IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 64 of 2020

Dr. Nutan Indwar @ Nutan Indwar, D/o Sukru Kharia, R/o New Area, Near Jogo Pahar, Morabadi, P.O. Morabadi, P.S. Bariatu, District Ranchi, Jharkhand.

… … Appellant

-versus-

1. The State of Jharkhand.
2. The Secretary, Health, Medical Education and Family Welfare Department, Govt. of Jharkhand, having its Office at Nepal House, P.O. And P.S. Doranda, District- Ranchi, Jharkhand.
3. Jharkhand Public Service Commission, through its Chairman, Circular Road, Ranchi, P.O. & P.S. Sadar, District- Ranchi.
4. Secretary, Jharkhand Public Service Commission, Circular Road, Ranchi, P.O. & P.S. Sadar, District Ranchi.
5. Dr. Swati Murmu, C/o Principal Secretary, Road Construction Department, Government of Jharkhand, Ranchi
6. Dr. Pooja Samanta, C/o Secretary, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Ranchi
7. Dr. Raja Babu Hembram, C/o Secretary, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Ranchi
8. Sumitra Hansda, C/o Secretary, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Ranchi

… … Respondents

WITH

L.P.A. No. 49 of 2020

Ms. Sabita Kumari, daughter of Naresh Yadav, resident of Govind Nagar, Kamre, Ratu Road, PO Kamre, PS Ratu, Town & District Ranchi (Jharkhand).

… … Appellant

-versus-

1. The State of Jharkhand.
2. The Principal Secretary, Department of Home, Project Building, PO Dhurwa, PS Jagarnathpur, Town & District Ranchi (Jharkhand).
3. The I.G. Prison, PO & PS Dhurwa, Jharkhand, Ranchi.
4. Jharkhand Staff Selection Commission, through its Secretary, having Office at Kali Nagar, Chai Bagan, PO & PS Namkom, Town & District Ranchi (Jharkhand).
5. The Controller of Examination, Jharkhand Staff Selection Commission, having Office at Kali Nagar, Chai Bagan, PO & PS Namkom, Town & District Ranchi (Jharkhand).

… … Respondents

WITH

L.P.A. No. 74 of 2020

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1. Subhash Sharma, son of Ishwar Sharma, resident of Village Muandu Tan Ward No.28, PO & PS Jhumri Tilaiya District- Koderma.
2. Rupesh Kumar Yadav, son of Parmeshwar Yadav, Resident of Tonkala, PO Jarhi, Police Station Dondari, District Garhwa.
3. Nitesh Kumar Mandal, son of Bhola Mandal, resident of Village Margadih, PO Ratabihiyar, PS Gandey, District Giridih.
4. Ajay Kumar Bhogta, son of Kamlesh Ganjhu, R/o Village Kakodih, PO Sanji, PS Ghatotand, Dist. Ramgarh.
5. Arun Kumar, son of Nemchand Saw, resident of Village Kalhabad, PO & PS Barkatha, District- Hazaribagh.

… … Appellants

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management having its Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police having its Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through its Secretary, having its Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having its office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.

… … Respondents

WITH

L.P.A. No. 76 of 2020

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1. Pawan Kumar Sahu, son of Dinesh Prasad Sahu, resident of Dak Bunglow Road, Road No.2, PO PS Khunti, Dist. Khunti, Jharkhand.
2. Jitendra Gop, son of Manmath Gop, resident of village Sasia, PO Ettam, PS Basia, Dist. Gumla, Jharkhand.
3. Sanjay Kumar, son of Lalo Saw, resident of Jado Babu Chowk, PO PS Boddom Bazar, Dist. Hazaribagh Jharkhand.
4. Janmejay Kumar, son of Jagdish Ram Kewat, resident of Kaparkatta Tand Main Road, Chitarpur, PO PS Chitarpur, Dist. Ramgarh, Jharkhand 825101.
5. Rajdeep Yadav, son of Krishna Yadav, resident of House No.24, Bharajo, PO Bharajo, PS Hazaribagh, Dist. Hazaribagh, Jharkhand.
6. Arbind Kumar, son of Prameshwar Prasad, resident of Kesra, PO PS Tatijharia, Dist. Hazaribagh, Jharkhand.

… … Appellants

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management having its Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through its Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
5. Deepak Kumar, son of Bechan Saw
6. Maghnath Mandal, son of Phani Bhushan Mandal
7. Pramod Kumar Mahto, son of Ramnaresh Mahto
8. Sudhir Kumar Yadav, son of Baleshwar Gope
9. Rajesh Ranjan, son of Surendra Prasad Bhagat
10. Sumit Saurabh, son of Shiv Shankar Prasad, resident of Traport Gali, PO PS Jhumri Tilaiya, Dist. Koderma.

… … Respondents

WITH

L.P.A. No. 77 of 2020

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1. Pradeep Kumar Mahto son of Jagdeo Mahto, resident of Village Chano, PO Gossaibaliya, PS Barkagaon, Dist. Hazaribag.
2. Akhilesh Kumar son of Amrit Prasad Yadav, resident of PO Gumgi, PS Tisri, Dist. Giridih.
3. Sikandar Alam son of Aftab Alam, resident of Latehar, PO & PS- Latehar, District- Latehar
4. Sanjeet Rana son of Ramchchandra Rana, resident of village Pipradih, PO Nowadih, PS Markacho, Dist. Koderma.
5. Yugesh Prasad son of Haricharan Saw resident of PO Marbar, PS Mandu, Dist. Ramgarh.
6. Nitish Kumar son of Sunil Prasad, resident of PO Lari, PS Rajrappa Project, Dist. Ramgarh.
7. Meenakshi Kumari, daughter of Narendra Kumar, resident of Bhurkunda, PO PS Bhurkunda, Dist. Ramgarh.

… … Appellants

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.

5. Saroj Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
6. Meenketan Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
7. Saawan Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
8. Vishwajeet Tumbli, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
9. Rakesh Kumar Mahto, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
10. Ashish Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
11. Vinay Kumar Saw, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
12. Birendra Sharma, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
13. Suraj Chail, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
14. Satish Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
15. Rajesh Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
16. Ramdew Das, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
17. Kabindra Kumar Poddar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
18. Anil Kumar Yadav, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
19. Bipin Kumar Yadav, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
20. Gaurav Bhagat, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
21. Sikendar Yadav, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi

22. Chhotoo Kumar, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
23. Sanjay Kumar Yadav, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi
24. Krishna Kumar Gupta, Sub-Inspector of Police through the Secretary, Department of Home, Jail and Disaster Management, Government of Jharkhand, Ranchi

… … Respondents

WITH

L.P.A. No. 87 of 2020

Sharvan Kumar son of Virendra Paswan, resident of Village Nawadih Panari, P.S. Hunterganj District Chatra, Jharkhand.

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
5. Abhishek Kumar, son of Pradeep Kumar Rajak
6. Anup Kumar, son of Kapil Dev Rajak
7. Ajay Rajak, son of Suresh Rajak
8. Gopal Kumar, son of Ratan Rajwar
9. Deepak Rajak, son of Naresh Ram

… … Respondents

WITH

L.P.A. No. 88 of 2020

Prity Kachhap D/o Tijeshwar Bhagat, resident of Village Chaukani, PO Hesway, PS Sneha Thana, Dist- Lohardaga (Jharkhand)

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.

4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
5. Sunila Linda daughter of Narsingh Oraon
6. Meera Lakra, daughter of Sukra Lakra
7. Shobha Toppo, daughter of Bisheshwar Toppo
8. Sabitri Kachhap, daughter of Somra Kachhap
9. Sujata Minj, daughter of Bishram Minj

… … Respondents

WITH

L.P.A. No. 92 of 2020

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1. Sanjay Kumar son of Satish Ram resident of Village Itki PO PS Itki Dist Ranchi.
2. Ameet Singh son of Ramdhari Yadav, resident of Village Bhadauli, PO Sisai, PS Sisai, Dist Gumla.
3. Vikash Kumar Pandit son of Raj Kumar, resident of Village Itki, PO PS Itki, Dist. Ranchi.

… … Appellants

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi
5. Sunny Kumar Sunny, son of Bindeshwari Das
6. Ajay Kumar Ravidas, son of Jagdish Ravidas
7. Vivek Vishal, son of Shashi Bhushan Rajak
8. Anil Kumar Yada, son of Naijnath Yadav
9. Vikash Kumar, son of Arvind Prasad Yadav

… … Respondents

WITH

L.P.A. No. 103 of 2020

Ganesh Shankar Mahto son of Kanhu Kishore Mahato, resident of Village Riding PO Kharsawan, PS Kharsawan, Dist. Saraikela Kharsawan, Jharkhand.

