

## **The Arunachal Times**

### **High Court directed the West Bengal PSC to notify the exact number of vacancies of JE(Civil)**

Through your esteemed daily, I would like to draw the kind attention of His Excellency, the Governor of Arunachal Pradesh, Chief Secretary of Arunachal Pradesh and unemployed youth pertaining to the Junior Engineer (Civil) recruitment in the department of Public Work Department (PWD).

Chief Engineer (Coordination, Training, and Vigilance), PWD floated an advertisement inviting an applicant for filling up of online application form for the post of J.E. (Civil), dated the 25th February 2015. The Number of vacancy post advertised was 10 (ten). The last date for online application form submission was 30th March 2015.

Written exam was scheduled to be held on 11th and 12th July 2015. It was believed that the written examination would be fair and transparent, as then incumbent Chief Engineer Shri Bora Ete is known to be a person of high ethical and moral values and strict administrations. But to our utter surprise, the written examination date was postponed by Superintendent Engineer (Coord. Trg. & Vig.), superseding Chief Engineer's power. Chief Engineer Shri Bora Ete was transferred to Highway Department overnight, the reason best known to them. After that, all the works and orders were carried out under the seal and signature of Superintendent Engineer. Since, Chief Engineer (Coordination, Training, and Vigilance), PWD is no more functional as all works are carried out by Superintendent Engineer, the Chief Engineer post should be cancelled with an immediate effect. Why waste public money?

After two months gap, another notification of addendum was notified on 25th September 2015, informing candidates that the vacancy posts of J.E. (Civil) were increased from 10 to 33 posts.

Written examination was conducted on 10th and 11th October 2015 and result declared on 26th August 2016. In the result notification dated the 26th August 2016, it was surprised to see that the vacancy position was again increased from 33 posts to 66 posts.

It is not new to one and all that mass malpractices and unfair means are adopted in examinations. So most of the candidates instead of reading the

books, do research in finding the best way of doing cheating. Methods of unfair means from books, micro xerox, the internet, WhatsApp by keeping paid agents outside the exam hall. Question papers are leaked within 5 to 10 minutes after commencement of exam. Paid agent solves the questions and solutions are sent via WhatsApp.

It was said the Mobile Jammer would be used in the said exam and same was used too. But in DNGC, Itanagar, and many other exam centers, the mobile jammers were not functional. From some of the exam centre, none of the candidates could qualify in written examination. Lucky are the one who got exam centre, where cheatings were allowed. This is the fate and story of J.E. Exam PWD. The horrors are same for all other departmental examinations conducted by the state government.

Apart from cheating experts, most of the post would be shared amongst the candidates of departmental authorities, ministers, parliamentary secretaries, influential people, and money making people of states. I wish I were one amongst them.

The consequences of such malpractices in recruitment are, most of the J.E.'s of engineering department, even don't know how to prepare estimates. And the quality of work executed is, cracks in walls and beams and building collapses within 2-3 years whereas life span of said building is 35-50 years; no water in pipes; drainage constructed above the road level thereby flooding in roads; a huge loss by contractors as the actual works executed exceeds manifold of faulty estimate prepared; potholes in road pavement only after 3-4 days of completion, etc.

Now, leaving the unfair means aside to let me draw lights on legal complications pertaining to said examinations. It is a clear cut legal propositions that the advertised post cannot be increased after the examination is over. Any appointment made beyond the number of vacancies advertised is without jurisdiction, being volatile of Articles 14 and 16(1) of the Constitution of India, thus, a nullity, in executable and unenforceable in law.

To support my article, the matter of Shri Khoda Sanjoy & others versus State of Arunachal Pradesh & 18 others may be referred. In the said matter the Honorable, court of Gauhati High Court (Itanagar Permanent Bench) vide WPO No. 348 (AP) 2010 had ordered state government and it's departments to refrain from making any more appointments stating that the practice of appointing more than advertised post may result in depriving those candidates who become eligible for competing for the

vacancies available in future. A contempt of court can be filed against PWD for not following the order of Honorable High Court in the present case.

Also in the matter of Kazi Abdul Hasen & Others Vs State of West Bengal & Ors (W.P.No.16485/2002), The Hon'ble High Court directed the West Bengal PSC to notify the exact number of vacancies at the time of giving advertisement for recruitment.

With the above points, I would like to request the concern authorities to look into the loopholes of illegalities happening in the recruitment process in Arunachal Pradesh.