HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

(1) S.B. Civil Writ Petition No. 15944/2019

- 1. Jagdish Kumar Choudhary S/o Shri Karana Ram Choudhary, Aged About 35 Years, R/o Ugroniyon Ki Dhani, Shahar, Gida, District Barmer.
- 2. Satya Veer Singh S/o Shri Amar Singh, Aged About 33 Years, R/o VPO Birmi Khalsa, Tehsil Rajgarh, District Churu.
- 3. Paras Lal S/o Shri Ratan Lal, Aged About 38 Years, R/o Village Madpura Sari, Post Kawas, District Barmer.
- 4. Rakesh Kumar Sharma S/o Shri Tarachand Sharma,, Aged About 31 Years, R/o 69, Shri Dev Nagar, Murlipura, Jaipur.
- 5. Bagata Ram S/o Shri Rugnath Ram, Aged About 33 Years, R/o Baitu Bhopji, District Barmer.
- Veeram Singh Choudhary S/o Shri Bhalla Ram Choudhary,
 Aged About 34 Years, R/o Charan Singh Colony, Baitu,
 District Barmer.
- 7. Moti Singh S/o Shri Bhagwan Singh, Aged About 40 Years, R/o Bori Kalla, District Jodhpur.
- 8. Bhanwar Lal S/o Shri Mangla Ram, Aged About 41 Years, R/o Ishavashyam, 124, Shyam Nagar, IInd Yojna, Pal Road, Jodhpur.

----Petitioners

Versus

- 1. Rajasthan Public Service Commission, Ajmer Through Its Secretary.
- 2. State Of Rajasthan, Through Director, Secondary Education Rajasthan, Bikaner.

----Respondents

Connected With

(2) S.B. Civil Writ Petition No. 16505/2019

- 1. Poonama Ram S/o Shri Lala Ram, Aged About 30 Years, R/o Kerli, Adarsh Chawa, Barmer, District Barmer, Rajasthan.
- 2. Choona Ram S/o Shri Sadula Ram, Aged About 39 Years, R/o VPO Chadi, Tehsil Ramsar, District Barmer, Rajasthan.
- 3. Kana Ram S/o Shri Narsha Ram, Aged About 36 Years, R/o Village Tajaniyon Ka Tala, Post Kaprau, District Barmer,

Rajasthan.

----Petitioners

Versus

- State Of Rajasthan, Through The Secretary, Department Of Secondary Education, Government Of Rajasthan, Secretariat, Jaipur.
- The Director, Secondary Education, Bikaner, District Bikaner, Rajasthan.
- 3. The Secretary, Rajasthan Public Service Commission, Ajmer, Rajasthan.

----Respondents

(3) S.B. Civil Writ Petition No. 16733/2019

- Ajay Bhadu S/o Ram Ratan Bhadu, Aged About 35 Years, Ward No.23, Dulmani Mandi, Pilibangan, Tehsil Pilibangan, District Hanumangarh (Raj.)
- Vinod Kumar Suthar S/o Shankar Lal Suthar, Aged About 41 Years, House No.1/17, New Rajasthan Housing Board Colony, Manaksar Link Road, Ward No.1, Suratgarh, District Sri Ganganagar (Raj.)

----Petitioners

Versus

- 1. State Of Rajasthan, Through Secretary, Department Of Secondary Education, Government Of Rajasthan, Bikaner.
- 2. The Rajasthan Public Service Commissioner, Through Secretary, Ajmer.
- 3. The Director, Secondary Education, Rajasthan, Bikaner.

----Respondents

(4) S.B. Civil Writ Petition No. 16899/2019

Avinash S/o Khinya Ram, Aged About 36 Years, Resident Of Mahavir Nagar, Barmer, Rajasthan.

----Petitioner

Versus

- 1. State Of Rajasthan, Through Secretary, Department Of Education, Jaipur.
- 2. The Secretary, Rajasthan Public Service Commission, Goooghara Ghati, Jaipur Road, Ajmer (Rajasthan)
- 3. The Director, Secondary Education, Bikaner, Rajasthan.

----Respondents

(5) S.B. Civil Writ Petition No. 17294/2019

Dhanraj S/o Purkha Ram, Aged About 31 Years, 173, Pipasar, Tehsil Suratgarh District Sri Ganganagar.

----Petitioner

Versus

- 1. State Of Rajasthan, Through Secretary, Department Of Education, Government Of Rajasthan, Secretariat, Jaipur.
- 2. The Director, Secondary Education Rajasthan, Bikaner.
- 3. Rajasthan Public Service Commission, Rajasthan Ajmer Through Its Secretary.

----Respondents

(6) S.B. Civil Writ Petition No. 18511/2019

- 1. Bal Veer Singh S/o Shri Raja Ram, Aged About 34 Years, B/c SC, R/o Khedasari, Khoda, Hanumangarh, District Hanumangarh (Rajasthan).
- 2. Manohar Lal S/o Shri Hadman Ram, Aged About 32 Years, B/c OBC, R/o Shekhchulia, Tehsil Rawatsar, District Hanumangarh (Rajasthan).

----Petitioners

Versus

- 1. State Of Rajasthan, Through Secretary, Department Of Secondary Education, Government Of Rajasthan, Bikaner.
- 2. The Rajasthan Public Service Commission, Through Secretary, Ajmer.
- 3. The Director, Secondary Education, Rajasthan, Bikaner.

----Respondents

(7) S.B. Civil Writ Petition No. 237/2020

- 1. Rajendra Singh Godara S/o Chatru Ram Godara, Aged About 37 Years, Resident Of Village Haripura, Tehsil Taranagar, District Churu.
- 2. Jaipal Singh S/o Balram, Aged About 33 Years, Resident Of Village Dungersingh Pura, Tehsil Bhadra, District Hanumangarh.

----Petitioners

Versus

1. Rajasthan Public Service Commission, Ajmer, Through Its

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Secretary.

2. State Of Rajasthan, Through Director, Secondary Education Rajasthan, Bikaner.

----Respondents

For Petitioner(s) : Mr. Mahaveer Bishnoi

Mr. Kailash Jangid Mr. J.S. Bhaleria Mr. Inderjeet Yadav Mr. Kunal Bishnoi Mr. Dinesh Jyani

For Respondent(s) : Mr. Tarun Joshi

Mr. Khet Singh Rajpurohit

JUSTICE DINESH MEHTA

<u>Judgment</u>

Reportable:

<u>19/03/2020</u>

- 1. The present group of writ petitions involves challenge to the result of the written examination conducted by Rajasthan Public Service Commission (hereinafter referred to as "the RPSC" or "the Commission") pursuant to the advertisement dated 28.03.2018 issued for recruitment of Headmasters in Secondary Education.
- 2. The petitioners having failed to secure berth in the select list, allege that because of the wrong assessment of the questions and answers, they lagged behind. According to them, the answers of some of the questions ought to have been, what they claim to be correct and some of the questions deserve deletion. Grievance has been raised in relation to host of questions their improper framing; difference in Hindi and English version of the questions; so also regarding correctness of the answers.

- 3. Before embarking upon the journey of adjudicating answers to the questions and correctness of the questions themselves, this Court deems it appropriate to sail through the judgments, which were cited by rival counsel at Bar.
- 4. Learned counsel for the petitioners cited judgment dated 12.03.2019 rendered in the case of **Bhundaram Vs. State (D.B.**Civil Special Appeal No.922/2018); judgment dated 03.01.2020 rendered in the case of Vinod Kumar Vs. State of Rajasthan (S.B. Civil Writ Petition No.12077/2019) and judgment dated 16.04.2018 in Rameshwari Kumari Vs. State of Rajasthan (S.B. Civil Writ Petition No.3083/2018), in a bid to show that this court has been interfering in matters relating to challenge to the questions and their respective answers.
- 5. As against this, Mr. Tarun Joshi, learned counsel appearing for the Commission, informed that upon declaration of the result, objections were invited; all the objections were laid before a Committee of Experts, constituted by the Commission; and said committee after thorough deliberation and consideration of relevant material, has given its opinion and the Commission has proceeded strictly in accordance with the recommendation of the experts.
- 6. While informing that the questions under consideration are from varied subjects, he opined that the Court should not act as an expert and enter and traverse in an unfamiliar terrain. To buttress such stand, learned counsel relied upon a rather recent decision of Hon'ble the Supreme Court in the case of *Uttar Pradeh Public Service Commission Vs. Rahul Singh and Anr.* [(2018) 7 SCC 254].

- 7. So far as the judgments cited by the petitioners are concerned, they are indicative of the fact that the Courts have been indulgent in such cases; whereas the judgment of Hon'ble
- the Apex Court, which was cited by Mr. Joshi, in the case of *Uttar Pradesh Public Service Commission Vs. Rahul Singh* (supra); lays down the parameters within which the Court can interfere.
- 8. The relevant extract of the judgment of Hon'ble the Supreme Court is being reproduced hereunder:-

CO SCHOOL STORY

- "8. What is the extent and power of the Court to interfere in matters of academic nature has been the subject matter of a number of cases. We shall deal with the two main cases cited before us.
- 9. In Kanpur University v. Samir Gupta, this Court was dealing with a case relating to the Combined Pre Medical Test. Admittedly, the examination setter himself had provided the key answers and there were no committees to moderate or verify the correctness of the key answers provided by the examiner. This Court upheld the view of the Allahabad High Court that the students had proved that 3 of the key answers were wrong. Following observations of the Court are pertinent:-
 - 16.....We agree that the key answer should be assumed to be correct unless it is proved to be wrong and that it should not be held to be wrong by an inferential process of reasoning or by a process of rationalization. It must clearly demonstrated to be wrong, that is to say, it must be such as no reasonable body of men well-versed in the particular subject would regard as correct. The Court gave further directions but we are concerned mainly with one that the State Government should devise a system for moderating the key answers furnished by the paper setters.

