

HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.757 of 2024

Smt. Mela Rani Noatia,
D/O- Sri Binoy Krishna Noatia of vill and P.O- Garjee, Gomati
Tripura.

-----Petitioner(s)

Versus

1.The Union of India,
represented by the Ministry of Home Affairs, Government of
India.

2.The Under Secretary,
Staff Selection Commission, Block No.12, CGO Complex, Lodhi
Road, Near JLN Stadium, New Delhi, Delhi- 110091.

3.Staff Selection Commission,
represented by Chairman, Block No.12, CGO Complex, Lodhi
Road, Near JLN stadium, New Delhi, Delhi- 110091.

4.North Eastern Regional Office,
Staff Selection Commission, Gauhati, represented by Regional
Director, Housefed Complex, West End Block, Last Gate- Basistha
Road, P.O- Assam Sachivalaya, Dispur, Gauhati- 781006.

5.Director General, CRPF (Central Reserve Police Force),
(Recruitment Branch) East Block-07, Level-4, Sector-01, R.K
Puram, New Delhi- 110066, (Ministry of Home Affairs).

6.Detail Medical Examination Board,
represented by the Presiding Officer, the Commandant, IRLA-
5456, 140 BN, Presiding Officer, DV/DME, RECTT. Board, GC
CRPF, Agartala, West Tripura, Pin – 799101.

....Respondent(s)

For Petitioner(s)	:	Ms. R. Purkayastha, Advocate.				
For Respondent(s)	:	Mr. B. Majumder, Dy. S.G.I.				
Date of Hearing	:	07th August, 2025.				
Date of delivery of Judgment & Order	:	20th September, 2025.				
Whether fit for reporting	:	<table border="1"><tr><td>Yes</td><td>No</td></tr><tr><td>✓</td><td></td></tr></table>	Yes	No	✓	
Yes	No					
✓						

BEFORE
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA
J_U_D_G_M_E_N_T
&
O_R_D_E_R

One advertisement was issued on 24.11.2023 (Annexure-A) for the appointment of constable (GD) in Central Armed Police Forces (CAPFs), SSF and Rifleman (GD) in Assam Rifles Examination to be conducted through Staff Selection Commission. The Petitioner, being an aspirant for the post of constable (GD), applied for the same. As per the advertisement, the entire selection process was divided into 5 phases; firstly Computer Based Examination (CBE), then Physical Standard Test (PST), thereafter Physical Efficiency Test (PET), then Medical Examination and finally, Document Verification.

[2] Ld. Counsel appearing for the petitioner, Ms. R. Purkayastha submits that Physical Standard Test and Physical Efficiency Test were combined in a single test. According to the petitioner, she qualified for all the tests but at the time of document verification, she was excluded from selection on the ground that in her online application she had mentioned the name of her district to be Gomati, whereas in her Permanent Resident Tripura Certificate (for short-'PRTC'), the name of her district was mentioned as South Tripura. As the said document

did not match with her address, more particularly with reference to the name of her district, as given in her application form, her candidature was rejected. However, before such rejection, she was allowed 4 days time to produce the original domicile certificate of Tripura which matches with her address as furnished in her online application form. Ld. Counsel, Ms. Purkayastha also submits that within the said 4 days, the petitioner could not get necessary correction of the name of the district in her PRTC, but subsequently she got it on 17.10.2024 (Annexure-G) and tried to submit the same but she was refused. In fact, it was not a correction of her original certificate, rather as it appears, a fresh certificate was issued to her mentioning the name of her district to be 'Gomati'.

[3] She, thereafter, sent a mail to the appropriate authority of the respondents annexing said corrected PRTC and also on the same date, sent a notice to the respondents (Annexure-H) but getting no response, she thereafter filed the present writ petition.

[4] Ld. Counsel, Ms. R. Purkayastha, strongly argues that originally the name of the district of the petitioner was South Tripura, wherein her village 'Garjee' was situated, but later on, due to bifurcation of the district by State Government, a new district was created, namely Gomati District and for that reason,

