

F.No. 22012/84/2015-AIS-I
Government of India
Department of Personnel and Training
AIS Division

Room No. 278A, North Block, New Delhi
Dated the 2nd December, 2015

ORDER

WHEREAS, prior to the year 2011, the preliminary examination part of Civil Services Examination (CSE) consisted of two papers namely General Studies (Paper I) and one optional subject (Paper II). Subsequently, on the recommendations of an Expert Committee constituted by UPSC, the Central Government in the year 2011 modified the structure of preliminary examination of CSE and substituted the paper on optional subject (Paper II) by introducing a new paper viz. General Studies II based on Aptitude Test.

AND WHEREAS, DOPT vide D.O. letter dated 15th October 2010 informed the UPSC about the change and requested to give adequate publicity to the same. Accordingly, UPSC issued a Press Note and also uploaded the information regarding changes in syllabus and pattern of the Preliminary Examination for CSE 2011 on the Commission's web site.

AND WHEREAS, since there was a change in the format, many candidates appearing for CSE 2011 represented that they did not have the adequate time to study and prepare for CSE 2011 as per the new format and also represented against the introduction of Aptitude Test in the CSE 2011.

AND WHEREAS, the issue was also raised in the Parliament. With a view to address the concerns of the candidates who appeared in CSE 2011, the Government gave an assurance in the Parliament on 04.08.2014 regarding additional attempt to such candidates in CSE 2015. Accordingly with the approval of the competent authority, the Central Government took a policy decision and made following provisions in the CSE 2015 Rules published in May 2015:-

“Rule 4 (ii)

Notwithstanding the provisions mentioned above, all such candidates who appeared in Civil Services Examination in 2011 but are otherwise ineligible for Civil Services Examination, 2015 due to exhaustion of number of attempts available for their category in Civil Services Examination, be given an additional attempt in the Civil Services Examination, 2015.”

“Rule 6(c)

Notwithstanding the provisions mentioned above, all such candidates who appeared in Civil Services Examination in 2011 but are otherwise ineligible for Civil Services Examination, 2015 due to attainment of maximum age limit prescribed for their category on

the crucial date for Civil Services Examination, be given an additional attempt in the Civil Services Examination, 2015.”

AND WHEREAS, aggrieved by said policy decision, OAs were filed in Hon’ble Tribunal praying for directions of the Hon’ble Tribunal to allow an additional attempt in CSE 2015 to those candidates also who did not appear in CSE 2011 but appeared in CSE of subsequent years or have applied in CSE 2011.

AND WHEREAS, Hon’ble Tribunal vide order dated 27.10.2015 has disposed of the OAs No.2615/2015 and connected OAs and inter alia directed as follows:-

“In the totality of the facts and circumstances, the OAs are disposed of with direction to DOP&T to examine whether even such candidates who were eligible to take CSE 2011 or had taken 2012 or 2013 or 2014 examination should also be given another chance to take Civil Services Exam with changed pattern in 2015 when the CSAT is made qualifying examination. Such decision may be taken by DOP&T within four weeks from the date of receipt of a copy of this Order.”

AND WHEREAS, as stated in the reply affidavits filed by Central Government, the following are reiterated:

- i. Candidates who appeared in Civil Services Examination 2011 and candidates who did not appear in Civil Services Examination 2011 form two different classes and cannot be treated on similar footing. Hence, there is no violation of fundamental rights (Article 14 – Right to Equality).
- ii. In terms of the Rules of the Examination, an attempt at the Preliminary Examination is deemed to be an attempt at the Examination, Accordingly, candidates who appeared in CSE 2011 exhausted one attempt. Candidates who did not appear in CSE 2011 could save one attempt. In the year CSE 2011 and up to CSE 2013, only four (4) attempts were available to UR candidates with maximum age of 30 years.
- iii. In CSE 2014, the Central Government made the following amendments in the eligibility conditions which resulted in relaxed age criteria and increased number of attempts.

	Categories			
	Unreserved	SC/ST	OBC	P. H.
Existing No. of attempts	04	Unlimited	07	07 for General/OBC Unlimited for SC/ST
Existing max. age- limit	30 years	35 years	33 years	40 years
Consequential	06	Unlimited	09	09 for

changes in No. of attempts.	(4+2)		(7+2)	General/OBC Unlimited for SC/ST
Consequential changes in age-limits	32 years (30+2)	37 years (35+2)	35 years (33+2)	12 additional years in each category (30+12 for General, 35+12 for SC/ST & 33+12 years for OBC)

- iv. No Unreserved Category candidate is getting more than six (6) attempts in the CSE.

AND WHEREAS, an All Party Meeting was held on 23.11.2014 on the issue of Civil Services Examination. Based on the suggestions / inputs received during the meeting, the Government inter alia took the following steps in respect of Civil Services Examination:

- An Expert Committee has been constituted to comprehensively examine various issues raised from time to time namely, eligibility, syllabus, scheme and pattern of Civil Services Examination.
- The General Studies Paper-II (Aptitude Test) in the Civil Services (Preliminary) Examination has been made a qualifying paper with a minimum qualifying marks fixed at 33% in CSE 2015 and rules of CSE 2015 have accordingly been notified.