- 10. In Ran Vijay Singh and Others vs. State of Uttar Pradesh and Others, this Court after referring to a catena of judicial pronouncements summarized the legal position in the following terms:-
 - 30. The law on the subject is therefore, quite clear and we only propose to highlight a few significant conclusions. They are:
 - 30.1. If а Rule statute, or Regulation governing an examination permits evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then the authority conducting the examination may permit it;
 - 30.2. If statute, Rule or Regulation governing an examination does not permit reevaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit reevaluation or scrutiny only if it is demonstrated very clearly, without any inferential process of reasoning or by a process of rationalisation and only in rare or exceptional cases that a material error has been committed;
 - 30.3. The court should not at all reevaluate or scrutinise the answer sheets of a candidate it has no expertise in the matter and academic matters are best left to academics;

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30.4. The court should presume the correctness of the key answers and proceed on that assumption; and

- 30.5. In the event of a doubt, the benefit should go to the examination authority rather than to the candidate.
- 11. We may also refer to the following observations in Paras 31 and 32 which show why the Constitutional Courts must exercise restraint in such matters:

31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing evaluation of an answer sheet. If an is committed by examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of impasse exclude the suspect or offending question.

DISTRIBUTION OF 32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there interference by the courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the authorities examination put equally great efforts to successfully conduct an examination. enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by candidates who have successfully participated in the examination and the examination authorities. The present appeals are example of consequence of such interference

where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities the candidates are wondering about the certainty or otherwise of the result of the examination whether they have passed or not; whether their result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work anybody's advantage and such a of uncertainty results confusion being worse confounded. The overall and larger impact of all this is that public interest suffers.

- 12. The law is well settled that the onus is on the candidate to not only demonstrate that the key answer is incorrect but also that it is a glaring mistake which is totally apparent and no inferential process or reasoning is required to show that the key answer is wrong. The Constitutional Courts must exercise great restraint in such matters and should be reluctant to entertain a plea challenging the correctness of the key answers. In Kanpur University case (supra), the Court recommended a system of:- (1) moderation; (2) avoiding ambiguity in the questions; (3) prompt decisions be taken to exclude suspected questions and no marks be assigned to such questions."
- 9. Having gone through the above judgment and some other judgments of the Apex court, this Court is of the opinion that a writ Court cannot become a super-expert or Appellate Authority over the experts. In exercise of its power of judicial review, a writ Court can only examine as to whether the question itself as framed was wrongly framed and/or in a given case interfere if the answer is so erroneous that no person having acquaintance with the subject would endorse it.

10. During the course of hearing, learned counsel for the RPSC

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placed for perusal of the Court, experts' evaluation of answer key,

titled as "Expert Validation of Answer Key". More often than not,

the Court found that the opinion of the experts justifies the name/

nomenclature given to such evaluation - they try to vindicate or

validate the answer given by the Commission. In the considered

opinion of this Court, the experts while deciding the objections

should act dispassionately and independently. They should at

least give brief reasons for holding a particular view, while taking

support of relevant material. As the ensuing discussion will

reveal, instead of quoting excerpts or reproducing relevant book/

material, the experts have simply enclosed photocopies of the

book, even when it does not contain a direct answer.

11. True it is that a candidate cannot use the writ jurisdiction as an appeal in disguise over the experts' opinion. But taking cue from the established principles of judicial review, this Court feels that of late it has become imperative for the Courts to be satisfied at least about the decision making process of the experts, if not the outcome. The Court may or may not pronounce upon the ultimate decision of the experts, but it can certainly examine as to whether the experts have relied upon the relevant material or not; Court can also see as to whether on the basis of the material so relied by the experts, no other view was possible. The Court needs to be satisfied that the experts have given brief reasons for taking a particular view. In case, the Court finds that the material relied and reasoning given by the experts is not acceptable to a

man of reasonable prudence, it will not keep its hands tied.

- 12. For the purpose of enabling the Court to have a proper judicial review, it is expected from the expert committee to bear in mind the following:-
 - (i) In case the answer to a question is direct and is not dependent upon reasoning or analysis, the experts may avoid giving reasons. In such cases, a reference to relevant material is imperative.
 - (ii) In case where the answer to a particular question is not direct it is to be deduced or the same is subservient to reasoning, the experts should give brief reasons for holding such opinion, while enclosing the authentic book/relevant material, which they have relied upon.
 - (iii) The experts are supposed to rely upon authentic material and direct evidence so far as practicable instead of referring to the text books prescribed for the schools/colleges.
 - (iv) If a question relates to work/report of some Scientist, Economist, survey etc. they should invariably refer to the original work, rather than referring to the text books or some other author's interpretation or reproduction of such work.
- 13. Hence, while abstaining from being an Appellate Authority over the experts, this Court proceeds to pronounce upon the arguments advanced, being guided by the principles laid down in this regard and bearing in mind, what has been deduced in preceding paragraphs (10 to 13). The questions are being taken one after another:-

PAPER - I:

- 14. Q. 13 The Royal cavalry of Shivaji was called-
- (1) Bargir
- (2) Risala

- (3) Siladar
- (4) Dabeer

Answer given by the RPSC: (1) Bargir

Revised Result : (1) Bargir

Claim by the petitioners : To be deleted

- 15. Learned counsel for the petitioners claims that the correct answer is "Paga", which is not provided in the options. Hence, the question is liable to be deleted.
- 16. In support of his contention aforesaid, Mr. Vishnoi, learned counsel for the petitioner invited Court's attention towards a book "भारत का राजनीतिक एवं सांस्कृतिक इतिहास", published by Rajasthan Hindu Granth Academy and submitted that as per the said book, there were 45,000 पागा (शाही घुडसवार). He contended that शाही अश्व सेना and शाही घुडसवार are synonymous and as "पागा" was not an option given in the paper, the question No.13 was required to be deleted, while asserting that "Bargir" is not the correct answer.
- 17. Mr. Tarun Joshi, per contra, invited Court's attention towards a book known as मध्यकालीन भारत edited by Mr. Harish Chandra and submitted that as per the said book "Bargir" is the correct answer, as has been given by the Commission.
- 18. It will not be out of place to reproduce, what has been relied upon by Mr. Joshi, which reads thus:-

"शिवाजी ने अपनी एक स्थायी सेना बनाई थी और वर्षाकाल के दौरान सेनिकों को वहाँ रहने का स्थान भी उपलब्ध कराया जाता रहा था। शिवाजी की मृत्यु के समय उनकी सेना में 30 से 40 हजार नियमित और स्थायी रूप से नियुक्त घुडसवार, एक लाख पदाति और 1260 हाथी थे। उनके तोपखाने के संबंध में ठीक—ठीक जानकारी उपलब्ध नहीं है किंतु इतना ज्ञात है कि उन्होने सूरत और अन्य स्थानों पर आक्रमण करते समय तोपखाने का उपयोग किया था।

नागरिक प्रशासन की भॉति ही सैन्य—प्रशासन में भी समुचित श्रेणियॉ बनी हुई थीं। घुडसवार सेना में दो श्रेणियॉ थी, (क) बारगीर वे घुडसवार सैनिक थे जिन्हें राज्य की ओर से घोडे और शस्त्र दिए जाते थे (ख) सिल्हदार जिन्हें व्यवस्था आप करनी पडती थी। घुडसवार सेना की सबसे छोटी इकाई में 25 जवान होते थे, जिनके उपर एक हवलदार होता था। पाँच हवलदारों का एक जुमला होता था, जिसके उपर एक जुमलादार होता था। दस जुमलादारों की एक हजारी होती थी और पाँच एक हजारियों के उपर एक पंचहजारी होता था। वह सरनोबत के अंतर्गत आता था। प्रत्येक 25 टुकडियों के लिए राज्य की ओर से एक नाविक और एक भिश्ती दिया जाता था।

- 19. Upon comparison of the material relied upon by rival counsel, it emerges that the petitioner has referred to book namely "भारत का राजनीतिक एवं सांस्कृतिक इतिहास", published by Rajasthan Hindi Granth Academy, which clearly contains a stipulation that there were forty five thousand पागा (शाही घुडसवार), as against this a perusal of above part of the book relied upon by the Commission is not even indicative of the answer to the question set by the examiner.
- 20. A reading of the above paragraph from the book, which has been heavily relied upon by the Commission, shows that it does not bring to fore as to what was the Royal Cavalry or शाही घुडसवार called. Even going by the above excerpted part, what can be inferred is that there were two types of soldiers riding horses:

 (i) Bargirs who were provided horses by the State and (ii) Silhdars who were supposed to arrange them at their own. It is not suggestive of the name by which Royal Cavalry of Shivaji was called.
- 21. This Court is not satisfied with the material placed by the Commission in support of the stand that the Option (1) is the correct answer to question No.13. The answer key qua question No.13 is, therefore, set aside; the matter is referred back to Expert Committee, to be constituted by the

Commission, which will go through relevant material, including the book relied upon by the rival parties.