said village 'Garjee' now falls within Gomati and therefore, when PRTC was issued in the name of the petitioner, it was showing the name of the district to be South Tripura, but when she applied for the post, she mentioned in her application form, the present name of her district to be 'Gomati'. According to Ld. Counsel Ms. Purkayastha, the petitioner had no fault in this regard in mentioning the name of her district in the application form and moreover, as per the Advertisement Notice, the vacancies were supposed to be filled up state-wise as a whole and not District-wise. In addition, according to her, the vacancies earmarked for Border Guarding Districts/Militancy/ Naxal affected Districts are also supposed to be filled up in tune with the said Advertisement Notice(Annexure-A) and as per the said advertisement (Annexure-A), all the eight districts of Tripura including Gomati are earmarked as Border Guarding Districts and also as Militancy affected Districts and more so, the petitioner applied against both State category quota as well as against Border Guarding District/Naxal affected Districts quota. Therefore, even a change in the name of the district in her application form would not have any bearing on the selection process. Ld. Counsel continues to submit that apart from the quota of Border Guarding Districts or Militancy/Naxal affected Districts, even under the State category quota also, the

petitioner is entitled to be selected since all the Districts of Tripura are also covered within the State category quota.

[5] One additional affidavit is also submitted by the petitioner asserting that under the State category quota, there were 9 vacant posts for Scheduled Castes (ST) category candidates and similarly, there were further 9 vacant posts under Border Guarding quota for ST candidates in the state of Tripura and as per order of this Court passed in IA No.1 of 2024, one post has already been kept vacant subject to decision of this Court and therefore, there is no impediment now in giving effect to the direction by this Court, if any, for providing a job to the petitioner as a successful candidate.

[6] The petitioner also submitted certain documents under Annexure-J as were annexed with the advertisement which show that against the vacancy for constable(Female) under Border Guarding quota in state of Tripura, total vacancy was 37 and vacancy for constable (Female) against Naxal affected area in Tripura was NIL. The petitioner along with her said additional affidavit also submitted a list of Border Guarding districts which was annexed as Annexure-XI to the advertisement and it shows that all the districts of Tripura are marked as Border Guarding districts and similarly, all the districts of Tripura are also marked as Militancy/ Naxal affected districts. Ld. Counsel, Ms.

Purkayastha, in this context, submits that the change in the name of district in the domicile certificate being a very technical issue, will not cast any bearing on the candidature of candidate, inasmuch as for her selection against State category quota, the only requirement is to submit the domicile certificate of that particular state which was complied by the petitioner and regarding both Border Guarding District quota and Militancy/Naxal affected District quota, all the districts of Tripura are covered by said two categories. Therefore, according to Ld. Counsel, the difference or mismatch in the name of the district in domicile certificate had no bearing on the matter of selection of candidates from Tripura.

[7] Ld. Counsel, Ms. Purkayastha, relies on a decision of this Court in ***Shri Arpan Chowdhury Vs. Union of India and Ors*** [WP(C)117 of 2021] decided on **07.12.2021** to buttress her submission that under Article 226, the Court has jurisdiction to interfere with such selection process. In that case, the Court directed the respondents to adjust the petitioners against the available vacancies or against the supernumerary vacancies to be created according to the need, to save the services of the persons who had secured less marks than the petitioners and got selected. Interference with selection process, in that case, was

made by the Court on different grounds, unlike the present case in hand.

[8] Ld. Dy. S.G.I, Mr. Bidyut Majumder, strongly opposes the contention of the petitioner submitting that there were specific conditions incorporated in the advertisement that the candidate should be very careful and must exercise due diligence while providing information about domicile state and district in the online application form, as no request for change of names of domicile state and district would be entertained by the Commission after submission of the application form under any circumstances and if there is any variation of the name of the district or the state mentioned by the candidate in the online application form with the domicile certificate submitted by him/her at the time of document verification, said candidature will be cancelled forthwith.

[9] Relying on the terms and conditions as embodied in the advertisement, Ld. Dy. S.G.I submits that it was the duty of the petitioner to be more careful while submitting the online form and the documents in support of the same, so that there would be no mismatch between these two. Therefore, in terms of the advertisement, the selection committee was completely justified in cancelling her candidature, after giving her an opportunity to

rectify the defect within four days by submitting the corrected document.

[10] Ld. Dy. S.G.I, Mr. Majumder, also submits that the petitioner or any candidate cannot be allowed to submit anything going beyond the cutoff date fixed for submission of the same and the department or the selection committee has the full authority to fix up such cutoff date.

