

(2018) 01 DEL CK 0199

In the Delhi High Court

Case No : Civil Writ Petition No. 10501, 10532, 10533, 10604, 10636, 10638, 10641, 10642, 10643, 10644, 10647, 10661, 10662, 10663 10668 Of 2017, Civil Miscellaneous Application No. 42975, 43108, 43110, 43423, 43424, 43553, 43554, 43583, 43584, 43590, 43591, 43593,

Amit Kumar & Ors

APPELLANT

Vs

Union Of India And Anr

RESPONDENT

Date of Decision : 04-01-2018

Acts Referred:

Citation : (2018) 01 DEL CK 0199

Hon'ble Judges : Hima Kohli, J;Pratibha Rani, J

Bench : Division Bench

Advocate : Dibya Nishant, Gautam Mann, Sanjeev Sabharwal, Hem Kumar, Simmee Kumari, Kailash Golani

Final Decision : Disposed Of

Judgement

1. The petitioners have approached this Court for seeking directions to the respondent No.2/BSF to declare them as successful in the typing test conducted for the post of Head Constable (Ministerial) in BSF 2016-17, if found to have attained the cut off marks.

2. The plea of the petitioners is that they had applied for the subject post and had cleared the written examination conducted by the respondents. Thereafter, they had appeared for the typing test on 12.09.2017 and as per the results declared by the respondents on the spot, they had failed to clear the said test.

3. The common grievance of the petitioners is that the respondent No.2/BSF did not evaluate their typing results by following the procedure of key depression per hour (KDPH), as declared in para-4 of the advertisement dated 23.11.2016.

4. In view of the stand taken by the petitioners, on the last date of hearing, learned counsel for the respondents had sought time to obtain instructions from the Department and inform the court as to whether the results declared in

respect of the petitioners had been calculated in accordance with the key depression per hour method (KDPH).

5. Today, Mr. Sabharwal, learned counsel for the respondents hands over a set of documents and refers therein to the Standard Operating Procedure (SOP) for recruitment to the subject post, as issued by the Directorate General, BSF which states in para 7.2 (ii) (B) as follows :-

To assess the speed of 35 words per minute in English or 30 words per minute in Hindi, a passage of 600/500 words in English/Hindi respectively (Typed in double space) is given for typing for 10 minutes. (35 w.p.m. and 30 w.p.m. correspond to 10500 KDPH/ 9000 KDPH on an average of 5 key depressions for each words). Then total words typed out and mistakes therein will be worked out as per details given below:-

(i) If any word is missing, it will be treated as a mistake.

(ii) If the words are repeatedly typed out at his own, it will be treated as only one mistake. However, such words will not be counted while calculating the speed.

(iii) If additional words have been typed out or wrong spellings have been typed out or the typed words differ from the test, it will be treated as mistake.

(iv) If a word or a part thereof has been typed out of line it will be treated as mistake.

(v) If an alphabet (particularly at the end of the line) is mixed up, it will be treated as mistake.

(vi) If not space has been given for each word or the space has been given unnecessarily, it will be treated as a mistake."

Note (i) An instructions on call letter/admit cards for 2nd phase examination for the candidates for the posts ASI(Steno)/HC(Min) may be given that Willing candidates for the posts ASI(Steno)/HC(Min) may bring their personal Keyboards (USB) and Mouse for Transcription of shorthand passage/Typing Test. Note (ii) 10% mistakes are allowed. In other words if a candidate types out 10% mistakes or less, full marks will be given taking in view the portion of material typed by him. For excess mistakes, 10 words for each mistake will be subtracted from the total words typed out. Example for determining the Speed:-

Total words typed out in 10 minutes

:

400

Total mistakes

:

45

Less 10% mistakes allowed

:

45

Balance

:

05 mistakes

Total speed

:

400-50 (5x10)

:

350 words

:

350 divided by 10 minute. = @ 35 w.p.m.

Note (iii) Typewriting and shorthand test may continue for next date(s) according to number of candidates and availability of Computers.

Passage of typing paper and typed papers (should be printed out) of candidates should be withdrawn immediately from the candidates after completion of their typing test and it should be ensured by all board officers that, they are not taken out of the examination hall at any circumstances. Similarly all shorthand test papers of the candidates tested for the post of ASI(Steno), should also be collected immediately after the test.

Authority competent to detail B.O.O., will also make arrangements for maximum number of Computers alongwith its accessories, printer, Computer stationary and other Adm. back up.

The computers for the test must have maximum Hindi fonts installed in it and bilingual (English/ Hindi) Keyboards.

6. Learned counsel for the respondents submits that not only has the procedure of key depression per hour (KDPH) been followed for evaluating the typing results of the candidates, the respondents have also worked out the mistakes committed in terms of para 7.2 (ii) B of the SOP. He also refers to a certificate dated 18.12.2017, issued by the Dy. Inspector General, SHQ, BSF, SGNR, that declares that the typing test papers of candidates during the 2nd phase examination for recruitment to the post of Head Constable (Ministerial) in the BSF held at Jodhpur between 11.09.2017 to 16.09.2017, were checked up as per

the instructions set out in the Standard Operating Procedure (SOP) dated 18.09.2014, circulated by BSF.

7. The only clarification this Court had desired from the respondents was with regard to the method followed by them for calculating the results of the typing test and state as to whether the same was in terms of the advertisement dated 23.11.2016. Now that learned counsel for the respondents has clarified that the results of the typing test for which the petitioners had appeared in the Jodhpur region were calculated in accordance with the KDPH method, as set out in para-4 of the advertisement dated 23.11.2016 and the Standard Operating Procedure laid down for assessing the typing test of the candidates, nothing further survives for adjudication in the present petitions.

8. The present petitions are accordingly disposed of alongwith the pending applications.