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.

3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.

… … Respondents

WITH

L.P.A. No. 104 of 2020

Rashmi Oraon daughter of Late Puran Oraon, resident of New Police Line Kanke Road, PO Ranchi University, PS Gonda, District Ranchi, Jharkhand.

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
5. Sunila Linda
6. Meera Lakra
7. Sobha Toppo
8. Sabitri Kachhap
9. Sujata Minz

… … Respondents

WITH

L.P.A. No. 105 of 2020

Md. Parwez Hussain, son of Md. Zahir Hussain, resident of Nazir Ali Lane, Lower Bazar, PO Church Road, PS Lower Bazar, Dist. Ranchi, Jharkhand.

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi **… … Respondents**

WITH

L.P.A. No. 114 of 2020

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1. Anshika Priya daughter of Late Vinod Yadav, resident of Bara Bazar Gwaltoli, PO Hazaribag and PS Sadar, District Hazaribagh, Jharkhand.
2. Devendra Kumar S/o Rajendra Prasad Saw, resident of Mango Chowk, PO Tupkadih, PS Balidih, District Bokaro, Jharkhand.
3. Manoj Mahato son of Akhileshwar Mahato, resident of Village Manjhiladih, PO Birajpur, PS Barwadda, District Dhanbad, Jharkhand.
4. Sugandha Verma D/o Sahdeo Verma, resident of Village Okni, PO Hazaribag and PS Sadar and District Hazaribagh, Jharkhand.
5. Kumar Gaurav S/o Puran Prasad Singh, resident of village Jamua, PO Sabejor and PS Sarath and District Deoghar, Jharkhand.
6. Niharika Singh D/o Lalan Singh, resident of village Kalimanda Shiblibari Middle, PO Kumardhubi and PS Chirkunda, District Dhanbad, Jharkhand.

… … Appellants

-versus-

1. The State of Jharkhand
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Govt. of Jharkhand, Nepal House, PO and PS Doranda, District Ranchi, Jharkhand.
3. The Secretary, Jharkhand Public Service Commission, Circular Road, PO and PS Lalpur, District Ranchi.
4. The Controller of Examination, Jharkhand Public Service Commission, Circular Road, PO PS Lalpur, District Ranchi.
5. Sana Azam D/o Fakhar Azam Ansari, resident of village Jamshedpur, PO Jugsalai and PS Jugsalai and District Jamshedpur, Jharkhand.
6. Shruti Priyanka W/o Madan Kumar Sah, resident of village Bhatdiha, PO Godda and PS Godda District Godda, Jharkhand.

… … Respondents

WITH

L.P.A. No. 115 of 2020

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1. Manoj Kumar Gupta son of Late Jagdish Prasad Gupta, resident of 1637 New Road, Meghdoot Sweets, PO Phusro, PS Bermo, Dist. Bokaro, Jharkhand.
2. Sandhya Kumari Daughter of Rajendra Prasad Gupta, resident of Suryavihar Colony, Prathmesh Apartment, Galin No.5, Flat No.1 (A) Bartand, PS Dhaiya, Dist. Dhanbad, Jharkhand.

… … Appellants

-versus-

1. The State of Jharkhand through the Director, Primary Secondary & Higher Education, Government of Jharkhand, having Office at Project Building, PO PO Dhurwa, Dist. Ranchi, Jharkhand.
2. The Secretary, Primary Secondary & Higher Education, Government of Jharkhand, having Office at Project Building, PO PO Dhurwa, Dist. Ranchi, Jharkhand.
3. Jharkhand Staff Selection Commission through Chairman, having Office at Namkum, PO PS Namkum, Dist. Ranchi.
4. Jharkhand Staff Selection Commission, through its Controller of Examination, having Office at Namkum, PO PS Namkum, Dist. Ranchi.

… … Respondents

WITH

L.P.A. No. 117 of 2020

Neha Noopur D/o A.K. Rajak, W/o Bikash Kumar, R/o Opposite SBI Customer Care, Telidih Road, PO Narayanpur, PS Chas, District Bokaro, Jharkhand 827013.

… … Appellant

-versus-

1. The State of Jharkhand.
2. The Secretary, Jharkhand Public Service Commission, Ranchi, Circular Road, PO GPO, Ranchi 834001
3. Pooja Kumari
4. Kumar Arnav Swaroop
5. Preeti Kumari
6. Avinash Kumar Harza

… … Respondents

WITH

L.P.A. No. 125 of 2020

Kushma Kumari S/o Shri Mohan Gope, resident of Village Nawagarh Serka, PO and PS Bishunpur, District Gumla.

… … Appellant

-versus-

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi, PO PS Dhurwa, District Ranchi.
2. Department of Human Resource and Development, through its Principal Secretary, having Office at Project Bhawan, PO PS Dhurwa, District Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi
5. Prabhat Ranjan
6. Rajiv Singh
7. Subhash Arya **… … Respondents**

WITH

L.P.A. No. 126 of 2020

Kumari Punam Jyoti D/o Shri Krishna Deo Prasad, resident of Village Kesda, Tatijharia, Bishnugarh, PO PS Tatijharia, District Hazaribagh.

… … Appellant

-versus-

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi, PO PS Dhurwa, District Ranchi.
2. Department of Human Resource and Development, through its Principal Secretary, having Office at Project Bhawan, PO PS Dhurwa, District Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. The Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi
5. Ravi Shankar
6. Vikas Kumar
7. Birendra Prasad

… … Respondents

WITH

L.P.A. No. 127 of 2020

Neha Kumari D/o Shri Om Prakash, resident of Village Bhendra, Nawadih, PO Bhendra, PS Nawadih, District Bokaro.

… … Appellant

-versus-

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi, PO PS Dhurwa, District Ranchi.
2. Department of Human Resource and Development, through its Principal Secretary, having Office at Project Bhawan, PO PS Dhurwa, District Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, District Ranchi.
5. Indu Kumari
6. Santosh Kumar Yadav
7. Rakesh Ranjan

… … Respondents

WITH

L.P.A. No. 128 of 2020

Saheb Ali son of Shri Akbar Ali, resident of Village Karnal Market, PO PS Marafari, District Bokaro (Jharkhand).

… … Appellant

-versus-

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi, PO PS Dhurwa, District Ranchi.
2. Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, District Ranchi.
3. Deputy Inspector General of Police, Office at HEC Administrative Building, PO PS Dhurwa, District Ranchi.
4. Jharkhand Staff Selection Commission through its Secretary having Office at Chaibagan, Kalinagar, PO PS Namkom, District Ranchi.
5. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi
6. Pankaj Sinduria
7. Mahesh Kumar
8. Suraj Chail **… … Respondents**

WITH

L.P.A. No. 133 of 2020

Sunny Kumar Verma son of Krishna Nandan Verma, resident of Dr. Rajendra Prasad Road, Castair Town, Subhash Chowk, PO PS Castair Town, District Deoghar, Jharkhand.

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, Dist. Ranchi.
2. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
3. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
4. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi **… … Respondents**

WITH

L.P.A. No. 183 of 2020

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1. Raju Kumar Choudhari son of Raghunath Mahto, resident of Kapilo, PO PS Suriya, District Giridih (Jharkhand).
2. Sanjay Kumar Sahu son of Gopi Chand Sahu, resident of Rangamati, PO Roshanatunda (Isri Bazar), PS Nimiyaghat, District Giridih (Jharkhand).

… … Appellants

-versus-

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi, PO PS Dhurwa, District Ranchi.
2. Secretary, Department of Home, Jail and Disaster Management having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, District Ranchi.
3. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, Dist. Ranchi.
4. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
5. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi
6. Ashish Kumar
7. Rakesh Kumar Mahato
8. Vishwajeet Tumbli

… … Respondents

WITH

L.P.A. No. 193 of 2020

Pankaj Das son of Shri Om Prakash Das, resident of Vivekanand Nagar, Nichitpur, PO PS Katras Bazar, District Dhanbad (Jharkhand). **… … Appellant**

-versus-

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi, PO PS Dhurwa, District Ranchi.
2. Secretary, Department of Home, Jail and Disaster Management, having Office at 1st Floor, Project Bhawan, PO PS Dhurwa, District Ranchi.
3. Deputy Inspector General of Police, having Office at HEC Administrative Building, PO PS Dhurwa, District Ranchi.
4. Jharkhand Staff Selection Commission through Secretary, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
5. Controller of Examination, Jharkhand Staff Selection Commission, having Office at Chaibagan, Kalinagar, PO PS Namkom, Dist. Ranchi.
6. Saawan Kumar Sahu
7. Vinay Kumar Saw
8. Birendra Sharma **… … Respondents**

WITH

L.P.A. No. 266 of 2020

Sonu Priya daughter of Sri Rajendra Prasad, resident of 8, Tupudana, PO Hatia, PS Dhurwa, District Ranchi (Jharkhand).