- 22. Q.22 When did Swami Vivekanand establish Ram Krishna HAN HIGH Math at Belur-
- (1) 1909
- (2) 1881
- (3) 1897
- (4) 1901

Answer given by the RPSC: (3) 1897

Revised Result

Claim by the petitioners : (3) 1897

- 23. Learned counsel for the petitioners submitted that the answer given by the RPSC in first answer key "Option (3) 1897", is correct, which fact is evident from the History book of Secondary Education prescribed for Rajasthan State Open School. However, the RPSC deleted the aforesaid question.
- 24. As per the expert opinion, none of the options given qua this question were correct. Inviting Court's attention towards the expert opinion, it was pointed out that establishment of Ramkrishna Math was a continuous process and the same started in April 1898, whereas in 1897 Ramkrishna Mission was established.
- 25. Upon consideration of the material relied upon by the petitioner, particularly page No.178 of the paper-book, what transpires is that in 1897 Swami Vivekananda established Ramkrishna Mission and constructed Belur Math.
- 26. The experts have noted that the process establishing 'Math' began in the year 1898. Though, the experts have made reference Biography of Swami Vivekananda (page No.1041) and

Biography of Sister Nevedita (page No.10) but they are also suggestive and not concrete. The experts have also given the information available on official website namely belurmath.org.

- 27. The decision of the experts, based on the information available on official website of 'Math' cannot be faulted with. What has been relied upon by petitioner relates to Ramkrishna Mission and not 'Math'. Petitioners have failed to distinguish between Ramkrishna Mission and Ramkrishna Math.
- 28. As an upshot of above discussion, this Court does not find any error in the stand of the Commission.
- 29. The challenge to the answer key qua this question fails.

 The Commission's decision to delete Question No.22 of Paper-I is, therefore, affirmed.
- 30. Q.37- The moderate leader of the congress who served as a member of Indian Public Service Commission during 1912-1915 was -
- (1) Gopal Krishna Gokhale
- (2) Dada Bhai Noroji
- (3) Surendra Nath Banerjee
- (4) Firojshah Mehta

Answer given by the RPSC: (1) Gopal Krishna Gokhale

Revised Result : (1) Gopal Krishna Gokhale

Claim by the petitioners : To be deleted.

31. Learned counsel for the petitioners submitted that the RPSC has given option No. (1) for the aforesaid question in both the answer keys published by it, which is not correct because no commission in the name of Indian Public Service Commission ever existed more particularly during the aforesaid period. It was

asserted that it was "Royal Commission in the Public Services", while relying upon a book of Political Science of Class-XIth.

Learned counsel contended that the RPSC ought to have deleted this question.

- 32. Mr. Joshi invited Court's attention towards the photostat copy of a notification dated 30.01.1922 and submitted that Gopal Krishna Gokhle was a Member of "Royal Commission on the Public Services in India". He invited Court's attention towards the expert's opinion, who has relied upon a book known as "आधुनिक भारत" written by Yashpal Grover to show that Gopal Krishna Gokhle was member of Indian Public Service Commission. A reliance was also placed upon Encyclopedia "Britanica", which contains an information about Gopal Krishna Gokhle and that Shri Gokhle was Member of India Public Service Commission between 1912-15.
- 33. The essence of the question is clear the paper setter wanted to elicit name of moderate Congress Leader, who was a member of India Public Service Commission. May be, the Indian Public Service Commission had not come into existence during 1912-15 and its name was "Royal Commission in the Public Services", as claimed by the petitioners. But then, this question should not create confusion in the mind of the candidates, merely because of wrong name. No other person out of the available options remained member of Royal Commission in the Public Services or Indian Public Service Commission during the period 1912-15. Going by the thrust of the question, this Court is satisfied that the petitioners have created an uncalled for confusion about the question under the cloak of so called error that too in the name of

Public Service Commission, which is inconsequential having regard to the tenor of the question.

- 34. This Court, hardly finds any substance in the challenge to this question. Challenge fails. Option (1) i.e. Gopal Krishna Gokhale, declared by the Commission is affirmed.
- *35.* Q.65- In which of the following women literacy rate (Census 2011) is lowest in the country?
- (1) Rajasthan
- (2) Bihar
- (3) Uttar Pradesh
- (4) Nagaland

Answer given by the RPSC: (1) Rajasthan

Revised Result : (2) Bihar

Claim by the petitioner : (1) Rajasthan

- 36. An argument was advanced by Mr. Inderjeet Yadav in relation to question No.65, which deals with Women Literacy rate (Census 2011). A perusal of the pleadings of the petitioner shows that it has not been pleaded as to how answer given by RPSC qua question No.65 is wrong.
- 37. It is rather disturbing that it is only in prayer No.(ii) (Writ Petition No.17294/2019), the petitioner has made a prayer that question No.65 be deleted. The petitioner has placed Annex.23 along with the memo of writ petition, but without making any reference. Though, during the course of submission, learned counsel had invited Court's attention towards Annex.23, but the writ petition is absolutely silent about Annex.23. Not even a whisper about Annex.23 is found in the entire memo of writ petition, running into 15 pages.

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38. Be that as it may, relying upon photostat copies of the Text-Book of Geography Class-XII, Mr. Yadav contended that correct answer is Rajasthan with 52.70%. The experts have relied upon census published by Government of India and Data Book.

39. The Court itself has surfed through the official website i.e. census2011.co.in and found that Bihar has lowest Female literacy rate (51.50%) and Rajasthan is just ahead with 52.12%, as per the Census of 2011.

40. Petitioners' challenge is based upon a book, which cannot be given more weightage than the figures of census itself. Challenge fails. Option (2) i.e. Bihar given by the Commission, which is based upon the official website of Census – 2011 is affirmed.

- 41. Q.69- According to Tendulkar's Estimates (2009) what percentage of Indian population is living below poverty line?
- (1) 20.18%
- (2) 25.20%
- (3) 30.1%
- (4) 37.2%

Answer given by the RPSC: (4) 37.2%

Revised Result : (4) 37.2%

Claim by the petitioners : To be deleted

42. Mr. Mahaveer Bishnoi, learned counsel for the petitioners submitted that the RPSC has given option No. (4) for the aforesaid question in both the answer keys published by it. According to the petitioners, as per Tendulkar's Estimates (2009), total 29.8% of Indian population was living below poverty line, which fact is fortified from Economic Book of Class-XI, prescribed by the Board

- of Secondary Education Rajasthan, Ajmer (Annex-18 and 19). Since option of 29.8% was not given in the question paper, the petitioners urged that this question is required to be deleted.
- 43. Mr. Kunal Vishnoi, learned counsel for another petitioner invited Court's attention towards the press release of the Government of India and submitted that as per such release, the poverty estimates are 29.8%.
- 44. Mr. Jangid echoed the same voice while relying upon certain books, such as book of economics published by Rajasthan Rajya Pathya Pustak Mandal and the book of economics recognized by National Council of Educational Research and Training (NCERT).
- 45. Mr. Joshi, learned counsel for the respondent-Commission, on the other hand, submitted that the petitioners have not properly understood the question. He relied upon the expert's opinion in this regard and submitted that experts have opined the correct answer to be Option No.(4), i.e. 37.2%.
- 46. He navigated the Court through the material relied upon by the experts, particularly poverty estimates 2011-12, published by Government of India Planning Commission 2013, and submitted that as per the poverty estimates given by the Planning Commission, poverty ratio for such period was 37.2%.
- 47. Upon perusal of the material placed by the Commission, this Court finds that percentage 37.2 has been shown as poverty ratio, but that is against year 2004-05. A perusal of the documents relied upon by Mr. Tarun Joshi shows that 37.2% has been shown to be poverty ratio for year 2004-05.
- 48. The Court, not being a subject expert, cannot pronounce upon correctness of the answer, yet, on the basis of material placed by

the Commission vis-à-vis the material placed by the petitioners, can well ascertain whose stand is more logical. The Commission has not been able to prove by any documentary evidence that as per the Tendulkar's Estimate (2009), what is the percentage of indian population, which is living below poverty line, let alone the percentage (37.2) claimed by it. The petitioners have been able to satisfy that the answer given by the RPSC i.e. 37.2% is not beyond the pale of doubt.

- 49. During the Course of hearing, copy of the report dated 27.11.2009, forwarded by Suresh D. Tendulkar has been placed for perusal of the Court. According to Annexure. A of the report, final poverty lines and poverty head count ratio for **2004-05** of India, has been shown to be 37.2%.
- 50. The question under consideration does not speak of estimates for the year 2009-10, as a matter of fact, it required the candidates to answer as to what is the percentage of persons below poverty line as per Tendulkar's Report (2009).
- 51. A perusal of the Tendulkar's Report reveals that it contains Annexure.B, which provides "Poverty Estimates and Poverty Lines for 1993-94" as against Annexure.A, which contains a heading "Final Poverty Lines and Poverty Heading Count Ratio for 2004-05".
- 52. This Court is not at all satisfied by the stand taken by the Commission based on Annexure-A to the Report, as the same gives out final poverty lines and poverty head count ratio for 2004-05; whereas the question was in relation to percentage of Indian population living below poverty line as per Tendulkar's Estimates (2009).

53. The question was very specific and the experts were required to directly refer to the report of Tendulkar. It is a matter of concern that the experts have not even referred to Tendulkar's Report, which is evident from a look at the copy of the expert validation of answer key, provided by the Commission for perusal of the Court. It will be apt to reproduce what has been noted by the Expert Committee while validating (literally) question No.69:

"Question No.69 - (4)
Source - Press note of Poverty
Estimate 2011-12, Government of
India, Planning Commission 2013
(copy attached). It is within syllabus
(proof attached)."