AND WHEREAS, the candidates who had taken attempts in CSE in 2012, 2013 or 2014, had got sufficient time to prepare and acclimatize themselves with the new pattern of General Studies Paper II (Aptitude Test) introduced in CSE 2011. Moreover, such candidates got the benefit of relaxation in terms of age and attempts in CSE 2014.

AND WHEREAS the changes introduced in CSE rules 2015 did not cause any disadvantage to the examinees as it made general studies Paper-II merely a qualifying paper.

NOW THEREFORE, in view of the aforesaid, in-depth examination of the issue in compliance of the directions given by the Hon'ble CAT, DOP&T is of the considered view that the candidates who were eligible to take CSE 2011 but did not avail the same, thus not having lost any chance and the candidates who had taken subsequent examinations viz CSE 2012, 2013 & 2014 had considerable time to be acquainted with the changed patten/scheme of the

examination, do not deserve to be given an additional chance to appear in CSE. It is decided accordingly.

Ordered accordingly.



(Amit Srivastava)

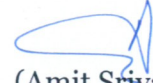
Under Secretary to the Govt. Of India

To,

As per list attached

Copy for information to:

1. PS to MoS (PP)
2. The Chairman, UPSC, Dholpur House, Shahajahan Road, New Delhi-110069 for necessary action.
3. PSO to Secretary (P)
4. PPS to AS (S&V)
5. PS to Director (AIS)
6. Shri Hanu Bhaskar, Central Government Standing Counsel, CAT, Principal Bench, New Delhi – with a request to take necessary action to apprise the Hon'ble Tribunal of compliance of their order dated 27.10.2015.
7. SO (AIS-I) – with a direction to forward this order along with copy of Hon'ble CAT's Order dated 27.10.2015 to Government Advocates in similar cases filed in other Courts/Tribunals for necessary action.
8. NIC – with a request to upload the order on the Department's website.



(Amit Srivastava)

Under Secretary to the Govt. Of India

List of Applicant

1. Tanu Sharma @ Tanu Singh
W/o Abhishek Singh Yadav,
D/o O.P.Sharma Resident of 270/B, Naharpur, Rohini,
Sector-7, New Delhi-110085.
2. Vishwanath Pratap Singh Chauha
S/o Raj Pal Singh Chauha,
R/o V&P Mandpur, Dist - Aligarh (U.P.)
3. Amal Kumar Tiwari
Vill – Bauwanpur, Post - Thekmar
Dist-Azamgarh (U.P.)
4. Vidyanidhi Mishra
S/o Sri Vivekanand Mishra,
R/o Village - Malkaunja P.O. + P.S.
Pachpakvi Distt. East Champaran Bihar.
5. Md. Raiyaz Ali
S/o Md. Imteyaz Ali,
525, Dr. Mukarjee Nagar,
Delhi-110009.)
6. Smt. Seema Singh,
W/o Sh. Gyanendra Kumar R/o 2/140, Rashmi Khand,
Sharda Nagar, Old Jail Road,
Dilkhusha, Lucknow (U.P.)-226002
(Presently Veterinary Medical Officer, Govt. of U.P.)
(Local Address: House No.234-235,
IInd Floor, Gandhi Vihar, Block-D,
Mukherjee Nagar, New Delhi].
7. Narendra Pal
Son of Shri Somapal, Resident of C-9/54, Shastri Nagar,
Chhavai Asharaj Khan, Bav,
Tehsil Bareilly,
District Bareilly U.P. at present
c/o Sh. Bharat Bhushan N-41, 2nd floor,
Dr. Mukherjee Nagar, Delhi-110009.
8. Neme Chand
Son of Sh. Punit Ram Sahu, Resident of VPO- Machandur'
District Durg,
Chhattisgarh.
9. Gaurav Tripathi Son of Sh. S.C.Tripathi,
Resident of 881, Aashirvaad,
Sector-3, Eldeco 2, Raibareli Road,
Opposite BBA University,

Lucknow.

10. Suresh Kumar Shukla
Son of Sh. Amrit Lal Shukla Resident of Village Chipiya,
Post Laxmigang,
District Raebareli, U.P.
11. Suresh Kumar Soni
Son of Sh. Tirath Prasad Soni,
Resident of C/o Sh. Shivmohan Dwivedi,
Sanjay Nagar,
Gandhi Talab, Allahabad Road,
Atarra, District Banda.
12. Arvind Kumar Singh
Son of Sh. Kailash Chandra Singh,
Resident of C-83/1, Govindpuram,
Ghaziabad.
13. Avanish Kumar Singh S/o Panful Devi
R/o Village Bhagwanpur Bhelendri
Post Bhagwanpur, Tehsil Sahjanwa,
Police Station Khajni, District Gorakhpur.
14. Shyam Narayan
Son of Sh. Tursan Pal Singh,
Resident of 50, Krishna Bagh,
Dayal Bagh, Agra.