… … Appellant

-versus-

1. The State of Jharkhand through the Secretary, Department of Personnel, Administrative Reforms and Rajbhasa, Govt. of Jharkhand, Project Building, PO Dhurwa, PS Jagannathpur, Ranchi, Jharkhand.
2. Secretary, Department of Personnel, Administrative Reforms and Rajbhasa, Govt. of Jharkhand, Project Building, PO Dhurwa, PS Jagannathpur, Ranchi, Jharkhand.
3. Jharkhand Staff Selection Commission through Secretary, Kalinagar, Chhay Bagan, PO PS Namkum, Ranchi, Jharkhand.
4. Secretary, Jharkhand Staff Selection Commission, Kalinagar, Chaay Bagan, PO PS Namkum, Ranchi, Jharkhand.
5. Examination Controller, Jharkhand Staff Selection Commission, Kalinagar, Chaay Bagan, PO PS Namkum, Ranchi, Jharkhand. **… … Respondents**

CORAM: HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellants: Mr. Krishna Murari, Advocate
Mr. Rajvardhan, Advocate
Mr. Ritesh Pathak, Advocate
Mr. Deb Nandan Dubey, Advocate
Mr. Mukesh Kumar Dubey, Advocate
[L.P.A. Nos. 64 & 117 of 2020]
Mr. Manoj Tandon, Advocate
Mr. Sidhharth Ranjan, Advocate
Ms. Neha Bhardwaj, Advocate
Mr. K.S. Chhabra, Advocate
[L.P.A. Nos. 77 & 133 of 2020]
Mr. Ajit Kumar, Sr. Advocate
Mr. Shresth Gautam, Advocate
Mr. Rahul Kumar, Advocate
Mr. Padmanav Shahdeo, Advocate
[L.P.A. Nos. 74, 76, 87, 88, 92, 103, 104 & 105 of 2020]
Mr. Amritansh Vats, Advocate
Mr. Shivam Anand Pathak, Advocate
Mr. Amartya Choubey, Advocate
Ms. Oishi Das, Advocate
[L.P.A. Nos. 125, 126, 127, 128, 183 & 193 of 2020]

For the Respondents: Mr. Rajiv Ranjan, A.G.
[L.P.A. No. 64 of 2020]
Mr. Sanjoy Piprawall, Advocate
Mr. Prince Kumar, Advocate
Mr. Jay Prakash, Advocate
Mr. Rakesh Ranjan, Advocate
[in all cases]
Ajit Kumar, A.C. to G.A.-V
[L.P.A. No. 64 of 2020]
Mrs. Sunita Kumari, AC to Sr. SC-II
[L.P.A. Nos. 128 & 183 of 2020]

Mr. Gaurang Jajodia, A.C. to G.P.-II
[L.P.A. No. 114 of 2020]
Ms. Ruchi Mukti, A.C. to A.A.G.-IA
[L.P.A. Nos. 74, 87, 92, 103 & 133 of 2020]
Mr. Aditya Kumar, A.C. to Sr. S.C.-I
[L.P.A. Nos. 76, 77, 88, 104, 105, 126 & 193 of 2020]
Mr. J. F. Toppo, GA-V
[L.P.A. No. 64 of 2020]

Reserved on 21.04.2026 **Pronounced on 07.05.2026**
Per : Rajesh Shankar, J. :

1. These appeals have been filed challenging the common order/judgment dated 20.12.2019 passed by the learned Single Judge in a batch of writ petitions (led by W.P.(S) No. 3151 of 2018) filed by the respective writ petitioners/appellants whereby the decision of the Jharkhand Public Service Commission (JPSC)/Jharkhand Staff Selection Commission (JSSC) treating the candidature of the writ petitioners/appellants under general category, has not been interfered on the ground that they failed to adhere to the conditions as stipulated in the respective advertisements and consequently their writ petitions have been dismissed.

2. Initially, the present batch of Letters Patent Appeals as well as other Letters Patent Appeals were placed before a Co-ordinate Bench of this Court and vide order dated 02.03.2023, the Bench observed that in an almost similar fact-situation, there were conflicting views of different Division Benches of this court as in some cases, the ratio laid down in the case of **Ram Kumar Gijroya Vs. Delhi Subordinate Services Selection Board & Another** reported in **(2016) 4 SCC 754** had been followed, whereas in some other cases, it had been distinguished/not relied upon. The Bench thereafter referred the said cases to the larger Bench for determination of the following issues: -

A. Whether "Ram Kumar Gijroya" must be applied in every case irrespective of the facts of the case, provided the caste certificate is produced at the time of verification of the documents?

B. Whether Clause 9(gha) in the Advertisement No. 2 of 2016 and a similar stipulation in the other advertisements run contrary to the Constitutional mandate under Articles 14, 16 and 335 of the Constitution of India?

C. Whether providing a condition in the advertisement that the caste certificate in the proper format should be in possession of the candidate on the last date for making the application failing which his/her candidature shall be considered under unreserved category is an exercise of excessive delegation of power and/or beyond the powers conferred upon the Commission?

3. Subsequently, L.P.A. No. 50 of 2020 was de-tagged and L.P.A. No. 118 of 2020 was disposed of by passing a separate order. Thereafter, the remaining cases (i.e., the present batch of appeals) were placed before the Full Bench of this Court and the said Bench answered the issues referred to it vide order dated 15.09.2025 passed in the case of **Dr. Nutan Indwar @ Nutan Indwar Vs. State of Jharkhand & Ors.** reported in **2025 SCC OnLine Jhar. 3189** directing that the present batch of appeals be placed before the appropriate Bench for deciding the same on merit keeping in view the observation made by the said Bench on the issues referred to it. Pursuant to the said direction, these appeals have been placed before this Court.

4. Heard learned counsel for the parties at length and perused the materials available on record.

5. Mr. Krishna Murari, learned counsel for the appellant of L.P.A. No. 64 of 2020 namely Dr. Nutan Indwar @ Nutan Indwar, submits that the said appellant was in possession of her caste certificates issued in the prescribed formats of the State Government as well as the Central Government from much before the cut-off date of submission of online application form, however she inadvertently mentioned the particulars of the caste certificate issued in the prescribed format of the Central Government while uploading her application.

6. It is further submitted that the said appellant rectified her mistake and submitted the caste certificate issued in the prescribed format as mandated under Clause-9(gha) of the Advertisement No. 02/2016 during the documents verification, however the same was not accepted by the JPSC and her candidature was treated under "General Category". Resultantly, she was not selected for the advertised post despite the fact that she had scored more marks than the cut-off marks i.e., the marks obtained by the last selected candidate under the "Scheduled Tribe" category.

7. It is also submitted that pursuant to publication of the final result, out of 44 vacancies notified for the "Scheduled Tribe" category, only 8 candidates were declared successful and thereby 36 posts remained vacant. The present appellant is the only left out candidate who has secured marks more than the cut-off marks and thus, the action of the Commission in denying appointment to the present appellant is patently arbitrary and illegal.

8. It is further submitted that no prejudice will be caused to any other unsuccessful candidate by providing appointment to the appellant who was in possession of the caste certificate in the prescribed format of the State Government prior to the last date of submission of the online application form.

9. It is contended by learned counsel for the said appellant that the appellant was called for interview by the Commission under "Scheduled Tribe" category only on confirming her undisputed status under the said category. Since she had obtained lesser marks than the cut-off marks of last selected candidate under the "General Category" in written examination, it cannot be assumed that she was called for interview as a "general category" candidate. As such, at the time of declaring the final result, the Commission was wrong in treating the appellant under "General Category" depriving her of getting the appointment.

10. Mr. Krishna Murari places reliance on the judgment rendered by the Hon'ble Supreme Court in the case of **Ram Kumar Gijroya (supra.)** and submits that once the categorization in a particular category is not disputed, mere inability to submit the prescribed caste certificate till the cut-off date should not operate as prejudice to the candidate. Even otherwise, the delayed submission should not affect the category-wise selection process as there is no rationale for insisting to produce the prescribed caste certificate till the cut-off date.

11. Mr. Krishna Murari also puts reliance on the judgment rendered by the Hon'ble Supreme Court in the case of **Charles K. Skaria and Others Vs. Dr. C.Mathew and Others** reported in **(1980) 2 SCC 752** and submits that possession of a caste certificate in the prescribed format was

sufficient for claiming benefit of reservation.

