

UPSC prelims challenged in SC

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A batch of civil services aspirants from across the country have moved the Supreme Court against the conduct of the Civil Services preliminary examination of 2017, accusing the Union Public Service Commission (UPSC) of non-transparency and of framing ambiguous, incoherent questions.

As many as 4,62,000 candidates appeared for the prelims held on June 18, 2017.

The writ petition, filed by Vishal Rathi and 55 other students, submitted that several of the questions were ambiguous with at least two or more equally plausible answers. The students illustrated their predicament with four of such questions, one of them being “whether the right to vote and be elected is a fundamental right or a natural right or a constitutional right or a legal right.” They referred to texts and past judgments to point out that some say it is a legal right while others describe it as a constitutional right. The problem, the petitioners point out, is that the ‘key’, which is the list of correct answers to questions asked in the exam, would accommodate only one answer.

“In such a circumstance, a more astute student would know that from authoritative texts two correct answers were possible. Such a student would avoid answering the question at all since negative marks were awarded for a wrong answer. The result would be that if the student chooses not to answer the question he would lose two marks, and should he answer but not as per the corresponding ‘key’ he would be marked negatively and would lose 2.67 marks,” the petitioners, represented by Satya Mitra, explained their quandary.

‘Key’ not disclosed

The petition said the ‘key’ to the questions had not been disclosed by the UPSC and “it is always released at the end of the entire selection process whereupon UPSC pleads fait accompli against any grievance of the students.”

“What is an opaque practice of the UPSC is to release the answer key after the completion of the entire selection

process. This means that answer key for UPSC CS Preliminary Examination 2017 will be released sometime in May-June 2018. By this time students would have appeared for the UPSC CS Mains Examination 2017 and UPSC CS Personality Test 2017, and UPSC would have already published the final selection list, i.e. entire selection process would be over," the petition said.

By the time the key is released, the selected candidates would be undergoing the year-long civil servants' training, it said, paving the way for the Commission to "casually dismiss all claims."

"This is arbitrary and prevents the students from making good their case that the correct answers were either not correct at all or were not the 'only' correct answer," the petition contended.

The petition has sought the apex court to direct the disclosure of the answer key as well as how the petitioners stand in the merit list. It called for the court to set up an expert committee to consider the question of ambiguity.

The students also pray that they be allowed to participate in the civil services mains if the expert panel gives an opinion party or wholly in their favour.

The apex court is likely to hear the case on October 13.

http://imojo.in/Prelims_2018_TestSeries

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