

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00047/2015

HYDERABAD, this the 25th day of February, 2021

Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member



1.M.Sreekanth Reddy S/o Gopal Reddy,
Aged about 26 years, R/o D.No.1-125, Manduru,
Tsundur Mandal, Guntur district.

2.V.Ram Babu S/o Srinivas Rao,
Aged about 26 years, R/o 7-75,
Peravali Vemuru Mandal, Guntur District.

...Applicants

(By Advocate : Mr. K.S. Murthy)

Vs.

1.Union of India, Rep by its Secretary,
Ministry of Railways, Rail Bhavan,
New Delhi

2.Railway Recruitment Board, Secunderabad,
Rep by its Member Secretary,
South Lalaguda, Secunderabad

3. South Central Railway,
Represented by its Chief Personal Officer,
Rail Nilayam, Secunderabad.

....Respondents

(By Advocate : Mr. N. Srinatha Rao, SC for Railways)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:



2. The OA is filed challenging the rationalization of marks of the applicants in preliminary examination through standard deviation formula and for a direction to the respondents to declare that the applicants have cleared the preliminary examination pursuant to the notification dt. 12.05.2012 and eligible for next of selection process.

3. Brief facts of the case are that the applicants appeared for the exam conducted for selection to the post of Commercial and Traffic apprentice on 2.12.2012 against the notification dated 12.5.2012 published by the respondents. The result was declared on 18.7.2013 with a cut off mark of 60.02 %. Thereafter, a lengthy correspondence between the applicants and the respondents was exchanged, wherein applicants requested for question papers, question paper key, etc which was not conceded to by the respondents. However, the applicants were invited to the respondents office to allay their doubts and during the visit, they found out that the 1st applicant was awarded 59.33% and the 2nd applicant 50.67%. It was also observed that a candidate by name Sri Ramakrishna Reddy was awarded 50.67% and after rationalisation it was enhanced to 65.02%. Applicants sought details of the formula which has been adopted in rationalizing the scores. In response, applicants have been informed on 13.11.2014 that colour codes were used in issue of the question booklets and standard deviation formula was used in evaluating the booklets which require

expertise to understand. Applicants claim that they are engineering students and they feel that the marks were not awarded to them properly. Hence, the OA.



4. The contentions of the applicants are that the score of Sri Ramakrishna Reddy has been increased and that of the applicants was not augmented by applying the process of normalisation of scores. Applicants claim that they have engineering background and can easily understand the standard techniques used by the respondents if they let know the techniques adopted.

5. Respondents in their reply statement state that the applicants, who belong to the UR category, did appear in first stage of the Non-Technical Popular Graduate categories examination on 2.12.2012. They were given red colour booklets which are taken as the base for the other sets of booklets issued to the candidates. The normalisation of the scores of the candidates were done as per the Railway Board letter dated 30.10.2007. The cut off for the UR category was 60.02 whereas the applicants scored 59.33% & 50.67% respectively and hence they were not selected. Applicants were explained the standard techniques used in evaluation of the question booklets. Sri Ramakrishna Reddy was given a different set of booklets other than the red booklets and hence, his score has to be normalised and consequently, the score was enhanced to 65%. The respondents came forward to submit the answer sheets of the candidates with key to the Tribunal.

6. Heard both the counsel and perused the pleadings on record.

7. I. The dispute is about the evaluation of the question booklets in the 1st stage examination termed as Non Technical Popular Graduates categories examination, held for selection to the post of Commercial and Traffic Apprentice, in which the applicants appeared on 2.12.2012. Against the cut off mark of 60.02% for selection in UR category, applicants who are UR candidates got 59.33% and 50.67% respectively. The contention of the applicants is that another candidate by name Sri Ramakrishna Reddy, who scored 50.63% was selected by enhancing his score to 65% through a process of rationalisation of scores, whereas their scores were not increased.



II. We have gone through the details of the case carefully and found that the respondents have used colour codes in issuing the question booklets like red, green, etc. The red colour booklets were taken as the base for all the other sets. The scores obtained by candidates who were issued other than the red booklets have to be normalised by using the standard deviation techniques. The standard deviation is a summary measure of the differences of each observation from the mean. The sum of the squares is then divided by the number of observations minus one to give the mean of the squares, and the square root is taken to bring the measurements back to the units with which one started. Normalization can have a range of meanings. In simplest words, normalization of values means adjusting values measured on different scales to a notionally common scale. It is not for the Tribunal to expound the utility of the mathematical techniques used

by the respondents, but it would suffice to state that the scores secured in other colour booklets by the candidates have to be normalised by using standard deviation techniques in order to evaluate the relative performance. The applicants were given red booklets, which form the base for all other sets and hence, the question of normalisation of their scores does not arise.



Whereas, in respect of Sri Ramakrishna Reddy, he was given other than red colour code booklet and the score obtained therein has to be normalised using the standard deviation techniques, resulting in the score of Sri Ramakrishna Reddy getting augmented from 50.63% to 65%. This is the methodology adopted by the respondents for evaluating the answer sheet of thousands of candidates who appeared in the exam under reference and not just to the applicants. Further, the candidates were called to the respondents office and explained the standard deviation techniques adopted by them in evaluating the question booklets. This fact was not denied by way of a rejoinder or at the time of making the submissions. Therefore, it is not that the respondents did not attempt to allay the doubts of the applicants. The truth is that the applicants having scored less than the cut off mark percentage of 60.02 were not selected. After failing in the exam and then turning around to state that there is some issue with the examination evaluation system is impermissible under law, as observed by the Hon'ble Punjab-Haryana High Court in **Kavita Kumari vs State of Haryana And Others** in CWP-22720-2019 (O&M) on 27.08.2019, by relying on the judgment of the Hon'ble Supreme Court, as under:

2. The petitioner after having participated in the selection process under the Rules cannot be permitted to challenge the same in view of the law laid down by the Hon'ble Apex Court in the case of Madras Institute of Development Studies and another Vs K. Siva

subramaniyan and others (2016) 1 SCC 454 holding that once participated in the selection 1 of 2 process, an applicant cannot be permitted to take a u-turn only because he could not qualify and was unsuccessful.

Therefore, as per the legal principle stated above, applicants are not eligible to seek the relief sought.



III. Other contention made by the applicants that the information sought by them was not given by the respondents would not hold good since respondents as a matter of policy have decided not to allow certain sensitive information about exams to be shared. Particularly, the RRB is a specialized body to undertake recruitment for selection to various posts in the respondents organisation and it has been conducting the exams for the said purpose, over the years for innumerable posts. Lakhs of candidates appear in the examination held by RRB regularly and the sanctity of the exam has to be protected in certain areas so as to give no room for anyone to play havoc with the examination system. RRB is a respectable public institution, which would be taking utmost care to see that objectivity and fairness in evaluation is achieved. In pursuit of this objective, it has used the mathematical techniques to eliminate errors of evaluation. Respondents have volunteered to submit the answer sheets to the Tribunal for perusal, but we found it not necessary after having appreciated the method of evaluation of the respondents. It is not fair on part of the applicants to blame the system and RRB, when they could not clear the exam. If they had succeeded, they would not have challenged the evaluation process.

IV. Therefore, in view of the above, having found no merit in the OA, the same is dismissed with no order as to costs.



(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/evr/