12. Mr. Manoj Tandon, learned counsel appearing on behalf of the appellants of L.P.A. Nos. 77 of 2020 and 133 of 2020, submits that the JPSC/JSSC have breached the law laid down by the Full Bench of this Court in the order dated 15.09.2025 by appointing few candidates who were similarly situated to the said appellants and thus they deserve the similar relief as granted to the said candidates.

13. It is further submitted that admittedly the appellants belong to the reserved category but they have been treated under "General Category" in a most arbitrary manner. The appellants had submitted their caste certificates in the prescribed format prior to finalization of the process of recruitment, however the respondents arbitrarily did not take into consideration the said caste certificates produced by them.

14. It is also submitted that in the case of **Ram Kumar Gijroya (Supra.)**, the Hon'ble Supreme Court has held that delay in submission of caste certificate by a reserved category candidate would not oust his/her candidature for appointment.

15. Mr. Ajit Kumar, learned senior counsel, assisted by Mr. Shresth Gautam, appearing on behalf of some of the appellants, submits that under similar situation, some candidates were given relaxation of submitting the caste certificates at subsequent stage by the JPSC, whereas it acted arbitrarily in the cases of the appellants by not giving them the same relaxation.

16. In response to the above contentions, Mr. Sanjay Piprawal, learned counsel appearing on behalf of respondents- JPSC/JSSC, submits that the appellants had failed to strictly adhere to the terms and conditions of the advertisements fixed for claiming reservation and as such their

candidatures were considered under "General Category".

17. It is further submitted that the Hon'ble Supreme Court as well the different Division Benches of this Court have consistently held that the candidates are obliged to strictly follow the terms and conditions of the advertisement, failing which they would not be able to get the benefit of reservation.

18. It is also submitted that admittedly in the online application forms, the appellants had not filled the particulars of the caste certificates obtained in the prescribed format, rather the same were subsequently produced either at the time of document verification or after issuance of the show cause notices.

19. It is further submitted that the Full bench of this Court in the order dated 15.09.2025, has upheld the constitutional validity of Clause 9 (gha) of Advertisement No. 02 of 2016 and similar stipulations in the other advertisements, which clearly provide that each candidate who is the resident of Jharkhand State and belongs to SC/ST/BC-I/BC-II category, has to fill the particulars of his/her caste certificate issued by the Deputy Commissioner/Sub-Divisional Officer in the prescribed format in the online application form, otherwise they will be treated under "general category".

20. Mr. Piprawal contends that the case of **Ram Kumar Gijroya (Supra.)** which has been heavily relied upon by the learned counsels for the appellants, has been distinguished in facts by the Hon'ble Supreme Court in several subsequent judgments and as such the said judgment will not help the case of the appellants.

21. We have gone through the judgment of **Ram Kumar Gijroya (Supra.).**

The fact of the said case was that the appellant was not selected for the advertised post on the ground that he had failed to submit the OBC certificate issued by the appropriate authority along with the application form before the last date of submission of the same. Moreover, the requirement of submitting the OBC certificate before the cut-off date of the application was introduced by the respondent-Delhi Subordinate Services Selection Board only while declaring the result on 15.12.2008. In the said case, Their Lordships considered the judgment of learned Single Judge of Delhi High Court rendered in the case of **Pushpa vs. Govt., NCT of Delhi & Others** reported in **2009 SCC OnLine Del 281** and held that the same was in conformity with the proposition of law laid down in the case of **Indra Sawhney & Others vs. Union of India & Others** reported in **1992 Supp (3) SCC 217** and **Valsamma Paul (Mrs.) vs. Cochin University & Others** reported in **(1996) 3 SCC 545.** It was further held that the Division Bench of Delhi High Court had erred in reversing the judgment and order passed by the learned Single Judge without noticing the binding precedent of **Indra Sawhney (Supra.)** and **Valsamma Paul (Supra.)** wherein after interpretation of Articles 14, 15, 16 as well as 39-A of the Constitution of India pertaining to the Directive Principles of the State policy, it was held that the object of providing reservation to the SCs/STs and educationally/socially backward classes of the society is to remove inequality in public employment, as the candidates belonging to these categories are unable to compete with the candidates belonging to the general category on account of facing centuries of oppression and deprivation of opportunity. The constitutional concept of reservation envisaged in the Preamble of

the Constitution and Articles 14, 15, 16 as well as 39-A of the Directive Principles of the State policy is to achieve the purpose of giving equal opportunity to all sections of the society.

22. In the case of **Karn Singh Yadav Vs. Government of NCT of Delhi and Others** reported **in (2024) 2 SCC 716**, the judgments of **Ram Kumar Gijroya (Supra.)** and **Pushpa (supra.)** came to be considered by the Hon'ble Supreme Court and their Lordships referred the matter to the Larger Bench of three judges for reconsideration of the issue fell in the case of **Ram Kumar Gijroya (supra.)** by observing that the judgment of **Pushpa (supra.)** was passed under a peculiar circumstance where the fact was that the office of the competent authority took considerable time to make the required OBC certificate available despite the applicant having filed an application before the concerned Sub-Divisional Officer for obtaining the same much prior to the date of issuance of the advertisement, for which the applicant could not be made to suffer. It was further held that in the course of recruitment process, many persons, though belonging to the OBC category or SC/ST category, might not have obtained the required caste certificate before the cut-off date. Such persons, being law abiding and conscious of the bar contained in the notification of the cut-off date, might not have applied seeking employment. In case, the authority starts accepting caste certificates subsequent to the prescribed cut-off dates whenever a candidate approaches it, the remaining candidates who had not applied, would definitely be affected. If the applicants are allowed to submit certificates in proof of their claim of reservation subsequent to the notified cut-off date, it would create an administrative chaos.

23. However, when the said case was placed before the Larger Bench of the Hon'ble Supreme Court, Their Lordships did not delve into the issues raised in **Karn Singh Yadav (supra.)** (decided by two Judges Bench) and disposed of the said case vide judgment rendered in **Karn Singh Yadav vs. Government of NCT of Delhi & Others** reported in **(2024) 2 SCC 588** (decided by three Judges Bench) observing that the fact and situation of the said case was identical to the case of **Ram Kumar Gijroya (supra.)**.

24. The judgments of **Ram Kumar Gijroya (supra.)** as well as **Karn Singh Yadav (supra.)** (two Judges Bench) and **Karn Singh Yadav (supra.)** (three Judges Bench) were also considered in the case of **Divya Vs. Union of India & Others** reported in **(2024) 1 SCC 448.** Their Lordships distinguished the fact of that case with that of **Ram Kumar Gijroya (Supra.)** and observed that in the case of **Ram Kumar Gijroya (Supra.)** there was no rule regarding requirement of submitting the OBC certificate before the cut-off date, rather the same was introduced by the selection authority at the time of declaring the result. It was further observed that in the case of **Ram Kumar Gijroya (Supra.)**, there was no contention or issue raised that the eligibility enured or crystallized only on issuance of the certificate and on possession of the certificate before the prescribed cut-off date. In the said case, Their Lordships went on to observe that the judgment of **Ram Kumar Gijroya (Supra.)** was also directly in conflict with the judgment of Three Judges Bench of the Hon'ble Supreme Court rendered in the case of **Ashok Kumar Sharma & Others Vs. Chander Shekhar & Another** reported in **(1997) 4 SCC 18** and thus the ratio laid down in the judgment of the three judges'

Bench in the case of **Ashok Kumar Sharma (Supra.)** is bound to be followed.

25. Again, in the case of **Sakshi Arha Vs. The Rajasthan High Court and Others** reported in **2025 SCC OnLine SC 757** the Hon'ble Supreme Court distinguished the judgment of **Ram Kumar Gijroya (Supra.)** from the fact of that case observing as under: -

> **"38. Significant reliance is placed by the Appellants on the 2-Judge Bench decision of this Court in Ram Kumar Gijroya (supra). A perusal of the decision rendered by the High Court of Delhi on the factual matrix therein is evidently distinct. The same, thus, cannot come to the rescue of the Appellants. In the instant case, it is not a contention of Appellants that they are missing a valid proof of attainment of their particular qualification or right. No candidate before us has a claim that they, to begin with, already availed and established their eligibility, or had applied for a NCL category certificate and issuance of the same is delayed at the behest of the competent authority. The ratio, therefore, in the relied judgment would not apply."**

26. The Full Bench of this Court also decided the **issue 'A'** in the judgment dated 15.09.2025 by observing that the ratio laid down in the case of **Ram Kumar Gijroya (supra)** is not applicable in every case irrespective of the facts. It also cannot be applied if the caste certificate is not produced on or before the cut-off date as prescribed either by the rules governing the employment or by the advertisement. In case, rules and advertisement are silent about the cut-off date, then the eligibility will be judged on the last date of submission of the application forms.

