RAJASTHAN HIGH COURT
सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 4686/2022
CNR: RJHC010199192022 | URN: CW / 9722U / 2022

Rajasthan High Court
सत्यमेव जयते
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1. Ridhkaran Singh Charan S/o Shri Loondan Charan, Aged About 32 Years, Maderna Colony, Krishi Mandi, Mandor Road, Jodhpur, District Jodhpur, Rajasthan.
2. Vishal Mourya S/o Shri Harsahay Mourya, Aged About 27 Years, 39, Gandhi Basti Sirsi, Ward No. 12, Near Ramdev Temple, Jaipur, District Jaipur, Rajasthan.
3. Saurabh Patidar S/o Shri Pavan Patidar, Aged About 23 Years, Village And Post Madalda, Tehsil Garhi, District Banswara, Rajasthan.
4. Gaurav Kumar S/o Shri Phool Singh Yadav, Aged About 22 Years, Village Asleempur, Post Hingwahera, Tehsil Tijara, District Alwar, Rajasthan.
5. Vimal Bishnoi S/o Shri Ramswaroop Bishnoi, Aged About 23 Years, Near Jail Well Tanki, Behind Sidh Baba Bagechi, Bikaner, District Bikaner, Rajasthan.
6. Ravi Kumar Sharma S/o Shri Mukesh Kumar Sharma, Aged About 22 Years, Vpo Kherli Darwaja, Near Power House, Post Bhandarej, District Dausa, Rajasthan.
7. Rakesh Meena S/o Shri Sukhpal Meena, Aged About 26 Years, Village Kutka, Post Udgaon, Tehsil Bonali, District Sawaimadhopur, Rajasthan.
8. Shlok Sharma S/o Shri Kailash Chand Sharma, Aged About 25 Years, 31, Jai Ganesh Nagar, Niwaru Road, Jhotwara, Jaipur, District Jaipur, Rajasthan.
9. Vijay Kumar Jhingonia S/o Shri Badri Narayan Jhingonia, Aged About 27 Years, C-18, Vidhanshabha Colony, Marlipura Scheme, Jaipur, District Jaipur, Rajasthan.
10. Ram Prakash Meghwanshi S/o Shri Nimba Lal Meghwanshi, Aged About 25 Years, Village Balwanta, Post Rajosi, Tehsil And District Ajmer, Rajasthan.
11. Sandeep Patel S/o Shri Punjilal Patel, Aged About 23 Years, Mukam Post Damdi, Dungarpur, District Dungarpur, Rajasthan.
12. Rakesh Prajapat S/o Shri Ramdhan Prajapat, Aged About 24 Years, Village Pingun, Post Mamana, Tehsil Dudu,

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RAJASTHAN HIGH COURT

District Jaipur, Rajasthan.

13. Vinay Kalal S/o Shri Dinesh Kalal, Aged About 25 Years, Near Bus Stand, Chhani, Udaipur, District Udaipur, Rajasthan.

14. Rounak Choudhary S/o Shri Sohan Lal Choudhary, Aged About 27 Years, Vpo Chougawadi, Tehsil Gangrar, District Chittorgarh, Rajasthan.

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15. Robin Singh S/o Shri Jal Singh, Aged About 33 Years, Village Jojaka, Alwar, District Alwar, Rajasthan.

16. Raju Saini S/o Shri Bajrang Lal Saini, Aged About 23 Years, Purani, Tehsil Bumb Talab, Patel Ji Ki Haweli Ke Pass, Malpura, District Tonk, Rajasthan.

17. Sohan Sahariya S/o Shri Vijay Singh, Aged About 22 Years, Jatav Mohalla, Near Government School Masari, Vpo Masari, Tehsil Kathumar, District Alwar, Rajasthan.

18. Sunil Parmar S/o Shri Mansingh Parmar, Aged About 26 Years, Village Dhanpura, Post Tanda Mangala, Tehsil Sajjangarh, District Banswara, Rajasthan.

19. Sandeep Gurjar S/o Shri Ram Singh Gurjar, Aged About 34 Years, 68, Mahaveer Takies Road, Abu Road, District Sirohi, Rajasthan.

20. Vishnu Gochar S/o Shri Mahaveer Gochar, Aged About 23 Years, Hn 100, Ganesh Pada, Behind Govt. School, Dhakad Khedi, Kota, District Kota, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Revenue, Government Of Rajasthan, Secretariat, Jaipur.

