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सत्यमेव जयते

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No. CGPDTM-11020(11)/1/2021-CGPO /95

Date: 23.04.2021

### OFFICE MEMORANDUM

**Subject: Final seniority list of officers in the grade of Examiner of Patents & Designs (Group 'A' Gazetted) as on 01.01.2021.**

The provisional seniority list of Examiners of Patents & Designs as on 01.01.2020 was circulated vide Circular No. CG/F/1/2(11)/2020/90 dated 25.06.2020. A total of 98 representations including a representation from SC/ST Association, Patent Office, Chennai have been received. Among other issues raised, major contentions in these representations were 1) not to place wait list candidates above the main list candidates in the seniority list that has been circulated on the basis of normalized score rather to be placed en-block below the main list candidates; 2) normalization should not be the criteria but marks scored in the written examination be the criteria for preparing the seniority list as per decision passed by CAT Madras Bench (OA/310/111/2016 & MA/310/789/2017) in the case of Examiners of Patents & Designs recruited in during the year 2010-11.

2. All representations were examined at length and the observation thereon is as under:
  - i. Vacancies occurred in the post of Examiner of Patents & Designs were filled up based on the requirement under different disciplines and published in an advertisement dated 25-31 July, 2015 (Employment News).
  - ii. The recruiting agency conducted a written examination for selection of candidates to the post of Examiner of Patents & Designs for different disciplines on same day.
  - iii. The main list containing 459 candidates was prepared by the recruiting agency after normalization of the marks obtained by the candidates against the highest marks secured in that discipline. This was a part of MoU signed between CGPDTM and NPC on 23.07.2015.
  - iv. The provision for maintaining a wait list of candidates equal to the number of selected candidates in each category was a part of MoU signed between CGPDTM and NPC on 23.07.2015 .
  - v. The wait list containing the names of 454 candidates provided by recruiting agency was also drawn according to requirement of posts in each discipline.
  - vi. The names of candidates in the main list and wait list were handed over by the Recruiting Agency to the Appointing Authority on the same day.
  - vii. In view of the above, the candidates featuring in the wait list cannot be treated as "Subsequent selection".
  - viii. The marks secured by the wait list candidates have been normalized in the same manner as done by the Recruiting Agency to normalize the marks of main list candidates.
  - ix. The consolidated seniority list was prepared in the descending order of merit as per the normalized score of the candidates.

x. Representations regarding correction in personal data e.g. date of birth, date of joining etc. have been considered and necessary corrections have been made in the seniority list as per the record.

3. In view of the above, all representations received against the seniority list circulated vide circular dated 25.06.2020 are treated as disposed of and the seniority list in the grade of Examiner of Patents & Designs as on 01.01.2021 enclosed herewith is declared as final. It may be circulated among all the officers concerned.

4. It may be noted that no further representation will be entertained on the final seniority list except that of any obvious error in the name of officer, category, date of birth and date of appointment.

5. This issues with the approval of the Controller General of Patents, Designs and Trade Marks.

  
(Poonam Singh)  
Director  
23-4-21

Encl: As above

Copy to:

- 1) The Heads of Office, Patent Office, Chennai, Delhi, Kolkata & Mumbai.
- 2) The Head of Office, RGNIIPM, Nagpur
- 3) Shri Kamal Singh Goondli, Deputy Controller of Patents & Designs, Patent Office, Delhi for uploading on official website
- 4) Guard File.