27. In the aforesaid judgment, one of us (Rajesh Shankar, J) has observed in concurring part as under: -

> **"67. It may be construed from the aforesaid judicial**

> **pronouncements that the judgment of Ram Kumar Gijroya (Supra.) was delivered in the peculiar fact and circumstance of the said case where the cut-off date for submitting OBC certificate was not given in the advertisement, rather the same was introduced by the respondent-Delhi Sub-ordinate Services Selection Board only while declaring the result. The judgment of Pushpa (Supra.) which was strongly relied upon by the Hon'ble Supreme Court in Ram Kumar Gijroya (Supra.) was also delivered in the circumstance where the applicant had moved an application for obtaining OBC certificate much prior to the date of issuance of the advertisement, however, the office of the competent authority took considerable time to make the required OBC certificate available. The judgment of Ram Kumar Gijroya (Supra.) was factually distinguished by the Hon'ble Supreme Court in the judgment rendered in the cases of Divya (Supra.) and Sakshi Arya (Supra.)."**

28. Now, the question falls for consideration of this Court is whether the facts and circumstance of the present batch of appeals are similar to the case of **Ram Kumar Gijroya (supra.)** so as to entitle the appellants for any relief by this Court in view of the law laid down in the said judgment or was there any cut-off date fixed in the advertisements in question for obtaining caste certificates in the prescribed format which the appellants were required to strictly follow.

29. The present matters relate to altogether six advertisements issued by the JPSC/JSSC and as such for better appreciation of the cases of the parties, it seems appropriate to inter alia refer the relevant provisions of the said advertisements as well as the respective claims of the parties.

30. **Advertisement No. 2 of 2016** was issued by the JPSC for appointment to the post of Dentist (Basic Cadre) and the last date of submission of the online application forms by the interested candidates was fixed as

29.02.2016, which was subsequently extended upto 15.03.2016.

31. The relevant clauses for the said advertisement are quoted hereinbelow for the ready reference in the present case:-

Clause-9 आरक्षण-:

(क) . ऑनलाईन, (Online) आवेदन में नियत प्रविष्टि के अधीन इंगित आरक्षण का दावा नहीं करने पर आरक्षण का लाभ नहीं मिलेगा। ऐसे अभ्यर्थियों को अनारक्षित कोटि में शामिल किया जायेगा ।

(ख) आरक्षण का लाभ केवल झारखण्ड राज्य के स्थायी निवासी को झारखण्ड राज्य के सक्षम स्तर के पदाधिकारी अर्थात उपायुक्त / अनुमण्डल पदाधिकारी स्तर से निर्गत जाति प्रमाण पत्र के आधार पर ही देय होगा। झारखण्ड राज्य के बाहर के जाति प्रमाण पत्र धारक अभ्यर्थी के लिए आरक्षण के लाभ हेतु किया गया दावा अनुमान्य नहीं होगा । केन्द्रीय सरकार के अधीन नियोजन / शैक्षणिक संस्थानों में नामांकन के उद्देश्य से निर्गत पिछड़ी जाति (OBC) का प्रमाण पत्र भी अमान्य होगा एवं आरक्षण का दावा अनुमान्य नहीं होगा ।

(घ) झारखण्ड राज्य के उम्मीदवार, जो अनुसूचित जाति / अनुसूचित जनजाति / पिछड़ा वर्ग –I (BC- I) / पिछड़ा वर्ग - II (BC-II) के हैं, को आरक्षण का लाभ प्राप्त करने के लिए झारखण्ड राज्यान्तर्गत उपायुक्त / अनुमंडल पदाधिकारी स्तर से क्रमशः कार्मिक, प्रशासनिक सुधार तथा राजभाषा विभाग, झारखण्ड सरकार का ज्ञापांक- 5682, दिनांक- 22.10.2008 एवं ज्ञापांक- 10007, दिनांक- 29.08.2012 द्वारा निर्गत निर्धारित विहित प्रपत्र - । अथवा प्रपत्र - II का विवरण ऑनलाईन आवेदन पत्र में प्रविष्ट करेंगे। अन्यथा अभ्यर्थी अनारक्षित कोटि के माने जायेंगे । निर्धारित प्रपत्र आयोग के वेबसाइट - www.jpsc.gov.in पर उपलब्ध है।

(ड.) आवेदन के प्राप्ति की अंतिम तिथि तक आरक्षण हेतु संलग्न विहित प्रपत्र – । एवं प्रपत्र - II में जाति प्रमाण पत्र, जिसे आयोग द्वारा अन्तर्वीक्षा के समय प्रमाण पत्र

सत्यापन प्रक्रिया के दौरान मूल रूप में प्रमाण पत्र प्रस्तुत करना अनिवार्य होगा अन्यथा अभ्यर्थिता रद्द कर दी जायेगी।

(च) साक्षात्कार के समय ऑनलाईन आवेदन में दिये गये प्रविष्टि (Entry) एवं मुद्रित आवेदन के साथ संलग्न सभी प्रमाण पत्रों की संबंधित मूल प्रति प्रस्तुत करना अनिवार्य होगा । अन्यथा अभ्यर्थिता रद्द कर दी जायेगी ।

Clause-12 (घ) :-

(iii) उम्र संबंधी प्रवेशिका (मैट्रिक) प्रमाण पत्र या इसके समकक्ष (iv) जाति प्रमाण पत्र (जहाँ लागू हो) आदि ऑनलाईन आवेदन पत्र में निर्धारित कंडिकाओं में अवश्य प्रविष्टि करेंगे तथा साक्षात्कार के समय जाँच के क्रम में उपरोक्त प्रमाण पत्र की मूल प्रति प्रस्तुत करना अनिवार्य होगा एवं ऑनलाईन आवेदन में दी गयी सूचना तथा साक्षात्कार के समय दी गयी सूचना में भिन्नता होने पर अभ्यर्थिता रद्द कर दी जायेगी तथा इसके लिए आवेदक स्वयं जिम्मेवार होंगे।

32. The appellants of L.P.A No. 64 of 2020, L.P.A No. 114 of 2020 and L.P.A No. 117 of 2020 filled up their respective online application forms for the said advertised post. They appeared in the written examination held on 20.12.2017 and after passing the said examination, they were called for document verification on 08.03.2018. The interview of the said examination was conducted on 09.03.2018 and the recommendation for appointment of the successful candidates was made to the state government on 17.05.2018. The appellants of the said cases were treated as "general category" candidates and were declared unsuccessful since they secured lesser marks than those of the last selected candidates under the "general category".

33. For better appreciation of the claims of the appellants, the details of their

categories, particulars of the caste certificates mentioned by them in the online application forms as well as the caste certificates submitted by them at the time of document verification or after issuance of show cause notices, are given as under:-

Category of the appellant(s)	**Particulars of the Caste certificate(s) mentioned by the appellant(s) in the Online Application Form(s)**	**Caste certificate(s) submitted by the appellant(s) at the time of document verification or after issuance of the show cause notice**
L.P.A No. 64 of 2020 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3151 of 2018		
Appellant - S.T	**Caste Certificate No. CST/0316/14/00494 dated 24.11.2014 issued by the S.D.O in the format of central government**	**Same caste certificate mentioned in the application form as also Caste Certificate No. CST/0316/14/00327 dated 29.09.2014 issued by the Sub-Divisional Officer in the prescribed format**
L.P.A No. 114 of 2020 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3374 of 2018		
Appellant No. 1 – B.C-II	**Caste Certificate No. CST/1622/16/00107 dated 02.02.2016 issued by the Deputy Commissioner, Hazaribagh in the format of Central Government**	**Caste Certificate No. CST/1601/16/00204 dated 29.01.2016 issued by the C.O. on 30.01.2016 and countersigned by the SDO, Sadar, Hazaribagh on 10.03.2016**
Appellant No. 2 – B.C-II	**Caste Certificate No. 1921 dated 06.11.2015 issued by the S.D.O however the same was not in the prescribed format as mentioned in the Advertisement**	**Caste Certificate No. JHCC/2018/182586 dated 03.03.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form.**
Appellant No. 3 – B.C-I	**Caste Certificate No. JHCC/2015/21810 dated 31.08.2015 issued by the B.D.O**	**Caste Certificate No. JHCC/2018/15391 dated 01.02.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**
Appellant No. 4 – B.C-I	**Caste Certificate No. 2500 dated 20.12.2006 issued by the S.D.O not in the Proforma-II as mentioned in the Advertisement**	**Caste Certificate No. JHCC/2018/174854 dated 26.02.2018 issued by the SDO after the last date of submission of the online application form**
Appellant No. 5 – B.C-II	**Caste Certificate No. JHCC/2016/56935 dated**	**Caste Certificate No. JHCC/2018/198348**

	20.02.2016 which was in the format of the Central Government	**dated 05.03.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**
Appellant No. 6 – B.C-I	**Caste Certificate No. 1105/07 dated 01.03.2007 issued by the SDO which was not in the prescribed format as mentioned in the advertisement**	**Caste Certificate No. JHCC/2017/1675393 dated 09.02.2018 issued by the D.C., Dhanbad in the prescribed format after the last date of submission of the online application form**
L.P.A No. 117 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3931 of 2018		
Appellant - SC	**Caste Certificate No. 399 dated 27.04.2006 issued by the SDO which was not in the prescribed format as mentioned in the advertisement.**	**Same caste certificate as well as Caste Certificate No. JHCC/2017/1507069 dated 30.10.2017 issued by the SDO after the last date of submission of the online application form**

34. Advertisement No. 6 of 2017 was issued by the JSSC for appointment to the post of Jharkhand Police Radio Operator and the last date for submission of online application forms was fixed as 31.08.2017.