54. Even going by the press note on poverty estimates relied upon by the experts and placed for perusal of the Court, this court finds that para No.9 shows otherwise. Relevant parts of para No.9 is reproduced hereunder:-

9. xxx xxx xxx. It was 50.1% in rural areas, 31.8% in urban areas and 45.3% for the country as a whole in 1993-94. In 2011-12, India had 270 million persons below the Tendulkar Poverty Line as compared to 407 million in 2004-05, that is reduction of 137 million persons over the seven year period.

- 55. In considered opinion of this Court, the experts were required to look into Tendulkar's Report, which has been placed for perusal by learned counsel Mr. Joshi.
- 56. That apart, the Court fails to comprehend as to why the experts have picked up figure '37.2' given against 2004-05 in Column No.3 Row No.2 of the Table and not '21.9' given in Column No.3 Row No.3, against year 2011-12. Generally speaking, in the

year 2009, figures of 2004-05 cannot be said to be <u>estimates</u>, but figures of 2011-12 can be estimates.

- 57. Be that as it may, having regard to the discrepancy noticed, the question is referred to the Expert Committee to be constituted by the Commission, which will give its opinion making specific reference to Tendulkar's Report.
- 58. Q.80- When Rajasthan Govt. approved first forest policy?
- (1) September 2011
- (2) August 2010
- (3) March 2011
- (4) February 2010

Answer given by the RPSC: (4) February 2010

Revised result : (4) February 2010

Claim by the petitioners : To be deleted.

- 59. Learned counsel argued that topic of Forest and other related topics are not provided in the syllabus of the examination.
- 60. Mr. Joshi, learned counsel for the respondent Commission submitted that the topic is duly covered in the syllabus under the subject "Land Use".
- 61. This Court is satisfied with the stand of the Commission that forest policy is a part of land use; the question is not out of course. No interference is, thus, called for.
- 62. Q.96- Which one of the following statements about Rajasthan is not correct?
- (1) Its East-West extent is more than North-South extent.
- (2) Its East-West extent is less than North South extent.
- (3) Its total land boundary is less 6000 km.
- (4) Its latitudinal extent is more than 7° latitudes.

Answer given by the RPSC: (2) Its East – West extent is less than

North - South extent.

Revised Result : Question was deleted

Claim by the petitioners : (2) Its East – West extent is less than

North - South extent.

63. Learned counsel for the petitioners pointed out that the RPSC has given option No. (2) for the aforesaid question at the first instance, whereafter this question was deleted. Petitioners contention has been that the correct answer is "option No. (2)" and there was no reason to delete the question. In support of his argument that correct answer is (2), he relied upon the book of Geography of Rajasthan published by the Rajasthan Hindi Granth Academy (Annex.20).

64. Mr. Joshi, learned counsel appearing for the respondent Commission submitted that the experts have directed to delete the question, as the word "than" is missing in English version.

65. Justifying the stand of the RPSC/experts, learned counsel submitted that omission of expression "than" in option (3) has resulted in vagueness in its meaning and thus, the question was rightly deleted.

66. This Court is of the opinion that an option has to be contextually understood in the backdrop of the corresponding question. The question No.96 specifically asked that which of the given options was not correct. Option (3) even without the use of expression "than" was able to convey the meaning reasonably. True it is, that a typographical error has crept in, but such innocuous error did not warrant the question to be deleted.

- 67. Given the fact that Rajasthan's total perimeter or land boundary is 5920 kms., a candidate appearing in the examination (even without use of word 'than') would find that the statement given in option No.3 was correct. If all the four options are compared, one would easily discern that option (2) i.e. 'east-west extent is less than north south extent' was the only incorrect statement and thus option No.2 was the correct answer.
- 68. In considered opinion of this Court, the RPSC has committed error in deleting the question, merely because of omission of the word "than" in option (3). Even if one does not look at the Hindi version of the question, the import of the option can well be gathered. The omission at least does not alter the soul or substance of the question.
- 69. As per this Court, inadvertent slips or typographical error, which do not change the character or substance of the question/answer, should not entail deletion of the question, as has been done by the Commission in the instant case.
- 70. Petitioners' challenge to the revised answer key, therefore, succeeds. Deletion of question No.96 is, therefore, set aside.
- 71. Q.101- The census year with lowest sex-ratio in Rajasthan between year 1901 to 2011 is -
- (1) 1901
- (2) 1921
- (3) 1991
- (4) 2011

Answer given by the RPSC: (2) 1921

Revised Result : (2) 1921

Claim by the petitioners : To be deleted.

- 72. Learned counsel for the petitioners submitted that the RPSC has given option No. (2) for the aforesaid question in both the answer keys published by it. It is claimed that in Syllabus, only Census of 2011 is mentioned, thus question was out of syllabus. It was also argued that the question suggests the census year with lowest sex ratio in Rajasthan between year 1901 to 2011, but in the year 1921, the State of Rajasthan was not even formed, hence, the question itself was wrong. Prayer was to delete this question, pertaining to a subject, which was not covered by the syllabus.
- 73. Responding to objection raised by the petitioner that this question is out of syllabus as the syllabus only mentions Census-2011, Mr. Joshi, learned counsel for the respondent-Commission submitted that the question No.101 does not relate to census; the question is from a chapter relating to demographic characteristics. Taking the Court through the syllabus, he submitted that 'sex ratio' is a part of demographic study.
- 74. Having heard learned counsel for the parties and going through the syllabus, this Court is of the considered opinion that sex ratio is a part of demographic characteristics. It cannot be said that the same is out of syllabus. The objection fails. Hence, option (2) i.e. 1921 given by the Commission is affirmed.
- 75. Q.114- In Odisha and Andhra Pradesh shifting agriculture is known as -
- (1) Penda
- (2) Podu

- (3) Onam
- (4) Jhoom

Answer given by the RPSC: (2) Podu

Revised Result : (2) Podu

Claim by the petitioners : To be deleted

76. Learned counsel for the petitioners submitted that the RPSC has given option No. (2) for the aforesaid question in both the answer keys published by it, but as per the authentic books and proofs, more than one options are correct, thus, the question was required to be deleted by the RPSC. (Samkalin Bharat-2, Geography Book of Class-X).

77. A perusal of the expert opinion placed by the Commission reveals that objection relating to Question No.114 has been rejected by the expert inter alia observing that the question is within syllabus.

78. The objection regarding Question No.114, as raised by the petitioners, does not relate to syllabus, but the same assails the adjudication by the Commission on its merit, whereas the expert committee of Commission seems to have decided the objection only on the allegation that the same is out of syllabus.

79. Though Mr. Joshi tried to satisfy the Court that option No.2 is the correct answer, while taking the Court through photo copies of various books, however, since the expert committee itself has not dealt with the objection in the manner raised by the petitioners, this Court leaves it to be determined by the expert, instead of deciding the challenge as an expert.

- 80. The matter is, therefore, referred to expert committee to be constituted by the Commission, which will give the correct answer to this question.
- 81. Q.115- Which one of the following crops in India is estimated to have decreased production during 2017-18 over the year 2016-17? 000
- (1) Rice
- (2) Cotton
- (3) Wheat
- (4) Sugarcane

Answer given by the RPSC: (3) Wheat

Revised Result : (3) Wheat

Claim by the petitioners : To be deleted

82. Learned counsel for the petitioners submitted that the RPSC has given option No. (3) for the aforesaid question in both the answer keys published by it. It was asserted that production of none of the crops witnessed decrease in the relevant year as per the estimates given by Agriculture, Cooperative and Farmer Welfare Department, Government of India. According to the petitioners the options were wrong (source - report of year 2018-19 issued by the Agriculture Department, Government of India, Annex.22) hence, the question was to be deleted by the RPSC.

83. Joining the issue on this question, Mr. Joshi, while reading question, pointed out that the question was about estimate and not advanced estimates. He invited Court's attention towards proof relied upon by the experts (as on 28.08.2018), more particularly towards the last four columns (2016-17 & 2017-18) and submitted that the production of wheat, which was 98.51

million tons as per final estimates of 2016-17, has decreased to 97.50 as per the estimates of 2017-18.

84. Mr. Joshi further relied upon a print-out/photostat copy of some document (source whereof has not been given) and pointed out that there was a reduction of production of wheat. It will not be out of place to reproduce the part, which was relied upon by Mr. Joshi.

"5.- Production of wheat estimated at 97.11 million of tons is lower by 1.40 million tons"

- 85. Petitioners have placed on record annual report for year 2018-19, published by Agricultural Cooperative and Farmers' Welfare Department, which shows that production of none of the crops has decreased in the year 2017-18. As against this, the Commission has placed on record figures of agricultural statistics published by Directorate of Economics and Statistics Department of Agriculture.

 86. A careful reading of the documents produced by the Commission shows that the table provides fourth advanced estimates of production of food-grains for 2017-18.
- 87. It will not be out of place to reproduce relevant part of the document placed by the Commission, which reads thus:-

Crop	2016-17		2017-18	
Wheat	4 th Advanced Estimates	Final Estimates	Targets	4 th Advanced Estimates
	98.38	98.51	97.50	99.70

88. Upon comparing the above figures, this Court is not in a position to discern as to how the Commission claims that production of wheat estimated to have decreased during 2017-18 over the year 2016-17.