[11] In support his submissions, Ld. Dy. S.G.I relies on a decision of the Apex Court in case of **Ashok Kumar Sonkar Vs. Union of India and Ors., (2007) 4 SCC 54** and the relevant para 20 is extracted hereunder:

“.....
Possession of requisite educational qualification is mandatory. The same should not be uncertain. If an uncertainty is allowed to prevail, the employer would be flooded with applications of ineligible candidates. A cut-off date for the purpose of determining the eligibility of the candidates concerned must, therefore, be fixed. In absence of any rule or any specific date having been fixed in the Advertisement, the law, therefore, as held by this Court would be the last date for filing the application.”

[12] Ld. Dy. S.G.I also refers another decision of the Apex Court in **Bedanga Talukdar Vs. Saifudaullah Khan and Ors., (2011) 12 SCC 85** to gain support for his submission that when some stipulations in the advertisement are inscribed, there cannot be any deviation there from, and the candidates are required to scrupulously follow the same without any relaxation in terms and conditions of the advertisement unless such a power

is specifically reserved. The relevant paragraph Nos. 29 and 30 of the said decision are extracted herein below:

"29. We have considered the entire matter in detail. In our opinion, it is too well settled to need any further reiteration that all appointments to public office have to be made in conformity with Article 14 of the Constitution of India. In other words, there must be no arbitrariness resulting from any undue favour being shown to any candidate. Therefore, the selection process has to be conducted strictly in accordance with the stipulated selection procedure. Consequently, when a particular schedule is mentioned in an Advertisement, the same has to be scrupulously maintained. There cannot be any relaxation in the terms and conditions of the Advertisement unless such a power is specifically reserved. Such a power could be reserved in the relevant Statutory Rules. Even if power of relaxation is provided in the rules, it must still be mentioned in the Advertisement. In the absence of such power in the Rules, it could still be provided in the Advertisement. However, the power of relaxation, if exercised has to be given due publicity. This would be necessary to ensure that those candidates who become eligible due to the relaxation, are afforded an equal opportunity to apply and compete. Relaxation of any condition in Advertisement without due publication would be contrary to the mandate of equality contained in Articles 14 and 16 of the Constitution of India.

30. A perusal of the Advertisement in this case will clearly show that there was no power of relaxation. In our opinion, the High Court committed an error in directing that the condition with regard to the submission of the disability certificate either along with the application form or before appearing in the preliminary examination could be relaxed in the case of respondent No. 1. Such a course would not be permissible as it would violate the mandate of Articles 14 and 16 of the Constitution of India."

[13] Ld. Dy. S.G.I further relies on a decision of Division Bench of Delhi High Court in case of ***Rohit Kumar and Anr. Vs. Union of India and Ors.*** [(2022) 3 HCC (Del) 525:2022 SCC OnLine Del 1219]. In this case, there was non compliance of

conditions of the advertisement by the petitioner who did not submit the OBC certificate as per the format as was published by the recruiting authority in official website of the Indian Coast Guard. Finally, declining any relief to the petitioner, Delhi High Court observed as follows:

"17. We are of the judicial opinion that the conditions imposed by the respondents for recruitment to the post of Navik (DB) as per clauses 5(c)(i) which provides that all the information provided in the online application has to match with all the original documents including caste certificate and any inconsistency in the documents and application including caste certificate will lead to failure in document verification and the candidature will be cancelled and Clause 6(c)(v) Note (aaa) which provides that OBC(Non creamy layer) Certificate of candidates should be as per the format for appointment for post under the Govt. of India and any other format would lead to cancellation of candidature and format of OBC (Non Creamy) are cannot be regarded as unreasonable and arbitrary. The Advertisement does not prescribe any relaxation from prescribed conditions. These conditions were well in knowledge of petitioner when he submitted online application for post of Navik (DB). The format of OBC (Non-Creamy Layer) certificate was also available on website of Indian Coast Guard. The petitioner has not submitted OBC certificate in the format as prescribed and provided in the Advertisement. The petitioner also did not mention date of issuance of OBC Certificate as per requirement of Advertisement. These were the mandatory conditions which the petitioner was required to comply with but has failed to comply with at the time of online submission of the application for the post of Navik (DB) and in subsequent selection process. These conditions were equally applicable to all potential candidates without any discrimination and favoritism. The petitioner did not challenge original Advertisement and also participated in selection process. The respondents also considered the representation dated 30.11.2021 and as such the petitioner was given due opportunity of being heard."