Relevant Clauses of the Advertisement: -

Clause - 3:- परीक्षा परीक्षा के लिए आवेदन देने के पूर्व अभ्यर्थी यह सुनिश्चित हो लें कि वे विज्ञापित पद की पात्रता के विषय पर प्रकाशित सभी शर्तों को पूरा करते हैं। परीक्षा में बैठने की अनुमति पूर्णतः औपबन्धिक होगी। परीक्षा के लिए प्रवेश पत्र निर्गत होना प्रमाणित नहीं करता है कि अभ्यर्थी विज्ञापित पद पर नियुक्ति के लिए चयन हेतु निर्धारित पात्रता पूरी करते हैं क्योंकि आयोग परीक्षा के बाद अपनी सुविधा के अनुसार किसी भी समय अभ्यर्थियों की पात्रता से सम्बन्धित प्रमाण पत्रों की जाँच करेगा। प्रमाण पत्र जाँच के पश्चात अभ्यर्थी की पात्रता के बिन्दु पर अंतिम निर्णय हो सकेगा। किसी भी समय पात्रता पूरी नहीं करने वाले अभ्यर्थियों का आवेदन / अभ्यर्थिता रद्द किया जा सकता है।

Clause 7 आरक्षण-:

(I) आवेदन में नियत प्रविष्टि के अधीन इंगित आरक्षण का दावा नहीं करने पर आरक्षण का लाभ नहीं मिलेगा।

(III) आवेदन समर्पित करने की अंतिम तिथि तक झारखण्ड सरकार द्वारा लागू आरक्षण सम्बन्धी सभी नियम प्रभावी होंगे | आरक्षण का दावा करने वाले झारखण्ड के स्थानीय निवासी उम्मीदवार को निम्न प्रमाण-पत्र का विवरण ऑन-लाईन आवेदन पत्र में देना अनिवार्य होगा एवं आयोग द्वारा प्रमाण-पत्रों की जाँच के अवसर पर समर्पित करमा अनिवार्य होगा:-

(i) अनुसूचित जाति एवं अनुसूचित जन जाति के लिए जाति प्रमाण पत्र- जिला / अनुमंडल के उपायुक्त / अनुमण्डल पदाधिकारी से विहित प्रपत्र परिशिष्ट - । पर अंकित प्रपत्र में अथवा प्रज्ञा केन्द्र द्वारा कम्प्यूटर जनित प्रमाण पत्र ।

(ii) अत्यंत पिछड़ा वर्ग (अनुसूची-1) एवं पिछड़ा वर्ग अनुसूची-2 के लिए जाति प्रमाण पत्र परिशिष्ट - ॥ पर अंकित प्रपत्र में अथवा प्रज्ञा केन्द्र द्वारा कम्प्यूटर जनित प्रमाण पत्र ।

(iii) अनुसूचित जाति, अनुसूचित जन जाति, पिछड़ा वर्ग (अनुसूची - 1) एवं अत्यंत पिछड़ा वर्ग (अनुसूची - 2) एवं महिला के आरक्षित पदों के लिए स्थानीय निवासी प्रमाण पत्र कार्मिक, प्रशासनिक सुधार तथा राजभाषा विभाग के पत्रांक- 9650 दिनांक 02.06.2016 द्वारा निर्धारित प्रपत्र (परिशिष्ट - ॥। पर अंकित प्रपत्र) में जिला / अनुमंडल के उपायुक्त / अनुमण्डल पदाधिकारी के स्तर से निर्गत स्थानीय निवासी प्रमाण पत्र मान्य होगा एवं अनिवार्य रूप से - प्रमाण पत्र की संख्या तथा तिथि आवेदन में

अंकित करना होगा, जिसे प्रमाण पत्रों के जाँच कार्यक्रम में अनिवार्य रूप से जाँच हेतु उपस्थापित करना होगा ।

(iv) आवेदक उपर्युक्त प्रपत्रों में अनुमंडल पदाधिकारी अथवा उपायुक्त से प्रमाण पत्र प्राप्त करने के उपरान्त ही ऑन लाईन आवेदन पत्र भरना सुनिश्चित करें तथा ऑन लाईन आवेदन प्रपत्र में यथा स्थान अपने जाति प्रमाण पत्र, स्थानीय निवासी प्रमाण पत्र की संख्या एवं निर्गम तिथि दर्ज करें। उक्त प्रमाण पत्रों की मांग / जाँच आयोग आवश्यकतानुसार कभी भी कर सकता है।

(v) सक्षम स्तर से भिन्न स्तर एवं विवरणिका के परिशिष्ट - I, परिशिष्ट-II एवं परिशिष्ट-III पर अंकित प्रपत्र अथवा प्रज्ञा केन्द्र द्वारा कम्प्यूटर जनित प्रमाण पत्र से भिन्न प्रपत्र में अथवा अनुमंडल पदाधिकारी से न्यून स्तर के पदाधिकारी द्वारा निर्गत जाति प्रमाण पत्र / स्थानीय निवासी प्रमाण पत्र मान्य नहीं होगा तथा ऐसे प्रमाण पत्रों के आधार पर भरे गये आवेदन पत्र नियुक्ति प्रक्रिया के किसी भी स्तर पर आरक्षण के लाभ से वंचित कर दिया जायेगा अथवा उनके आवेदन पत्र रद्द किये जा सकते हैं, जिसके लिए संबंधित आवेदक स्वयं उतरदायी होंगे ।

Clause-8 : ON LINE आवेदन पत्र को भरना एवं Submit करना :-

ऑन-लाईन आवेदन को भरने के लिए दिए गये दिशा निर्देश का अक्षरशः पालन करें। आवेदन पत्र में दी गई सूचनाओं से पूर्ण संतुष्ट होने के पश्चात ही आवेदन पत्र को जमा (Submit) करें। आवेदन पत्र भरने के लिए आयोग के वेबसाइट www.jssc.in अथवा www.jssc.nic.in पर जाएँ एंव Online Application for JPROCE - 2017 पर Click करें तथा आवेदन पत्र भरें । शैक्षणिक योग्यता एवं आरक्षण का दावा के संबंध में अभ्यर्थी यह सुनिश्चित हो ले कि आवेदन की तिथि

तक वे आवश्यक अहर्त्ता पूर्ण करते हैं एंव एतत् संबंधी वांछित प्रमाण-पत्र उनके पास उपलब्ध है ।

आवेदकों को सूचित किया जाता है कि आवेदन Submit करने के पूर्व भरे गये आवेदन को ठीक से देख लें। यदि कोई त्रुटि है तो उसे सुधार कर ही आवेदन Submit करें | एक बार आवेदन Submit करने के पश्चात् किसी भी प्रविष्टि में सुधार का कोई भी दावा मान्य नहीं होगा और भरे गये आवेदन के आधार पर ही आवेदक की परीक्षा ली जायेगी ।

अतः आवेदकों को सलाह दी जाती है कि Online आवेदन फार्म भरने के पूर्व में आयोग के अधिकृत वेबसाइट से परीक्षा की विवरणिका Download करने के पश्चात् ही फार्म भरें। वाह्य स्रोत से उपलब्ध विवरणिका के आधार पर फार्म भरने में यदि कोई त्रुटि होती है तो आवेदक स्वयं इसके लिए जिम्मेवार होंगे ।

Clause 14 :- अन्यान्य

(3). आवेदन में अंकित सूचनाओं एवं प्रविष्टयों की पूर्ण जिम्मेवारी आवेदक की होगी तथा किसी भी प्रकार की गलत जानकारी के लिए आवेदक स्वयं उत्तरदायी होंगे।