2. The Secretary, Board Of Revenue, Gokhale Lane, Opp. Collectorate Office Basant Vihar, Todarmal Marg, Civil Lines, Ajmer, Rajasthan.

3. The Chairmen, Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur District Jaipur, Rajasthan.

4. The Secretary, Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur District Jaipur, Rajasthan.

----Respondents

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For Petitioner(s) : Mr. Mohan Singh Shekhawat
For Respondent(s) : Mr. Vinit Sanadhya

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

28/10/2026

1. Both the parties are *ad-idem* that the matter is squarely covered by the judgment dated 01.08.2025 passed by Division Bench of this Court in **D.B. Special Appeal Writ No. 56/2023** titled `***Riteesh Kumar Jyotishi & Ors. Vs. State of Rajasthan & Ors.'*** along with other connected matters, which is reproduced hereinbelow:-

> *"1. The present litigation concerns the normalization methodology adopted and applied by the Rajasthan Subordinate and Ministerial Staff Selection Board, Jaipur (hereinafter referred to as 'the Board') to equalize the difficulty levels of question papers across multiple sessions (four shifts) of the Patwari Direct Recruitment Examination, 2021. The examination was conducted pursuant to Advertisement No. 3/2019, dated 17.01.2020, in accordance with the Rajasthan Revenue (Land Records, Settlement and Colonization) Subordinate Service Rules, 2019 (hereinafter referred to as 'the Rules of 2019').*
>
> *1.1. As revealed from the record, owing to the vast multitude of aspirants for the Examination in question, the said examination was conducted in four distinct sessions, namely, the morning and evening shifts on the 23.10.2021 and 24.10.2021; and the syllabus and subjects across all four sessions were identical in scope and substance, yet the question papers administered in each session were uniquely crafted, comprising multiple-choice objective questions.*
>
> *1.2. It is a matter of record that a prodigious number of 15,62,995 candidates, including 5,02,307 female candidates, participated in the aforementioned examination; in deference to the sacred Festival of 'Karva Chauth' observed on 24.10.2021, a significant proportion of female candidates opted, and were duly*

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accommodated, to appear in the examination during the two shifts conducted on 23.10.2021.

1.3. By reason of the examination being conducted across four sessions with distinct question papers (multiple type objective questions), the Board, in its wisdom, resolved to implement a normalization methodology to ensure equity in the preparation of results, as formalized by an order dated 13.12.2021. For the said purpose, a Committee of Experts was duly constituted, which opined for adoption and application of the widely recognized normalization formula propounded by V. Natarajan and K. Gunasekaran. In strict adherence to the recommendations of the Expert Committee, the marks of the candidates were meticulously scaled according to the aforementioned formula, culminating in the preparation and publication of the provisional result on 25.01.2022. Subsequently, on 27.05.2022, the final select list was issued.

1.4. After declaration of the provisional result on 25.01.2022, the candidates (appellants-writ petitioners) who appeared in the examination in the fourth shift i.e. last shift on 24.10.2021, became aggrieved of and dissatisfied with the said result, alongside the ex-post facto application of the process of normalization employed in preparation of the result. Thus, the appellants-writ petitioners challenged the aforementioned order dated 13.12.2021, provisional result dated 25.01.2022 and final select list dated 27.05.2022, by preferring a batch of petitions, led by S.B. Civil Writ Petition No.2679/2022 – Riteesh Kumar Jyotishi Vs. The State of Rajasthan & Ors.), before this Hon'ble Court.

1.5. The said batch of petitions was dismissed by the learned Single Judge of this Hon'ble Court vide a common order dated 25.01.2023 (impugned herein), whereby, it was concluded that the Board has employed the process of normalization uniformly, after seeking due assistance of the Expert Committee, ensuring that the said process was neither in contravention of the Rules of 2019, nor tainted by arbitrariness or mala fide intent, and that,the action of the Board in preparing the final result did not infringe upon the sacrosanct provisions of Articles 14 and 16 of the Constitution of India, which enshrine the principles of equality and fairness in matters of public employment.