89. Faced with such situation, the Court tried to find answer in the experts' opinion for this question, but is surprised, if not shocked to see the adjudication made by the experts. It is deemed necessary to reproduce, what has been reported by the Experts qua question No.115:-

"115. Answer (3) – objection over-ruled. (Proof attached)"

- 90. It is to be noted that not only about question No.115, even qua questions No.112 & 114, the body of experts have given its opinion rather verdict in the same cryptic manner. The experts are supposed to give their opinion with reasoning and proofs. The experts have decided the objection in less than one line, as if they are solving the paper themselves. Decision of objection presupposes dealing with the objection with reasons.
- 91. Mr. Joshi has placed the above referred material given by the experts as a proof. The proofs furnished by the Commission do not give any direct answer to the question. The Experts were at least required to dilate upon as to how option (3) is the correct answer to question No.115.
- 92. Upon perusal of the proof submitted by the Commission to show that the figures have reduced from 98.50% to 97.50%, this Court finds that figure 98.51 is given under heading "Final Estimates for year 2016-17" whereas 97.50% is given under headings "Targets for year 2017-18".
- 93. If that be so and figures mentioned in the Columns 17 and 18 of the table are to be compared, this Court finds that even qua rice, the figures have reduced from 109.70 to 108.50 and so is the position, vis-à-vis sugar-cane, which has reduced from 3060.69 to

3550, if one compares the figures mentioned in column No.17 and 18 of the table.

94. The question is, therefore, referred to expert committee to be constituted by the Commission.

- 95. Q.125- Which one of the following is not an area of Mediterranean type of climate?
- (1) Central California
- (2) Northern New Zealand
- (3) Central Chile
- (4) Southern tip of Africa

Answer given by the RPSC: (2) Northern New Zealand

Revised Result : (2) Northern New Zealand

Claim by the petitioners : To be deleted

96. Learned counsel for the petitioners submitted that the RPSC has given option No. (2) for the aforesaid question in both the answer keys published by it. It was argued by the petitioners that a candidate was required to point out which of the following is not an area of Mediterranean type of climate, but all the places given in the options witness Mediterranean climate, as is evident from book of NCERT for Class-XI and book of Physical Geography published by Rajasthan Hindi Granth Academy. According to the petitioner, since all the options were correct, the question was required to be deleted by the RPSC.

97. Responding to petitioners' argument, Mr. Joshi relied upon photo copy of book (Page No.531 of book), written by Mr. Savindra Singh and submitted that Mediterranean regions include California, South-Western tip of Africa, South Australia and South-west Australia, whereas New Zealand does not experience Mediterranean climate.

98. A perusal of the material placed by the petitioners shows that one book, namely, Physical Geography, published by Dr.L.N. Upadhyay, shows that south-west part of Australia and Northern part of New Zealand experience Mediterranean climate. No other book has been placed by the petitioners showing that New Zealand experience Mediterranean climate.

99. In absence of any substantial or relevant material evincing the stand of the expert to be erroneous, this Court is inclined to go with the view of the experts. The challenge to question No.125, therefore, fails. Option (2) i.e. Northern New Zealand given by the Commission is affirmed.

100. Q.126 - Which vitamin helps in healing of wounds?

- (1) Vitamin A
- (2) Vitamin B
- (3) Vitamin C
- (4) Vitamin D

Answer given by the RPSC: (4) Vitamin D

Revised Result : (3) Vitamin C

Claim by the petitioners : To be deleted

101. Learned counsel for the petitioners submitted that the RPSC has given option No. (4) for the aforesaid question in the first answer key, thereafter, changed to option No.(3) in the revised answer key published by it. Petitioners claim that as per authentic books and proofs, all the options are correct, thus, the question deserves to be deleted.

102. In support of stand aforesaid, Mr. Jangid relied upon textbook of Agricultural Science for Class XI, published by Board of Secondary Education, Ajmer and submitted that Vitamin-A also plays an important role in healing of the wound.

103. Mr. Joshi, learned counsel appearing for the respondent-Commission submitted that the experts have found option (3) – Vitamin-C to be the correct option. He emphasised that in a multiple-choice question, a candidate is required to give most suitable option as the answer. Inviting Court's attention towards various material, he submitted that it is the Vitamin-C, which is primarily responsible for healing the wound.

104. Mr. Jangid has relied upon a book of Agriculture Science, which shows relevance of Vitamin 'A' in healing of the wound. Book written by an author on Agriculture Science cannot be treated to be a magnacarta on the use of Vitamins.

105. On the basis of material placed by the RPSC and based on experts' opinion, this Court holds that option (3), i.e. Vitamin-C given by the RPSC is the most suitable answer. The petitioners' challenge to question No.126, therefore, fails.

106. Q.127- Who invented penicillin?

- (1) Stephenson
- (2) Dunlop
- (3) Kove
- (4) Alexander Fleming

Answer given by the RPSC : (4) Alexander Fleming
Revised Result : Question was deleted
Claim by the petitioners : (4) Alexander Fleming

107. Learned counsel for the petitioners submitted that the RPSC had given option No. (4) for the aforesaid question in the first

answer key, but deleted this question in the revised answer key. Learned counsel contended that though option No. (4) as given by the RPSC in the first answer key was correct, as is evident from Science Book of Class-VI, published by Rajasthan Rajya Pathyapustak Mandal, Jaipur (Annex.25), yet the RPSC has deleted this question for no valid reason.

108. Mr. Joshi, learned counsel appearing for the respondent-Commission submitted that though option (4), namely, Alexander Fleming is the correct answer, but the experts have deleted the question as it was not covered by syllabus.

109. Counsel for the petitioners argued that the Commission has erred in deleting the question claiming it to be duly covered by chapter "Structure and Function of Cell and Biomolecules." Mr. Kunal Vishnoi and Mr. Jangid, learned counsel appearing for different petitioners, invited Court's attention towards the syllabus and expanse of the subjects Structure and Functions of Cell and Biomolecules to convince the Court that it is covered in the syllabus.

110. In the considered opinion of this Court, if the examining body itself finds that a particular question is out of syllabus, the interference of the Court has to be minimum.

111. This Court is of the opinion that since the RPSC/experts have found the question to be out of syllabus, no interference is warranted. Deletion of Question No.127 by the Commission is, therefore, upheld.

- (1) Refraction
- (2) Total internal reflection
- (3) Deflection

^{112.} Q.131 – Mirage is an example of -

(4) Diffraction

Answer given by the RPSC: (2) Total internal reflection

Revised Result : Question was deleted

Claim by the petitioners : (2) Total internal reflection

113. Learned counsel for the petitioners submitted that the RPSC has given option No. (2) for the aforesaid question in the first answer key but later deleted this question in revised answer key. Petitioners' stand is that the correct option is (2) "Total internal reflection", which is fortified from perusal of Physics Text book of Class-XII (Annex.26). The question was wrongly deleted, was the petitioners' contention.

114. Mr. Joshi, learned counsel appearing for the Commission submitted that the Commission has decided to delete the question as two options, (1) and (2) are correct.

115. Inviting Court's attention towards the experts' opinion, he submitted that the experts have referred to material, which evince that Mirage is an example of refraction so also total internal reflection.

116. Mr. Jangid learned counsel for the petitioners, made an ardent effort to satisfy the Court that if a student of Physics is asked this question, he would definitely select option (2), i.e. total internal reflection. He added that the experts are wrong in stating that refraction is also a correct answer. According to Mr. Jangid, Refraction is a phenomenon, which explains deviation of a ray, whereas total internal reflection is the cause of illusion known as mirage and option (2) is the only correct answer.

117. Having heard learned counsel for the parties and after carefully considering the question (Mirage is an example of), this Court is of the opinion that total internal reflection is the more

correct answer. Had the question been Mirage is a result of, perhaps option (1) 'refraction' and (2) 'total internal reflection', both would have been treated to be correct options, but when the question is so specific, then a student is supposed to give the most suitable answer, which in the present case is, total internal reflection.

118. It will not be out of place to reproduce the opinion of the experts, which reads thus:-

"Options (1) and (2) are correct. Total internal reflection is a special case of refraction. Aso deflection is also involved in almost all geometric phenomenon. Multiple options are correct. Question No.141 may be deleted. Reference: (1) Halliday Resnick Walker Fundamentals of Physics (VI Edition, page No.823)
(2) Class XII Fundamental Physics by Dr. K.L. Goswami."

- 119. Neither the material referred by the experts nor does the opinion of the experts show that which option is the precise or more correct answer. The question is, thus, referred to the expert committee to be constituted by the RPSC.
- 120. Q.137- Ohm's law is not applicable on which of the following?
- (1) AC circuit
- (2) Conductor
- (3) Semi conductor
- (4) On conductors when there is change in temperature

Answer given by the RPSC: (3) Semi conductor

Revised Result : Question was deleted

Claim by the petitioners : (3) Semi conductor

121. Learned counsel for the petitioners submitted that the RPSC has given option No. (3) for the aforesaid question in the first

answer key but question was deleted in revised answer key published by it. The petitioners claimed that Option No. (3) is correct option because Ohm's law is not applicable on semi conductor. According to the petitioner, this question was wrongly deleted.

122. Mr. Joshi, learned counsel for the respondent-Commission submitted that as per the experts both the options (3) and (4) were correct, for which the experts opined to delete the question.

123. This Court does not find it to be a case warranting interference in the face of the opinion of the experts. The petitioner has not been able to show much less satisfy that option (3) is the only correct answer. Challenge to question No.137, therefore, fails. Deletion of this question by the Commission is upheld.

