent to produce all relevant documents, including the CCTV footage of the examination halls where technical issues were reported, for the perusal of this Hon'ble Tribunal, and/or

(iv) Pass such other and further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

(v) Award cost of the proceedings;”

4. Learned counsel for the applicant submitted that this has resulted in the loss of a level playing field to the applicants. He also relies on Clauses 21 and 22 of the General instructions as attached to the Admit cards issued to the applicants. As per instructions, in case, there is a technical snag or for any other reason, the candidate should follow the instructions of the exam functionaries and under no circumstances would the candidate lose the examination time to which they are entitled to. He, however, submitted that no action was taken by the authorities even after written applications at the examination centre itself.

5. Upon issuance of the notices, respondents have filed their counter affidavit and have admitted that Pan-India technical glitches were reported in Tier-2 on 18.01.2025 which has prompted the Staff Selection Commission to cancel the DST examination scheduled on the said date and which was conducted ultimately on 31.01.2025. The said issue being a software technical glitch had affected all the candidates Pan-India and as such the SSC had reconducted the examination on a subsequent date. The glitch faced by the applicants in the present case is of a hardware based.

6. Relying on their affidavit, he submitted that no such glitches were faced by candidates in Session – I of the Tier II on a Pan India basis and it was only confined to few systems in a particular venue which is normal in any Computer Based Examination (CBE) and the same was resolved at the venue itself and no time loss was faced by the candidates.

7. In rejoinder, learned counsel for the applicant placed reliance on the decision of this Tribunal in OA No. 3783/2024 (Dalip Kumar & Ors. v. UOI & SSC) pronounced on 02.09.2025, where candidates had faced a software glitch during the Stenographers’ Skill Test. The relevant paras of the same are reproduced herein below:-

“8. We have further observed that despite detecting the software problem in the computer system at the Sarita Vihar examination centre which caused prejudice

to the candidates appearing from this centre; the respondents – SSC chose to ignore it and did not give any relief to the prejudiced candidates.

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This in our view is illegal and arbitrary. Moreover, no valid reason had also been given by the respondents as to how the paragraph which came in the skill test was already in the air one day before the exam. Therefore in our considered opinion, the balance of convenience in the instant OA clearly lies with the applicants. Abiding by the ratio given in Hon'ble Apex Court Judgment in Disha Panchal & Others vs. UOI (supra), we remand this OA to the respondents – Chairman, Staff Selection Commission to apply a normalisation formula of 2% in this case of the applicants to repair the damage caused by the respondent's arbitrary, discriminatory and illegal action at iON Digital Zone, Sarita Vihar examination centre as made out in the representations of the candidates regarding skill test, and thereby issue the revised results with all consequential benefits as sought by the applicants in their relief clause of this OA.

8. He therefore submitted that the Tribunal, after examining the internal notings of the Commission and acknowledging that the software malfunction was genuine, held the action of the SSC in denying relief, to be arbitrary and directed application of a normalisation formula so as to restore fairness. The ratio of the said judgment squarely applies here, since the applicants too are faultless candidates who suffered due to technical failures beyond their control, and the refusal of the SSC to reconduct the affected session is equally arbitrary.

9. He further relied on the judgment of the Hon'ble Supreme Court in Civil Appeal No. 1081/2017 decided on 13.12.2019 (S. Krishna Sradha v. State of Andhra Pradesh). The Apex Court held that where meritorious candidates have been denied a fair opportunity for no fault of theirs, the Court is not powerless and must mould restitutionary relief, even going beyond rigid timelines, to ensure fairness and equality. The present case involves precisely such a situation where the applicants approached the Tribunal promptly and the fault lies entirely with the exam administration.

8. Learned counsel for the applicant also relied upon SSC's own conduct in issuing Notification No. HQ-EC01/07/2025-EC dated 08.08.2025 whereby, upon analysis of examination logs in another recruitment, the Commission itself cancelled and rescheduled the examination for more than 59,000 candidates who had faced technical disruptions during the Selection Posts/Phase XIII Exams. This demonstrates that the Commission recognises technical glitches as a valid ground for reconduct of examination and has taken such corrective measures in the past.

9. This is countered by the respondents and reliance is placed on the order of this Tribunal in OA No. 1025/2022 dated 01.05.2024 where the plea of a candidate seeking interference in the conduct of the SSC examination was rejected. This Tribunal held that procedural requirements of the examination

have to be strictly adhered to and individual grievances or minor irregularities cannot be a ground to reopen or reconduct the examination process. Applying the same ratio, the present OA, founded merely on localised technical glitches, too deserves to be dismissed.

10. We have considered the rival submissions and material placed on record.

11. It is admitted that the applicants faced technical glitches during Session-I of Tier-II, held on 18.01.2025. While the respondents reconducted the Typing Test on account of Pan-India disruptions, they declined to extend the same relief for Session-I, treating the glitches as localised.

12. We are not inclined to quash and reconduct the entire paper, as such large-scale interference is not feasible on the basis of limited disruptions. However, the fact remains that the applicants, without fault, suffered prejudice due to technical failures. The applicants also promptly raised the issue on the very date of the examination and thereafter approached this Tribunal without delay. In Dalip Kumar (supra), this Tribunal held that denial of relief despite proven software malfunction was arbitrary and directed application of a normalisation formula instead of reconduct.

13. Although the present case relates to local hardware-based issues rather than a uniform software error, the principle remains that candidates cannot be disadvantaged for reasons beyond their control. Following the approach in Dalip Kumar (supra), this OA is disposed of and the matter is remanded back to the respondents i.e. SSC to apply a suitable normalization formula to mitigate the prejudice and issue revised results with consequential benefits to the applicants within eight weeks from the date of receipt of a certified copy of this order.

14. The OA is disposed of in the aforesaid terms. No costs.