1.6. Furthermore, in view of the factual position on record, to the effect that in pursuance of the final select list, appointments were already accorded to the selected candidates and only few appointments on the unfilled posts from the waiting list are to be made, the

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learned Single Judge of this Hon'ble Court vide the impugned order, gave liberty to the respondent-Board to proceed with operation of the waiting list, thereby enabling it to get the residual vacancies filled, strictly in accordance with the law and the rules governing the recruitment process in question.

1.7. Against the said verdict of the learned Single Judge of this Hon'ble Court, the present bunch of special appeals has been preferred before this Hon'ble Court, for analogous adjudication.

2. Learned counsel for the appellants submit that the issue in question is about the recruitment process for the post of Patwari initiated in the year 2021, whereupon the candidates, who participated in the fourth shift of such recruitment, assailed the impugned action (including provisional result dated 25.01.2022) of the respondents.

2.1. Learned counsel further submit that the prime issue involved herein relates to normalization of the marks, which was done by the respondents on account of the different shifts, which wereconducted on 23.10.2021 and 24.10.2021 with two shifts on each of the dates.

2.2. Learned counsel also submit that the discrimination, which arose due to the evaluation of the candidates in the fourth shift is apparent, and denotes extreme prejudice which has been caused to the present candidates (appellants-writ petitioners herein).

2.3. Learned counsel further submits that though out of the total the number of selected candidates in the provisional list in the result declared on 25.01.2022, the first shift had 3922 successful candidates which was 35% of the total, whereas second shift had 3451 successful candidates with 31% result, third shift had 2474 candidates with 22% success; whereas the fourth shift had only 1485 selected candidates which was 13%.

2.4. Learned counsel also submit that the result was revised and final result was declared on 27.05.2022 whereby all the four shifts percentage stood shifted to 36%, 32%, 21% & 11% respectively.

2.5. Learned counsel further submit that the top hundred selected candidates in the first three shifts were 40, 24 & 36, respectively, whereas for the fourth shift, it was zero.

2.6. Learned counsel further submit that random distribution of candidates has not taken place in the

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process in question and the female candidates were accommodated in Shifts 1 & 2 conducted on 23.10.2021 on account of festival of Karva Chauth (on 24.10.2021).

2.7. Learned counsel also submit that for creating a level playing field, the standard equal percentile formula of normalization ought to have been adopted which is a standard formula, but the respondents have caused severe prejudice by normalizing it in a different mode.

2.8. Learned counsel further submit that the following two Point have been framed by the learned Single Judge of this Hon'ble Court for adjudication of the controversy raised in the writ petition:

> *"I) Whether ex post facto application of the normalization process by the respondent-Board after conducting the examination is arbitrary and dehors to the Rules of 2019 and impersmissible in law?*
> *II) Whether the final result of Patwari Direct Recruitment Examination-2021, prepared after applying the normalization process is liable to be quashed by writ Court, within scope of the judicial review?"*

2.9. Learned counsel also submit that the afore-quoted Point number No.1 has been decided by the learned Single Judge holding that the facts of the case are not such where ex post facto application of normalization process is arbitrary, de hors the Rules of 2019, and rather the Board has taken the uniform method of normalization. As regards point No.2, the learned Single Judge has arrived at the conclusion that the report of the Expert Committee was not under challenge and merely on account of fact that the ratio of result of the candidates appeared in the first shift, it cannot be assumed that the respondent-Board had acted with mala fide intent in applying the technique of normalization in question.

2.10. Learned counsel further submit that the learned Single Judge ought to have appreciated the vital aspect of the matter, which was to the effect that the Rules and Schemes of the Examination were provided at the initial stage, and no disclosure of application of the formula was made. Thus, subsequently adopting a process of normalization by a subsequent formula was detrimental to the cause of justice, thus, unsustainable in the eyes of law.

2.11. Learned counsel also submit that the selection was governed by the Rules of 2019 and Rule 4 thereof prescribes for direct recruitment and Rules 22 provides

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for competitive examination authority for conducting examination and syllabus of the examination.

2.12. Learned counsel further submit that the learned Single Judge ought to have appreciated that the Rules of 2019 and scheme of syllabus provided under Rule 2 and the advertisement dated 17.01.2020 did not provide for any application of principle of normalization, particularly, the one adopted in the recruitment process in question, and thus, it was a clear violation of the rules governing the field and the rule of merit list to be prepared on the basis of marks obtained in the written examination has also been flouted.