[14] Ld. Dy. S.G.I also relies on paragraph 8 of another decision of the Apex Court in case of ***Yogesh Kumar and Ors. Vs. Govt. of NCT, Delhi and Others, (2003) SCC 548***. In this case the petitioners had B.Ed qualification and they applied for the post of Assistant Teachers but the professional qualification as mentioned in the advertisement did not incorporate B.Ed qualifications. In that context, the Apex Court observed that the High Court had rightly come to the conclusion that B.Ed qualification, although a well-recognized qualification in the field of teaching and education - being not prescribed in the advertisement, only some of the B.Ed candidates who took a chance to apply for the post could not be given entry in the field of selection. Further, in paragraph No.8, it was held that recruitment to a public service should be strictly in accordance with the terms of advertisement and the recruitment rules, if any and deviation from the rules allows entry to ineligible persons and deprives many others who would be competent for the posts.

The entire para 8 is extracted herein below:

"8. This last argument advanced also does not impress us at all. Recruitment to Public Services should be held strictly in accordance with the terms of Advertisement and the recruitment rules, if any. Deviation from the Rules allows entry to ineligible persons and deprives many others who could have competed for the post. Merely because in the past some deviation and departure was made in considering the B.Ed. candidates and we are told that was so done because of the paucity of TTC candidates,

we cannot allow a patent illegality to continue. The recruitment authorities were well aware that candidates with qualification of TTC and B.Ed. are available yet they chose to restrict entry for appointment only to TTC pass candidates. It is open to the recruiting authorities to evolve a policy of recruitment and to decide the source from which the recruitment is to be made. So far as B.Ed. qualification is concerned, in the connected appeals [CA No. 1726-28 of 2001] arising from Kerala which are heard with this appeal, we have already taken the view that B.Ed. qualification cannot be treated as a qualification higher than TTC because the natures of training imparted for grant of certificate and degree are totally different and between them there is no parity whatsoever. It is projected before us that presently more candidates available for recruitment to primary school are from B.Ed. category and very few from TTC category. Whether for the aforesaid reasons, B.Ed. qualification can also be prescribed for primary teachers is a question to be considered by the authorities concerned but we cannot consider B.Ed. candidates for the present vacancies advertised as eligible. In our view, the division bench of the Delhi High Court was fully justified in coming to the conclusion that B.Ed. candidates were rightly excluded by the authorities from selection and appointment as primary teachers. We make it clear that we are not called upon to express any opinion on any B.Ed. Candidates appointed as primary teachers pursuant to Advertisements in the past and our decision is confined only to the Advertisement which was under challenge before the High Court and in this appeal.”

[15] Ld. Dy. S.G.I finally contends that in the writ petition there is no allegation that the respondents have violated any provision of the prescribed recruitment rules or any terms of the advertisement and therefore, the writ petition deserves rejection.

[16] On consideration of the contentions of both sides, it appears that the relevant clauses as embodied in the

advertisement in this context require examination first, and as such, they are extracted hereunder:

"3.3. As the vacancies in CAPFs have been earmarked States/UT-wise, candidates are required to submit Domicile /Permanent Residential Certificate of the State/UT indicated by them in the online Application Form at the time of DME/Documents Verification failing which their candidature will be cancelled forthwith and they will not be allowed to appear in the Detailed Medical Examination. If a candidate produces Domicile/Permanent Resident Certificate (PRC) issued by a State other than the State mentioned in his/her application, he/she shall not be allowed to change the State at the time of Document Verification and his/her candidature shall be cancelled straightaway. Therefore, Candidates should fill the Application Form very carefully.

4. Nationality/Citizenship: Candidate must be a citizen of India. Vacancies in CAPFs & AR are State/UT/ area wise hence a candidate must submit domicile/PRC against his state/UT.

6.6. Candidates will be considered for recruitment in their respective State/UT on production of valid "Domicile /Permanent Residential Certificate(PRC)" issued by the competent authority so authorized by the concerned State/UT to prove their domiciliary status at the time of Documents Verification(DV) failing which his candidature will be cancelled forthwith. The Domicile/PRC certificate must be of the State/UT indicated by the candidates in their online Application Form, failing which, their candidature will be cancelled forthwith.

8.6. Before submission of the online application, candidates must check that they have filled correct details in each field of the form.

10.1. After the closing date for receipt of online applications, the Commission will provide a period of 3 days to enable candidates to correct/ modify online application parameters, wherein candidates will be allowed to re-submit applications after making requisite corrections/ changes in the one-time registration/ online application data as per their requirement.

.....
10.9. Before submission of the corrected application, candidates must check that they have filled correct details in each field of the form. After expiry of 'Window for Application Form Correction', no change/ correction/modification will be allowed under any circumstances. Requests received in this regard in any form like Post, Fax, Email, by hand, etc. shall not be entertained by the Commission and will be summarily rejected.