124. Q.139- The ore which is found in abundance in India is-

- (1) Monazite
- (2) Fluospar
- (3) Bauxite
- (4) Magnetite

Answer given by the RPSC: (1) Monazite

Revised Result : Question was deleted

Claim by the petitioners : (3) Bauxite

125. It was argued by Mr. Kunal Vishnoi, learned counsel for the petitioner that as per the report of Mining Department, issued in 2017-18, Bauxite is found in abundance and thus, option (3) is the correct answer.

126. As against this, the Commission has found the question to be incorrect. Mr. Joshi, learned counsel for the RPSC submitted that

expression "abundance" is a relative term and thus no specific answer can be given to this question.

127. This Court approves the stand of the RPSC that the question as framed itself was incorrect. Abundance is a relative expression. Out of four options, it cannot be said that which of these ores is not found in abundance. All the ores mentioned in the options are found in large quantity in India. No interference is, therefore, called for. Deletion of this question by the Commission is affirmed.

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128. Q.35 – If x – 2 is a factor of X_3 + K_{X_2} – 2x – 24, then the value of k is –

- (1)6
- (2)5
- (3) 1
- (4) -2

Answer given by the RPSC: (2) 5

Revised Result : Question was deleted

Claim by the petitioners : (2) 5

129. Learned counsel for the petitioners submitted that the RPSC has given option No. (2) for the aforesaid question in the first answer key but thereafter deleted this question in the revised answer key. Petitioners claimed that option No.(2) is the correct answer, while solving the question given. Question was wrongly deleted by the RPSC, has been the contention of learned counsel for the petitioner.

130. Mr. Joshi, learned counsel for the respondent-Commission submitted that the question was deleted as it was out of syllabus. Inviting Court's attention towards the syllabus, he pointed out that

only "Pair of linear equations in two variables and quadratic equations" were given in the syllabus of Mathematics; whereas due to inadvertence, the paper setter has given a question, other than the one related to quadratic equations.

131. As the question under dispute deals with the cubic value or relates to X_3 , it cannot be said that it is a quadratic equation. The Commission was right in deleting the question for following reason:-

"Equation is of degree 3 but in syllabus only equation with highest degree 2 has been provided."

132. Challenge to question No.35, therefore, fails. Deletion of this question by the Commission is affirmed.

- 133. Q.57 Which of the following audio-visual aid is most effective according to the 'cone' proposed by Edger Dale?
- (1) Experiment
- (2) Diagram
- (3) Coloured Slide
- (4) Motion picture

Answer given by the RPSC: (1) Experiment

Revised Result : (1) Experiment

Claim by the petitioners : (4) Motion Picture

134. Mr. Kunal Bishnoi, learned counsel for the petitioner submitted that the RPSC has given option No. (1) for the aforesaid question in both the answer keys published by it. Petitioner claimed that option (4) "Motion Picture" is most effective audiovisual aid, as is evident from the book of Education Technique edited by S.K. Mangal and Uma Mangal (Annex.28). Option (1)

"Experiment" is not mentioned under Edger Dale's Cone, as such RPSC has given incorrect answer.

135. Mr. Joshi, learned counsel for the respondent-Commission invited Court's attention towards the material he has placed in support of his stand and submitted that experts have opined thus vis-à-vis question No.57:-

"Question No.57- Answer 1. RPSC's answer - Option (1), proof attached (Annex.6). शिक्षा तकनीकी, लेखक S.K. Mangal, pages Nos.38-39"

136. True it is, that this Court is not expert to adjudicate upon the correctness of the question. But, it can very conveniently be concluded, as to whether the experts have relied upon correct material or not. It can further be examined as to what can be deduced from the material placed by the experts.

137. RPSC has placed a cone diagram, being Edger Dale's Cone of Experience. According to the diagram and the details placed by the RPSC itself, it can be deciphered that out of the options given, "Motion Picture" is the most effective tool.

138. It is noteworthy that option (1), which has been held to be correct option by the RPSC and experts viz. "Experiment," is not at all given in Edger Dale's Cone of Experience. Experiment may be a form of real direct experience.

139. Material placed by RPSC, relied upon by the experts, including the book of Dr. S.K. Mangal do not clearly show that experiment is also a variant of real direct experience. Experts' opinion is not supported by reasoning.

140. The question is, therefore, referred to the Expert Committee to be constituted by the RPSC with a direction to give correct answer with brief explanation.

- 141. Q.77 What is given in 'Gargi Puraskar' to the students passing tenth (10th) Board examination?
- (1) A total sum of ₹6000 and a certificate
- (2) A total sum of ₹ 10000 and a certificate
- (3) A total sum of ₹ 25000 and a certificate
- (4) A total sum of ₹ 5000 and a certificate

Answer given by the RPSC: (1) A total sum of ₹6000 and a

certificate

Revised Result : Question was deleted

Claim by the petitioners : (1) A total sum of ₹6000 and a

certificate

- 142. Learned counsel for the petitioners submitted that though the RPSC had given option No. (1) for the aforesaid question in the first answer key, but however deleted this question in the revised key. Petitioners claimed that option (1) as per the first answer key is the correct answer, as per monthly Shivira Patrika for the month of August, 2018 (Annex.31). RPSC has wrongly deleted this question, has been their contention.
- 143. Mr. Joshi, learned counsel appearing for the respondent-Commission submitted that the question itself was wrong inasmuch as Gargi Puraskar is given to a girl candidate, who having passed X Board examination continues her studies of Class XI and XII.
- 144. The Experts' opinion suggests deletion of this question, which reads thus:-

"The question in itself is wrong. Hence it may be deleted. The prize money is given to girls when she continues to study in Classes XI and XII."

145. In support of the stand of the Commission/the Expert Committee, Mr. Joshi took the Court through relevant material

placed by him and submitted that Gargi Award is given to a female candidate who having secured 75% or more marks in her Board examination, pursues her future studies for Class XI and XII. He added that it is only during such time, (for two years) she is given the prize and submitted that the question No.77 was incomplete, as the same did not contain the requisite stipulation, particularly continuance of study for a period of two years.

146. In considered opinion of this Court, a perusal of the question shows that the emphasis of the question is as to what is given in Gargi Purarskar to the student passing Xth Board Examination; in other words the examiner wanted to elicit the amount of award given under Gargi Puraskar. The Commission's stand that the expression "Girl" is absent in question No.77 and thus, the question is incorrect, cannot be countenanced, more particularly because the examiner has not asked as to 'who' is given the Gargi The fact that the word "Girl" is absent in the Purarskar. formulation of question hardly has any bearing the question/answer nor does its absence makes the question incomplete or prone to confusion. The emphasis of the question is on the quantum of amount of award, which is easily discernible from other options given for the question.

147. Opinion of the experts instead of being on the correctness of the answer, is on the framing of the question. As a matter of fact, experts' opinion is/was not required to examine the correctness of the question.

148. This Court is of the firm view that the opinion of the experts that question be deleted because the expression "girl" and further stipulation "she continues to study in class XI and XII" were absent, is untenable. Even in absence of these expressions, the

question which focuses on the quantum of award, is complete. Thus, the answer originally given i.e. option (1) is the correct answer.

- 149. As a result thereof, the action of the respondents in deleting question No.77 is set aside. The first answer, i.e.(1) is held to be correct answer.
- 150. Q.87 Child Care Leave for mothers has been announced for those mothers who have children upto the maximum age of -
- (1) 12 years
- (2) 14 years
- (3) 16 years
- (4) 18 years

Answer given by the RPSC: (4) 18 years

Revised Result : Question was deleted

Claim by the petitioners : (4) 18 years

- 151. Mr. Mahaveer Bishnoi, learned counsel for the petitioners submitted that the RPSC has given option No. (4) for the aforesaid question in the first answer key but thereafter deleted this question. Asserting that option No. (4) is the correct answer, as per notification dated 22.05.2018, issued by the Finance Department, Government of Rajasthan, learned counsel argued that RPSC has erred in deleting this question.
- 152. It is noteworthy that while deleting the question, the RPSC has opined thus:-

"वित विभाग की अधिसूचना संख्या प.1(6) F.D./Rules/2011 दिनांक 22.5.2018 के द्वारा Child Care Leave का प्रावधान राजस्थान सेवा नियम 1951 के नियम 103C में सम्मिलित किया गया है। इस नियम में Child की परिभाषा निम्नानुसार दी गई है।

(a) a child below the age of eighteen years or

(b) a child upto the age of twenty two years with a minimum disability of forty percent as elaborated in the Ministry of Social Justice and Empowerment Govt. of India, notification number 16-18/97-N1. Dated 01.06.2001.

प्रश्नों के विकल्पों मे upto the maximum age of (1) 12 years (2) 14 years (3) 16 years (4) 18 years लिखा गया है। Child की परिभाषा में below 18 years ही है। अतः प्रश्न की भाषा सही नहीं होने के कारण प्रश्न का विकल्प गलत है।"

153. According to the experts, the language of the question was not correct, hence, the question deserved to be deleted, while observing thus:-

"Child की परिभाषा में <u>below 18 years ही है</u>। अतः प्रश्न की भाषा सही नहीं होने के कारण प्रश्न का विकल्प गलत है।"

154. Explaining the stand of the experts, Mr. Joshi submitted that the question contains the expression "upto the maximum age of"; whereas Rule 103C of the Rules, published vide notification dated 22.05.2018 uses the expression "Child below the age of 18 years". 155. In considered opinion of this Court, the experts clearly got confused and misdirected. There is practically no difference between the expression "upto the maximum age" and "child below the age of".