2.13. Learned counsel also submit that since there was no provision in law to alter, modify or change the marks on the pretext of normalization, the same ought not to have been done.

2.14. Learned counsel further submit that the respondent-Staff Selection Board in its reply had revealed that the formula for normalization was linear formula based upon the presumption, namely, "in all multi shift examinations, the distribution of abilities of candidate is same across all the shifts". Learned counsel also submit that the Hawk-Dove Effect or Examiner Variability was checked by such normalization which was not in accordance with law, and particularly, the linear process given was not known.

2.15. Learned counsel further submit that the variance of result had caused hostile discrimination, but the said aspect of the matter was not dealt with in the impugned order and the statistics itself shows that the variation in selection was immense. Learned counsel also submits that the learned Single Judge relying upon the fact that the normalization in question was based on the Expert Committee Report which did not suffer any kind of allegation or mala fide or lack of bona fide, nor the same was challenged, rejected the contention of the appellants-writ petitioner; such rejection is not legally sustainable, because the normalization in question has created discrimination, alongside creating a class within class.

3. Per contra, Mr. Bharat Vyas, learned Senior Advocate & Additional Advocate General assisted by Ms. Niti Jain Bhandari, Mr.Shovit Jhajharia; Mr. Manish Bhardwaj with Mr. Shreyansh Jain on behalf of Mr. Nalin G. Narain, appearing on behalf of the respondents opposed the aforesaid submissions made on behalf of the appellants-writ petitioners.

3.1. It is submitted that the advertisement was issued on 17.01.2019 for total posts of 4421 under Rules of 2019 and a public notice informing the candidates regarding the shifts was also issued in time.

3.2. It is further submitted that the normalization and scaling were part of the evaluation, and thus, there was

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no need for any advance information, rather it was a pattern which was not to prejudice any particular shift or candidate, and thus, was only a mechanism to check the Hawk-Dove effect.

3.2.1. It is also submitted that the normalization formula was applied uniformly to all the candidates across all four shifts and that the process was designed to precisely neutralize differences in difficulty levels.

3.3. It is also submitted that the last corrigendum of the advertisement reflected that the total selection was made against 5610 posts and the impugned provisional result was declared on 25.01.2022 while disclosing the formula of normalization of class distribution and application of normalization in question.

3.4. It is further submitted that the examination was conducted in four shifts, for the purpose of maintaining uniformity in the selection process in question, the Expert Committee was constituted, and on the basis of its recommendation, the selection process was conducted and completed in a particular mode.

3.5. It is also submitted that the normalization of the marks was done by the Selection Board following the report of expert committee and there could not be any doubt because there was no basis for undermining the expert on the point as to how the variation regarding the shifts have to be dealt with and some or other method was actually required, which was done in a very appropriate manner, thereby preventing any prejudice to any of the candidates.

3.6. It is also submitted that appointments have already been made after publication of final list on 27.05.2022 and that quashing result now would disrupt settled appointments and would be contrary to public interest and administration certainly.

4. Heard learned counsel for the parties at length as well as perused the material available on record.

5. This Court observes that the normalization process, which has been adopted by the Board in order to equalize the variation level of different shifts and different question papers in the Patwari Direct Recruitment Examination, 2021 initiated vide advertisement No.03/2019 dated 17.01.2020 under the Rules of 2019, is the bone of contention in the present case.

6. This Court takes note of the fact that the candidates' volume in the Patwari Examination required four shifts, which were held on 23.10.2021 & 24.10.2021 (in two shifts each), while the syllabus of the shifts remained the same, the question papers were different and that the recruitment against 5610 vacancies for Patwari was common. The total candidates were 15,62,995 out of which 5,62,307 were females candidates. The female

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candidates were accommodated on non-Karva Chauth Day which was 23.10.2021, as far as possible.

7. This Court has seen that in the impugned judgment, the learned Single Judge has examined such normalization process in the formula as per the record. The learned Single Judge has framed the afore-quoted two points. The prejudices were noted. The point No.1 has been dealt with in the impugned order by the learned Single Judge, while keeping into consideration that normalization, scaling and moderation were usual practice and the variation and standard or difficulty level of question papers being set by the different examiners, in various sessions, required the disparity to go away.