.....
14.13 Candidates will be considered for the vacancies of a State/UT and further for the vacancies of Border Guarding Districts, Militancy/ Naxal affected Districts based on the

information provided by them in the online Application Form and subsequent submission of relevant Domicile Certificate at the time of DME/Document Verification. Candidate may note that domicile district/ State filled by a candidate in the specific column of application form will only be considered as his/her domicile State/ district. Domicile District/ State will not be considered/ determined from the column/ box of Permanent/Correspondence Address provided in the online application form.

14.14 Therefore, candidates should be very careful and must exercise due diligence while providing information about domicile state and district in the online application form. No request for change of domicile state and district will be entertained by the commission after submission of application form under any circumstances. If there is any variation of district and/or state mentioned by the candidate in the online application form and the domicile certificate submitted by them at the time of DME/ document verification, their candidature will be cancelled forthwith and they will not be allowed to participate in the detailed medical examination.

.....
14.17 Candidates belonging to naxal/ militancy affected areas will first be considered against the vacancies of naxal/ militancy affected areas and then against the vacancies of general areas. Similarly, candidates belonging to border areas will first be considered against the vacancies of border area and then against the vacancies of general area. Candidates belonging to both areas i.e. naxal/ militancy affected area as well as border area will first be considered against the vacancies of naxal/ militancy affected area followed by the vacancies border area and general area respectively.

.....
20. Important instructions to the candidates:

.....
11. CANDIDATES MUST BE VERY CAREFUL AND SHOULD EXERCISE DUE DILIGENCE WHILE PROVIDING INFORMATION ABOUT DOMICILE STATE AND DISTRICT IN THE ONLINE APPLICATION FORM. NO REQUEST FOR CHANGE OF DOMICILE STATE AND DISTRICT WILL BE ENTERTAINED BY THE COMMISSION AFTER SUBMISSION OF APPLICATION FORM UNDER ANY CIRCUMSTANCES. IF THERE IS ANY VARIATION OF DISTRICT AND/OR STATE MENTIONED BY THE CANDIDATE IN THE ONLINE APPLICATION FORM AND THE DOMICILE CERTIFICATE SUBMITTED BY THEM AT THE TIME OF DME, THEIR CANDIDATURE WILL BE CANCELLED FORTHWITH AND THEY WILL NOT BE ALLOWED TO PARTICIPATE IN THE DME.

.....
14. Before submission of the final online application, candidates must check that they have filled correct details in each field of the form. After submission of the final online application form OR expiry of the period of 'Window for Application Form Correction', no change/ correction/ modification will be allowed under any circumstances

Requests received in this regard in any form like Post, Fax, Email, by hand, etc. shall not be entertained by the Commission and will be summarily rejected.”

[17] As per Instruction No.3.3 above, a candidate is required to submit the domicile certificate issued by the concerned state, and in case the domicile certificate is issued by a state other than the state which the candidate has named in the application form, the candidature shall be cancelled. Instruction No.4 clarifies that the vacancies in CAPFs & Assam Rifles are State/UT/area wise and therefore, a candidate must submit domicile/PRC against his own state/UT. Similarly, Instruction No.6 also conveys the similar message that candidates will be considered for recruitment in their respective state/UT on production of valid domicile/PRC issued by the competent authority of that state failing which the candidature will be cancelled forthwith. Instruction No.8.6, caution is also given that the candidate must check that they have filled correct details in each field of the form. Instruction no 10.1 gives a scope to the candidates of 3 days to enable them to correct/modify online application form or to resubmit the same after making requisite corrections and in Instruction No.10.9, again a similar message is conveyed that after expiry of 'Window for Application Form Correction', no further correction or modification will be allowed under any circumstances. All these instructions are not much relevant for the present case in hand, for, the petitioner correctly

filled up the application form and her PRTC certificate was also issued from Tripura.

[18] Controversy centers round the submission of the PRTC certificate mentioning the name of her district to be South Tripura, though in her application form the name of her district is mentioned as 'Gomati'. The case of the petitioner is that her village 'Garjee' earlier fell within the district 'South Tripura' when said certificate was issued and later on, due to bifurcation of the then South Tripura District, a new district namely 'Gomati' was created wherein the village 'Garjee' falls. Therefore, it is not a case where the petitioner has committed any mistake in filing up her application form; rather, it is a case of mismatch in respect of the name of her district in her online application form and the domicile certificate, which occurred due to executive decision.