Relevant Clause of 'Necessary Information' issued for the documents verification :-

2 (घ) जाति प्रमाण एवं आवासीय प्रमाण पत्र परीक्षा के विवरणिका ।, ॥ एवं ।।। मे वर्णित निर्धारित प्रपत्र में ही मान्य होगा। जाति प्रमाण पत्र एवं आवासीय प्रमाण पत्र जिला के उपायुक्त अथवा अनुमण्डल पदाधिकारी के स्तर से निर्गत होना चाहिए। जाति प्रमाण पत्र एवं आवासीय प्रमाण पत्र जिला के उपायुक्त अथवा अनुमण्डल पदाधिकारी से अन्यून पदाधिकारी के स्तर से निर्गत प्रमाण पत्र मान्य नहीं होगा । निर्धारित प्रपत्र से भिन्न प्रपत्र में जाति प्रमाण पत्र / आवासीय प्रमाण पत्र मान्य नहीं होगा ।

35. The Appellants of L.P.A No. 49 of 2020, L.P.A No. 74 of 2020 and L.P.A

No. 103 of 2020 filled up their respective online application forms for the said advertised posts. They appeared in the written examination held on 27.11.2017 and after passing in the said examination, they were called for document verification on 01.02.2018. The final result of the said examination was published on 10.07.2018 and the recommendation for appointment of the successful candidates was made to the state government on 17.05.2018. The appellants were treated under "general category" and they were not declared successful as they secured lesser marks than those of the last selected candidates under "general category".

36. For better appreciation of the claims of the appellants, the details of their categories, particulars of the caste certificates mentioned by them in the online application forms as well as the caste certificates submitted by them at the time of document verification or after issuance of show cause notices, are given below:-

Category of the appellant	**Caste certificate mentioned by the appellant in the Online Application Form**	**Caste certificate submitted by the appellants at the time of document verification or after the show cause**
L.P.A No. 49 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 5558 of 2018		
Appellant - B.C-II	**Caste Certificate No. JHCC/2017/1097987 dated 04.08.2017 issued by the SDO, Ranchi (in the application form the appellant had wrongly written the date of registration of the application filed for issuance of caste certificate in place of date of issuance of the same.)**	**Caste Certificate No. JHCC/2017/1097987 issued by the S.D.O Ranchi issued on 13.10.2017 in the prescribed format after the last date of submission of the online application form. After show cause, she produced caste certificate no. RNC/ BRUM/ SARLE/ CST/112928/2013 dated 29.10.2013 issued by the Block Development Officer, Budhmu and caste certificate no. RNC/ BRUM/ SARLE/OBC/1971/2013**

		dated 01.08.2013 issued by the SDO, Ranchi in the format of central government.
L.P.A No. 74 of 2020 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3540 of 2018		
Appellant No.1 - E.B.C-I	**Caste Certificate No. JHCC/2017/419190 dated 29.06.2017 issued by the SDO (however, the correct issue date of the said certificate is 27.04.2017 which was issued by the C.O.)**	**Caste Certificate No. JHCC/2017/573740 dated 07.06.2017 issued by the S.D.O, Koderma in the format of Central Government and Caste certificate No. JHCC/2018/90292 dated 12.03.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**
Appellant No. 2 – BC-2	**Caste Certificate No. JHCC/2017/469188 dated 16.05.2017 issued by SDO**	**Caste certificate No. JHCC/2018/94741 dated 02.02.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**
Appellant No. 3 – EBC-1	**Caste Certificate No. JHCC/2017/689226 dated 24.06.2017 issued by SDO (however, the said certificate was actually issued by the C.O.)**	**Caste certificate No. JHCC/2018/71879 dated 27.01.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**
Appellant No. 4 – SC	**Caste Certificate No. JHCC/2017/589112 dated 28.05.2017 issued by SDO (however, the said certificate was actually issued by the C.O.)**	**Caste certificate No. JHCC/2018/98006 dated 07.02.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**
Appellant No. 5 – EBC-1	**Caste Certificate No. JHCC/2017/70822 dated 25.01.2017 issued by SDO (however, the said certificate was issued by the C.O)**	**Caste certificate No. JHCC/2017/1534148 dated 01.11.2017 issued by the D.C. in the prescribed format after the last date of submission of the online application form**
L.P.A No. 103 of 2018 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3535 of 2018		
Appellant - EBC-I	**JHCC/2017/409618 dated 19.05.2017 issued by the S.D.O., however the same is the certificate to be produced by the OBC applying for appointment to the posts under the Government of India**	**Caste certificate No. JHCC/2018/14094 dated 27.01.2018 issued by the SDO in the prescribed format after the last date of submission of the online application form**

37. Advertisement No. 5 of 2017 was issued by the JSSC for appointment to the post of Jharkhand Police Sub-Inspector and the last date for submission of the online application form was fixed as 13.08.2017.

Relevant Clauses of the Advertisement: -

Clause - 3:- परीक्षा के लिए आवेदन देने के पूर्व अभ्यर्थी यह सुनिश्चित हो लें कि वे विज्ञापित पद की पात्रता के विषय पर प्रकाशित सभी शर्तों को पूरा करते हैं। परीक्षा में बैठने की अनुमति पूर्णतः औपबन्धिक होगी। परीक्षा के लिए प्रवेश पत्र निर्गत होना प्रमाणित नहीं करता है कि अभ्यर्थी विज्ञापित पद पर नियुक्ति के लिए चयन हेतु निर्धारित पात्रता पूरी करते हैं क्योंकि आयोग परीक्षा के बाद अपनी सुविधा के अनुसार किसी भी समय अभ्यर्थियों की पात्रता से सम्बन्धित प्रमाण पत्रों की जाँच करेगा। प्रमाण पत्र जाँच के पश्चात अभ्यर्थी की पात्रता के बिन्दु पर अंतिम निर्णय हो सकेगा। <u>किसी भी समय पात्रता पूरी नहीं करने वाले अभ्यर्थियों का आवेदन/ अभ्यर्थिता रद्द किया जा सकता है |</u>

Clause-7 आरक्षण-:

(I) आवेदन में नियत प्रविष्टि के अधीन इंगित आरक्षण का दावा नहीं करने पर आरक्षण का लाभ नहीं मिलेगा।

(III) आवेदन समर्पित करने की अंतिम तिथि तक झारखण्ड सरकार द्वारा लागू आरक्षण सम्बन्धी सभी नियम प्रभावी होंगे | आरक्षण का दावा करने वाले झारखण्ड के स्थानीय निवासी उम्मीदवार को निम्न प्रमाण-पत्र का विवरण ऑन-लाईन आवेदन पत्र में देना अनिवार्य होगा एवं आयोग द्वारा प्रमाण-पत्रों की जाँच के अवसर पर समर्पित करना अनिवार्य होगाः-

(i) अनुसूचित जाति एवं अनुसूचित जन जाति के लिए जाति प्रमाण पत्र - जिला / अनुमंडल के उपायुक्त / अनुमण्डल पदाधिकारी से विहित प्रपत्र परिशिष्ट - । पर अंकित प्रपत्र में अथवा प्रज्ञा केंन्द्र द्वारा कम्प्यूटर

जनित प्रमाण पत्र ।

(ii) अत्यंत पिछड़ा वर्ग (अनुसूची-1) एवं पिछड़ा वर्ग अनुसूची- 2 के लिए जाति प्रमाण पत्र परिशिष्ट - II पर अंकित प्रपत्र में अथवा प्रज्ञा केन्द्र द्वारा कम्प्यूटर जनित प्रमाण पत्र।

(iii) अनारक्षित वर्ग की महिला के लिए झारखण्ड का स्थानीय निवास प्रमाण पत्र परिशिष्ट - III पर अंकित प्रपत्र में अथवा प्रज्ञा केन्द्र द्वारा कम्प्यूटर जनित प्रमाण पत्र ।

(iv) आवेदक उपर्युक्त प्रपत्रों में अनुमंडल पदाधिकारी अथवा उपायुक्त से प्रमाण पत्र प्राप्त करने के उपरान्त ही ऑन लाईन आवेदन पत्र भरना सुनिश्चित करे तथा ऑन लाईन आवेदन प्रपत्र में यथा स्थान अपने जाति प्रमाण पत्र, स्थानीय निवासी प्रमाण पत्र की संख्या एवं निर्गम तिथि दर्ज करें। उक्त प्रमाण पत्रों की मांग/जाँच आयोग आवश्यकतानुसार कभी भी कर सकता है।