156. Though sub-rule (b) of Rule 103 has not been a reason to delete, but it may be clarified that yet sub-rule (b) of Rule 103 is applicable in exceptional cases, namely, "a child having disability of minimum 40%". Since the age of 22 years is an exception and having regard to the fact that 22 years is not an option provided, the answer earlier given by the RPSC (4) 18 years is held to be correct answer.

157. The action of the respondents in deleting the question is, therefore, clearly illegal. It is held that correct answer is option No.(4).

158. Q.89 – Bills for Travelling allowance other than fixed or permanent allowance shall be prepared and presented in system Generated New form. This order is effective from the following date -

- (1) 01/01/2016
- (2) 01/10/2017
- (3) 01/01/2017
- (4) 01/01/2018

Answer given by the RPSC : (1) 01/01/2016Revised Result : (1) 01/01/2016

Claim by the petitioners : To be deleted.

159. Learned counsel for the petitioners submitted that the RPSC has given option No. (1) for the aforesaid question in both the answer keys, but as per the circular dated 04.08.2017 (Annex.33) issued by the Finance Department, Government of Rajasthan, with effect from 15.09.2017, the Bills for travelling allowance other than fixed or permanent allowance are required to be prepared and presented in system Generated New form. According to the petitioners, since '15.09.2017' has not been given as an option, question No.89 was required to be deleted.

160. Asserting that RPSC was right, Mr. Joshi relied upon Circular dated 04.10.2016, while placing the same for perusal of the Court and submitted that system generated new Form No.65 has been made effective from 01.01.2017.

161. After considering the rival contentions and the Circular dated 04.10.2016, this Court finds that the stand of the

RPSC is correct. Challenge to this question is unsustainable. Option (1) i.e. 01/01/2016 given by the Commission is affirmed.

- 162. Q.90 The date of birth, once entered in the service book/service Roll can be changed with period permission of-
- (1) Head of office
- (2) Head of Department
- (3) Controlling officer
- (4) Finance Department

Answer given by the RPSC: (4) Finance Department

Revised Result : Question was deleted

Claim by the petitioners : (4) Finance Department

- 163. Learned counsel for the petitioners submitted that the RPSC has given option (4) for the aforesaid question in the first answer key but thereafter deleted this question. Petitioners claimed that correct option is (4) as per the notification dated 21.02.2012 issued by the Finance Department, Government of Rajasthan, thus, the Commission has wrongly deleted this question.
- 164. Mr. Joshi, learned counsel for the respondent-Commission submitted that there was a typing mistake in the question inasmuch as, in place of word "prior", the word "period" has been printed, which conveys no meaning. As such, the Commission/Experts deleted the question.
- 165. I have carefully read the question No.90 and compared the same with its Hindi version. The Commission was justified in deleting the question, given the fact that as per the Note appended to the question paper, English version was to be accepted in case of discrepancy. As the English version of the question No.90 itself was erroneous, the

commission was justified in deleting the question. The challenge to this question therefore, fails. Deletion of question No.90 by the Commission is affirmed.

166. Q. 102: A child who is 10 years old and has never gone to school before is eligible to be admitted in which class?

- (1) One
- (2) Three
- (3) Four
- (4) Five

Answer given by the RPSC: (4) Five

Revised Result : (4) Five

Claim by the petitioners : (3) Four

167. Learned Counsel for the petitioners submits that as per the authentic books option No.(3) is correct.

168. Learned counsel appearing for the respondent-Commission, inviting Court's attention towards Section 4 of the Right to Education Act, 2009, submitted that the child of six years of age is required to be admitted in I Standard and thus, at the age of 10 years, he is to be given admission in V Standard.

169. Mr. Jangid, learned counsel invited Court's attention towards
Section 4 of the Right to Education Act and read Question No.30
and its answer. The same is being reproduced hereinbelow:-

Q. 30 What does 'age appropriate class' mean?

It means giving admission in a class where the child would normally be if she had joined school from Class I at six years of age. So if a child is 11 years old and has never been to school, she or he will be admitted to Class V, but shall be given special education to reach the level in a time frame of three months to two years [Model Rule 3(1)].

170. Before going through the contents of above quoted paragraph, this Court deems it necessary to record its displeasure about the anxiety of the petitioners - they just rely upon and insist upon the Court to blindly follow and base its judgment on an opinion, source, authenticity and authority whereof is unknown. The Courts of Law can be guided only by the statutory provisions or binding precedents. Such random question - answer picked from net or website are absolutely worthless before the Courts. 171. Be that as it may. Going by above para, Mr. Jangid argued that as a 11 year old child is to be admitted in Class V, a 10 year old is to be given admission in Class IV. This Court cannot, but refrain from recording its concern about the wisdom of the author - it is beyond common sense and fails simple mathematics. Even going by this para, if a six year old child is to get admission in Class I, then by simple mathematics a ten year old will go to Class V (6-I, 7-II, 8-III, 9-IV, 10-V). The quoted paragraph, petitioners' argument and challenge to this question defies logic and simple arithmetic.

172. The answer of the RPSC is correct. Challenge to question No.102 fails.

173. Q.103: Who is the runner-up of Wimbledon Gentlemen's singles"

- (1) Novak Djokovic
- (2) Pete Sampras
- (3) Roger Federer
- (4) Kevin Anderson

Answer given by the RPSC: (4) Kevin Anderson

Revised Result : Question was deleted

Claim by the petitioners : (4) Kevin Anderson

174. Learned counsel for the petitioners claims that as per the authentic books option No. 4 is correct answer, whereas RPSC has deleted the question.

175. As against the contention raised by the petitioners, learned counsel for RPSC invited Court's attention towards framing of the question; he read the question No.103 and pointed out that year 2018 was omitted to be printed, therefore, going by the Note No.10, the question was deleted.

176. A simple look at question No.103 goes to show that year '2018' has not been mentioned, whereas in Hindi version, year 2018 has been mentioned.

177. In view of the apparent omission, RPSC was justified in deleting the question – as the question became open ended, in absence of year of championship. The challenge to this question, therefore, fails.

178. Q. 118 – Which one of the following countries received \$ 39 Million for Maritime Security from the U.S.?

- (1) Bangladesh
- (2) India
- (3) Pakistan
- (4) Srilanka

Answer given by the RPSC: (4) Srilanka

Revised Result : (4) Srilanka

Claim by the petitioners : To be deleted

179. Learned counsel for the petitioners submitted that the RPSC has given option No. (4) for the aforesaid question in both the answer keys, but considering the fact that in Hindi version of question paper, "Maritice Security" (भेरी टाईस) is mentioned in place of "Maritime Security", the question was required to be deleted.

180. Inviting Court's attention towards Hindi Version vis-à-vis English version, Mr. Joshi submitted that as per Note appended to the question paper, English version was to be accepted. He added that it is true that Hindi version, the word "मेरी टाईस" in place of "मेरी टाइम" has been printed, such inadvertent error was to be omitted, as the English version of the question was correctly typed.

181. A comparison of Hindi version and English version of the question reveals that there is a typographical error in Hindi version of question No.118, but as per Note 10 of the question paper, English version is to be accepted. Since English version of the question is correct, the petitioner's contention that the question needs to be deleted, cannot be accepted. Contention rejected. Option (4) i.e. Srilanka given by the Commission is affirmed.

182. Q. 120: Consumer Protection Act was enforced in-

- (1) 1984
- (2) 1982
- (3) 1986
- (4) 1989

Answer given by the RPSC: (3) 1986

Revised Result : (3) 1986

Claim by the petitioners : To be deleted

183. Mr. Bhaleria, learned counsel for the petitioners argued that as per the authentic books, the Act was enforced in 1987. As correct answer is not given in the options, the question was required to be deleted.

184. With respect to question No.120, the experts opined thus:

"यघिप प्रश्न मे पूछा गया अधिनियम 1986 में लागु हूआ है, तथापि इस अधिनियम को replace कर नया अधिनियम बनाने का विधेयक दि.05.01.2018 को लोकसभा में पूनःस्थापित किया गया है। तद्नुसार यह मुद्धा current affairs में समाहित है।

अतएव OS एवं AOW की आपत्तियां अस्वीकार्य है।"

185. A perusal of the note quoted above suggests that the experts have decided the objection treating the same to be out of syllabus. The correctness of the answer has not been examined at all.

186. Having regard to the arguments advanced by Mr. J.S. Bhaleria, learned counsel in SBCWP No.16733/2019, (Ajay Bhadu Vs. State), the Court proceeded to examine the correctness of the question by itself. In the process of elucidating correct answer, the Court asked Mr. Joshi, learned counsel for the Commission to give correct answer, while making relevant material (Book, Notification etc.) available to him.

187. On reading of sub-section (2) of Section 1 of the Consumer Protection Act, 1986 and the gazette notification No.SO-390(E) dated 15.04.1987, Mr. Joshi submitted that it can be said with certitude that the Act of 1986 came into force w.e.f. 15.04.1987.

188. '1987' has not at all been given as an option qua question No.120; its options are thus, erroneous. Question No.120, is, thus, liable to be deleted. Ordered accordingly.

189. Q. 122 - 'Agricultural shot' is associated with-

- (1) Hockey
- (2) Cricket
- (3) Baseball
- (4) Chess

Answer given by the RPSC : (2) Cricket

Revised Result : (2) Cricket

Claim by the petitioners : To be deleted

190. Learned counsel for the petitioners informed that the RPSC has given option No. (2) for the aforesaid question in both the answer keys published by it. Petitioners contention is that the question relates to vocabulary of sports and sports or sports vocabulary is not given in the syllabus, hence, the question being out of syllabus, deserves to be deleted.