8. The learned Single Judge has also kept into consideration that the various expert bodies were following the normalization process, wherever there were large number of candidates and the examinations were conducted in different parameters, particularly, regarding question papers, timings and examiners. The learned Single Judge has rightly considered and rejected the plea of the appellants-writ petitioners that normalization in question could not have been possible after the advertisement and the selection process culminated into result.

8.1. The learned Single Judge has also dealt with various precedent laws in the impugned order and normalization not being part of the Rules has been rightly dealt with because this is only a statistical method of examining and evaluating the recruitmentprocess and does not cause prejudice to any of the candidate and rather the uniform formula is adopted. The report of normalizing committee dated 31.12.2021 has been examined and the conclusion of the committee to recommend the need of scaling/normalization of the scores obtained by the candidates as per the formula, was approved.

9. This Court has also taken note of the formula, which reads as under:

"Formula for scaling
S=Mt+{Xi-Mi)/σi} * σt
Here
S= Scaled Scores of a candidate
Mt= Mean of combined scores
σt- Standard Deviation of combined scores
Xi= Raw scores of student in ith shift
mi= Mean of Raw score of ith Shift
σi= Standard Deviation of Raw Score of ith Shift"

10. The impugned order also has taken note of the fact that the expert committee so constituted again considered its own report submitted to the official respondents in context of Patwari Direct Recruitment Examination, 2021 and concluded as follows:

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"The committee relooked it report submitted to Rajasthan Staff Selection Board, Jaipur in its last meeting held on 31.12.2021 in Board Office in contest of Patwar Direct Recruitment Examination 2021.

The Committee in its said report, on the basis of statistical analysis of raw scores of the candidates, recommended for normalization of the raw scores and recommended the use of formula suggested by Natrajan duly approved by the High Court in its decision on 10.04.2015 and has been in use in RPSC conducted examinations wherever normalization of scores required.

The Committee in its today's meeting checked the application of the said formula of Normalization by the board, through applying in some of the case randomly provided by the board. The committee found that the formula was correctly applied.

The committee of the meeting ended with vote of thanks.

Reference:-

1. Natrajan, V. and Gunasekaran, K. (1986), published by Association of Indian Universities, Delh.

2. Rajasthan High Court decision (P.12) dated 10.04.2015 in DB Civil Special Appeal No.1695/2014, 1696/2014, 75/2015, 121/2015, 122/2015, 123/2015,124/2015, 131/2015 and 132/2015."

11. Thus, the learned Single Judge has gone with the experts who have supported the process of normalization as an equalizing impact which was neither in contradiction to the Rules of 2019 nor to any other prevailing law. The learned Single Judge has rightly arrived at a conclusion that the experts were not under any kind of cloud and the normalization was required to be taken place. The examination conducted on a day prior to Karwa Chauth was an accommodation which has been widely done on a festival which is more participative for the female candidates, and thus, there is no wrong in having most of the female candidates on the shifts on 23.10.2021, whereas the Karwa Chauth on 24.10.2021.

12. This Court thus holds that the experts opinion has rightly culminated into finality with the formula for normalization giving an equal strength to all the candidates who participated in terms of chances of success. This Court concludes that a similar playing field for the fourth shifts has been dealt with. This Court finds that the examination was conducted in four batches and

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the method of normalization method was uniformly applied across as per the parameters settled by the Expert Committee, and thus, the process of examination was sterling worth. The report of the Expert Committee is not under challenge. The merit list has resulted into filling of the posts.

13. This Court, after examining the record, finds that the expert committee was not under any kind of cloud and normalization/equalization/scaling are the techniques, which are statistical in nature and used to dismantle the disparity between the participative recruitment candidates and these are done to check the impact of any disadvantage or extraordinary advantage being extended to only one set of participants on account of their question papers or shifts. The recruitment has also culminated into finality and all appointments have been given in pursuance of the same.

14. In light of the aforesaid observations, this Court does not find it a fit case so as to grant any relief to the appellants-writ petitioners in the instant appeal.

15. Consequently, the present special appeals are dismissed. All pending applications, if any, stand disposed of."

2. Without entering into the merits of the case and on the consent of both the parties, the present writ petition is **disposed of** in the same terms.

3. Pending applications, if any, also stand disposed of.

(BIPIN GUPTA),J

Crt_19 (1982)
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