[19] Ld. Dy. S. G .I submits that 4 days' time was given by the appropriate authority to rectify the defect but the petitioner failed. In this regard, Clause No. 6.5.8 of the detailed guidelines issued by the Inspector General of CRPF (Annexure-R/1) deserves reference. It is noted therein that there may be cases in which a candidate may not bring original testimonials or Caste/ Domicile/Relaxation certificates in prescribed format or may request for grant of extra time for producing the same and in that case it will be appropriate if 4 days' time is given to such

candidate(s) in the deserving cases. Said clause is also not applicable in the present case, for, said instruction covers the case where candidate fails to produce the original testimonials or certificate in prescribed format to the authority.

[20] The relevant instruction applicable in this case is the Instruction No.14.14 as mentioned earlier. Said instruction clearly envisages that the candidates should be very careful and must exercise due diligence while providing information about domicile state and district, both in the online application form and in case of any variation of names of district and/or state, as mentioned in the application form and the domicile certificate, their candidature will be cancelled forthwith. Said instruction is also again repeated in Clause 11 of Instruction No.20 as extracted earlier. Apart from these clauses, in some other clauses of the instruction manual also, it has been repeatedly cautioned by the recruiting authority that candidates should be very careful and diligent in filling up their application form. The petitioner participated in the selection process after being completely aware of said terms and conditions. Therefore, she cannot claim anything now which is contrary to the said terms and conditions of the selection process. It was her duty to ensure that her address matches with her domicile certificate and therefore, before she was called for document verification, she was

supposed to collect the PRTC certificate in modified form to avoid such mismatch. She has, therefore, violated the Instruction No.14.14 as noted above.

[21] In ***Bedanga Talukdar*** (supra), the petitioner's claim for the job was against the post reserved for physically disabled person in terms of *Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995*. As per the advertisement, and the corrigendum issued thereunder, the candidates with Locomotor Disability were asked to produce the supporting document of such disability in the office of Assam Public Service Commission or in the examination hall before commencement of preliminary examination and the last date of submission of application was 6.7.2007. But the petitioner did not submit the same before or at the time of appearing in such examination. As per the advertisement, the candidates were required to submit another application form before the final examination, and the petitioner after qualifying for the preliminary examination, mentioned in his application form submitted for the final examination that he was suffering from Locomotor Disability and submitted his certificate in this regard. He was also allowed to appear in the final examination and he qualified for the said examination and also attended the interview. But he was not ultimately selected and another

candidate who scored lesser mark than him was selected. The petitioner also asserted that at the time of interview, all of his related documents were verified by the authority. The recruiting authority rejected his candidature on the ground that he did not submit his identity card regarding his disability with his application form. As per the direction of the High Court, said selection authority again revisited the matter and rejected the claim of the petitioner again on the ground that said identity card was submitted at a different stage of the selection process. High Court allowed the writ petition of the petitioner with a direction to the Public Service Commission to consider the case of the petitioner by taking into account the identity card produced by him. Hon'ble Supreme Court, in that backdrop, while upsetting the order of the High Court observed that the selection process has to be conducted strictly in accordance with the stipulated selection procedure and when a particular schedule is mentioned in an advertisement, same has to be scrupulously maintained. There cannot be any relaxation in the terms and conditions of the advertisement unless such a power is specifically reserved. Relaxation of any condition in advertisement without due publication would be contrary to the provision of Articles 14 and 16 of the Constitution. Delhi High Court in **Rohit Kumar** (supra) also rendered the decision in similar line.

[22] In the present case, there is no power reserved in the advertisement to relax any condition including the Instruction/Condition No.14.14. Therefore, in view of the decision of the Apex Court in ***Bedanga Talukdar*** (supra), there is no scope for any interference by the Court by way of directing the respondents to accept the second PRTC certificate produced by her at a subsequent stage by relaxing the said Condition No. 14.14 or Clause 11 or Instruction no.20.

In view of above discussions, this writ petition is dismissed being devoid of merit.

Connected application(s), if any, shall also stand disposed of.

No order as to costs.

JUDGE

Saikat Sarma

RUDRADEEP
BANERJEE Digitally signed by
RUDRADEEP BANERJEE
DN: cn=RUDRADEEP BANERJEE,
o=, ou=, email=rudradeep.banerjee@tribe.co.in, c=IN