- 191. Responding to petitioners' argument that "Agricultural Shot" is a term/vocabulary relating to sports is out of the syllabus, Mr. Joshi submitted that the this question is from 'current events'.
- 192. In this regard, he invited Court's attention towards the experts' opinion and submitted that "Agricultural Shot" is commonly used expression in cricket and thus, it is covered in current events.
- 193. Before adjudicating the dispute, this Court deems it appropriate to first reproduce what experts have said about this question:-

"Agricultural shot किकेट से संबंधित एक लोक प्रचलित शब्द है, जो भारत की सहभागिता वाले मैचों के दौरान चर्चा में अवश्य रहता है। अतः यह पाठ्यक्रम में उल्लेख्ति 'current events' में समाहित है। अतः OS की आपत्ति अस्वीकार्य है।"

194. This Court is not at all convinced with the views of the experts. Even if an expression is commonly used in the cricket matches, it cannot be said that it is a part of a current event. Current event is a one time incident, having happened in recent past. The experts have not given any detail, as to when or during which event, (which had happened currently), such shot was played or came into prominence. True it is, that agricultural shot is a shot known in cricket, but merely because it might have been

heard during recent cricket matches, it cannot be said that the same is covered in current events.

195. Objection raised by the petitioners qua this question is sustained. It is surprising to note that when it comes to Penicillin, RPSC opines it to be out of syllabus, but with respect to agricultural shot it says that it is included in current events – without even mentioning that when such shot was played recently. RPSC's stand that it is within syllabus is rejected. Consequently, question No.122 is ordered to be deleted.

196. Q. 125 – Recently Hima Das won a gold medal. The sports event in which she won was-

- (1) Asian Games-2018
- (2) World Atheletics Championship-2018
- (3) World Junior Atheletics Championship-2018
- (4) Commonwealth Games-2018.

Answer given by the RPSC: (3) World Junior Atheletics

Championship-2018

Revised Result : Deleted

Claim by the petitioners : (3) World Junior Atheletics

Championship-2018

197. Learned counsel for the petitioners argued that correct option is option No.(3), as the participation in the Asian Games was as a team and not individually. According to the petitioner the deletion was improper.

198. Mr. Joshi, learned counsel for the Commission submitted that Hima Das won gold medal in Asian Games-2018 so also in World Junior Athletics Championship-2018. According to Commission, since options Nos.1 and 3 both were correct, it was thought appropriate to delete the question.

199. It is really a sorry state of affairs that RPSC has relied upon a news item with the heading "Asian Game Gold Medalist Hima Das says that she did not expect to be nominated for the Arjuna Award this year" to establish that she won a Gold Medal in Asian Games. The experts ought to have traced the news of her winning Gold Medal itself or should have referred to the information lying in the website. Experts are supposed to act and perform as experts – they have been novice on most of the occasions.

200. In considered opinion of this Court, such news item cannot be treated to be an evidence in support of the fact that Hima Das is an Asian Games gold medalist. True it is, that Hima Das was part of the team which won a Gold medal for India in Asian Games 2018 (Women's 4x400 meter relay race).

201. Upon surfing through the record, it is clear that so far Asian Games-2018 is concerned, the telly shows that Hima Das was part of two teams, which fetched Gold medals for India- she was a member of mixed as well as women's team taking part in 4x400 meter relay race. That way, she helped India win two Gold medals. But since the question is specific – 'a gold medal' and also because a medal won by a team cannot be attributed to one player alone, in considered opinion of this Court, option (3) - 'World Junior Athletics' is the correct answer as option No.(1) does not fit-in qua the question asked.

202. Even if option No.1 is to be treated correct, then, more correct answer is (3) – World Junior Athletics Championship-2018, in which she begged Gold in 400 meter race.

203. As an upshot of the discussion foregoing, this Court is of the opinion that option (3) is the most suitable option and RPSC has erred in deleting the question. RPSC is

directed to revise the result while treating option No.(3) to be correct answer.

- 204. Q. 126: Consider the following statements about 'Ayushman Bharat Scheme'-
- (i) It is also known as National Health Protection Mission
- (ii) The scheme provides the benefit cover of 2 lakh per family per year
- (iii) The scheme will launch on 25 September 2018 Which of the above statements/statements are incorrect?
- (1) only (i)
- (2) only (ii)
- (3) (ii) & (iii)
- (4) only (iii)

Answer given by the RPSC: (2) only (ii)

Revised answer key : (2) only (ii)

Claim by the petitioners : (3) (ii) & (iii)

- 205. Learned counsel for the petitioners claims that correct option is option No.(3).
- 206. Mr. Joshi, learned counsel for the Commission submitted that the date of examination was 02.09.2018, whereas the change in the coverage amount was made on 18.09.2018, after the date of examination. He argued that as on the date of examination, option No.(2) given by the RPSC was correct.
- 207. The petitioners have relied upon the material/event, which has come into being after the date of examination.
- 208. In considered opinion of this Court, the answer to a question has to be examined as per the fact(s) prevailing on the date of examination, i.e. 02.09.2018. This Court is satisfied with the reasons given by the experts duly explained by Mr. Joshi.

- 209. Challenge to question No.126 fails; Option (2) i.e. only (ii) given by the Commission is, therefore, affirmed.
- 210. It is to be noted that challenge to many questions has been led by the petitioners, however, during the submissions, challenge to many of the questions was dropped, the adjudication is, therefore, confined to the questions, which were pressed before the Court.
- 211. During the course of hearing, learned counsel appearing for the Commission has said that not only the final result has been declared, list of selected candidates has already been forwarded to the State Government and thus, if any interference is made, the same be confined to petitioners involved in the present writ petitions.
- 212. Having dealt with the contentions of rival parties and adjudicated upon the challenge raised to each of the questions, this Court finds itself on the cross-road. Dwelling on the request of the RPSC to confine the adjudication made herein qua the petitioners only, this Court is of the firm view that the present adjudication cannot be confined to the petitioners alone.
- 213. The reasons are not far to seek and the same are set out hereinfra.
- 214. It is to be noted that out of 300 questions in all, 29 questions were impugned in these writ petitions. Doubting the correctness of 12 questions, this Court has modified the answer or has referred the questions to the Expert Committee. As the instances of errors/omissions are such large in number (4%), restricting the adjudication to the petitioners would be giving undue advantage to the candidates, who had given wrong answers. Hence, if the result is to be revised, it is required to be reviewed/revised for all.

The candidates cannot be made to suffer on account of fault or folly of the Paper Setter, Proof Reader, Printer, Experts and the Commission itself.

- 215. In view of the aforesaid, these writ petitions are allowed; the merit list and the select list (if any) is hereby quashed; the RPSC is directed to recheck all the answer scripts in tendam with the adjudication made qua each of the question under consideration.
- 216. For the sake of convenience, particulars of questions and corresponding answers/directions, which need to be revisited have been cataloged in the Schedule appended with the present judgment. The revision of result shall be subject to the following:-
 - (i) The Commission shall immediately constitute at least two members Committee(s) of Experts for the questions, which have been ordered to be referred to the Expert Committee;
 - (ii) Questions belonging to different subjects may be referred to different Committees;
 - (iii) The RPSC shall provide not only a copy of the judgment instant but also copies of writ petition(s) to the members of the Expert Committee so as to enable them to take into account the challenge/contentions/arguments and material relied upon by the petitioners;
 - (iv) The Experts are expected to go through the observations made by this Court while dealing with the questions referred to it, more particularly what has been said in para No.12 of the judgment instant;
 - (v) The Expert Committee to submit its report qua the questions referred latest by 15.04.2020;
 - (vi) Assimilating the answers suggested by the Expert Committee and the adjudication made in the present judgment, the RPSC will recheck the answer scripts of all the candidates by 30.04.2020;

- (vii) The revised result/select list shall be forwarded to the State Government latest by 15.05.2020 .
- 217. While adjudicating the contentious questions, this Court finds that out of 29 questions, six questions contained typographical mistakes in the question papers, which have largely attributed to revision of result and necessitated present litigation which was otherwise avoidable. A cost of Rs.1,00,000/- is, therefore, imposed upon the Commission. The amount of cost be utilized in the field of girls' education.
- *218.* The cost aforesaid be deposited in the form of Demand Draft payable to Rajasthan State Legal Services Authority, attached with the Rajasthan High Court, Jodhpur on or before 15th April, 2020.
- 219. The Commission shall furnish a proof of such payment and will be free to recover such cost from Printer(s)/Proof Reader(s) concerned.
- 220. The matter be placed before the Registrar (Judicial) on 22.04.2020 for the purpose of ascertaining the factum of payment of cost. In case, the amount of cost is not deposited, the matter be laid before the Court on 27.04.2020 at 02.00 p.m.
- 221. Secretary, Rajasthan State Legal Services Authority, Rajasthan at Jodhpur be intimated about the order instant.
- 222. Stay application(s) filed in each of the writ petition stands disposed of.

सत्यमेव जयते (DINESH MEHTA),J

ArunV/-

SCHEDULE TO JUDGMENT DATED 19.03.2020

	PAPER-I					
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S.No.	Question	Adjudication by Court	Conclusion in para No.		
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XX.	Question No.87	Deletion of	157		

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		question is set	
		aside. Option (4)	
		is held to be	
		correct answer.	
xxi.	Question No.89	Challenge fails.	161
xxii.	Question No.90	Challenge fails.	165
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Ty	*	deleted.	
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		(3) is held to be	
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