(v) सक्षम स्तर से भिन्न स्तर एवं विवरणिका के परिशिष्ट-I, परिशिष्ट - II एवं परिशिष्ट - III पर अंकित प्रपत्र अथवा प्रज्ञा केन्द्र द्वारा कम्प्यूटर जनित - प्रमाण पत्र से भिन्न प्रपत्र में अथवा अनुमंडल पदाधिकारी से न्यून स्तर के पदाधिकारी द्वारा निर्गत जाति प्रमाण पत्र / स्थानीय निवासी प्रमाण पत्र मान्य नहीं होगा तथा ऐसे प्रमाण पत्रों के आधार पर भरे गये आवेदन पत्र नियुक्ति प्रक्रिया के किसी भी स्तर पर आरक्षण के लाभ से वंचित कर दिया जायेगा अथवा उनके आवेदन पत्र रद्द किए जा सकते हैं, जिसके लिए संबंधित आवेदक स्वयं उत्तरदायी होंगे। ।

Clause-9:- ON LINE आवेदन पत्र को भरना एवं submit करना - ऑन-लाईन आवेदन को भरने के लिए दिए गये दिशा निर्देश का अक्षरशः पालन करें। आवेदन

पत्र में दी गई सूचनाओं से पूर्ण संतुष्ट होने के पश्चात ही आवेदन पत्र को जमा (Submit) करें। आवेदन पत्र भरने के लिए आयोग के वेबसाइट www.jssc.in अथवा www.jssc.nic.in पर जाएँ एंव Online Application for JCPSICE-2017 पर Click करें तथा आवेदन पत्र भरें ।

शैक्षणित योग्यता एवं आरक्षण का दावा के संबंध में अभ्यर्थी यह सुनिश्चित हो ले कि आवेदन की तिथि तक वे आवश्यक अहर्त्ता पूर्ण करते हैं एंव एतत् संबंधी वांछित प्रमाण-पत्र उनके पास उपलब्ध है ।

आवेदकों को सूचित किया जाता है कि आवेदन Submit करने के पूर्व भरे गये आवेदन को ठीक से देख लें। यदि कोई त्रुटि है तो उसे सुधार कर ही आवेदन Submit करें। एक बार आवेदन Submit करने के पश्चात् परीक्षाफल को प्रभावित करने वाले किसी भी प्रविष्टि में सुधार का कोई भी दावा मान्य नहीं होगा और भरे गये आवेदन के आधार पर ही आवेदक की परीक्षा ली जायेगी ।

अतः आवेदकों को सलाह दी जाती हैं कि Online आवेदन फार्म भरने के पूर्व में आयोग के अधिकृत वेबसाइट से परीक्षा की विवरणिका Download करने के पश्चात् ही फार्म भरें। वाह्य स्रोत से उपलब्ध विवरणिका के आधार पर फार्म भरने में यदि कोई त्रुटि होती है तो आवेदक स्वयं इसके लिए जिम्मेवार होंगे ।

Clause - 15: अन्यान्य:-

3. आवेदन में अंकित सूचनाओं एवं प्रविष्टयों की पूर्ण जिम्मेवारी आवेदक की होगी तथा किसी भी प्रकार की गलत जानकारी के लिए आवेदक स्वयं उत्तरदायी होंगें।

Relevant Clause of Notice for the documents verification:-

2 (III) (ङ) वही जाति प्रमाण एवं स्थानीय निवासी प्रमाण पत्र स्वीकार्य होगा जिसकी संख्या निर्गम तिथि तथा निर्गम प्राधिकार की प्रविष्टि ऑन लाईन आवेदन पत्र में की गई है। आवेदन में दर्ज प्रमाण पत्र से भिन्न जाति का प्रमाण पत्र एवं स्थानीय निवासी प्रमाण पत्र स्वीकार्य नहीं होगा। ऑन लाईन आवेदन पत्र में जिस

आरक्षण कोटि का दावा किया गया है उसी आरक्षण कोटि का जाति प्रमाण पत्र मान्य होगा।

38. The appellants of L.P.A No. 76 of 2020, L.P.A No. 77 of 2020, L.P.A No. 87 of 2020, L.P.A No. 88 of 2020, L.P.A No. 92 of 2020, L.P.A No. 104 of 2020, L.P.A No. 128 of 2020, L.P.A No. 133 of 2020, L.P.A No. 183 of 2020, L.P.A No. 193 of 2020 and L.P.A No. 266 of 2020 filled up their respective online application forms for the said advertised posts. They appeared in the written examination and after clearing the said examination, they were called for document verification held between 18.05.2018 and 23.05.2018. The final result of the said examination was published on 27.06.2018 and the recommendation was made to the state government for appointment of the successful candidates on 05.07.2018. The appellants were treated as "general category" candidates and they were not declared successful as they secured lesser marks than those of the last selected candidates under general category.

39. For better appreciation of the claims of the appellants, the details of their categories, particulars of the caste certificates mentioned by them in the online application forms as well as the caste certificates submitted by them at the time of document verification or after issuance of show cause notices, are given as under:-

Category of the appellant	**Caste certificate mentioned by the appellant in the Online Application Form**	**Caste certificate submitted by the appellants in the proper format either at the time of document verification or after the show cause**
L.P.A No. 76 of 2020 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3220 of 2018		
Appellant No. 1 – EBC-I	**Caste Certificate No. JHHC/2017/56858 dated 24.01.2017 issued by the D.C,**	**Caste certificate no. JHCC/2018/204977 issued on 13.03.2018**

	Khunti which was in the format of the Central Government.	**by the SDO in the prescribed format after the last date of submission of the application form**
Appellant No. 2 – B.C-II	**Caste certificate no. 62 dated 22.10.2016 issued by the S.D.O**	**Caste certificate issued under Memo No. 100 dated 22.10.2016 issued by the S.D.O, Basia in the Central Government format. He also filed the caste certificate no. JHCC/2017/1582308 issued on 04.01.2018 by the SDO in the prescribed format after the last date of submission of the application form**
Appellant No. 3 – EBC-I	**Caste Certificate No. JHCC/2017/27087 dated 09.01.2017 issued by the S.D.O in the format of Central Government**	**Caste Certificate JHCC/2018/14143 issued on 01.02.2018 by the SDO in the prescribed format after the submission of the application form**
Appellant No. 4 – EBC-I	**Caste Certificate No. JHCC/2017/396210 dated 16.05.2017 issued by the SDO in the format of Central Government**	**Caste certificate no. JHCC/2018/25065 dated 24.05.2018 issued by the SDO in the prescribed format after the last date of submission of the application form**
Appellant No. 5 – BC-II	**Caste Certificate No. CST/1622/15/03310 dated 10.12.2015 issued by the DC in the format of Central Government**	**Caste certificate no. JHCC/2018/238086 dated 22.03.2018 issued by the SDO in the prescribed format after the last date of submission of the application form**
Appellant No. 6 – BC-II	**Caste certificate no. JHCC/2016/392361 dated 20.08.2016 issued by the Deputy Commissioner in the format of Central Government**	**Caste certificate no. JHCC/2017/1243861 dated 22.09.2017 issued by the SDO in the prescribed format after the last date of submission of application form**
L.P.A No. 77 of 2020 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3261 of 2018		
Appellant No. 1 – EBC-I	**Caste Certificate No. JHRC/2016/491413 dated 02.11.2016 issued by the SDO (issued actually by the C.O. in the central government format)**	**Caste Certificate no. JHCC/2017/1655316 issued on 30.12.2017 by the SDO in the prescribed format after**

		the last date of submission of the application form
Appellant No. 2 – BC-II	**JHCC/2016/833695 dated 04.01.2017 issued by the Circle Officer (wrongly written as SDO in the application form) in the central government format**	**caste certificate no. JHCC/2018/438765 issued on 10.05.2018 by the SDO in the prescribed format after the last date of submission of the application form**
Appellant No. 3 – EBC-I	**JHCC/2017/12453 dated 27.02.2017 issued by the Circle Officer (wrongly written in the application form as JSC/2017/12453 dated 22.02.2017 issued by the SDO) in the central government format**	**JHCC/2018/320822 issued on 21.04.2018 by the SDO in prescribed format after the last date of submission of the application form**
Appellant No. 4 – EBC-I	**JHCC/2016/637831 dated 01.12.2016 issued by the CO (wrongly written in the application form as SDO) in the central government format**	**Caste certificate no. JHCC/2018/442427 issued on 14.05.2018 in prescribed format by S.D.O., however after the last date of submission of the application form**
Appellant No. 5 – EBC-I	**Caste Certificate No. 874898 dated 02.08.2017 issued by the Circle Officer (wrongly written as SDO in the application form) in the central government format**	**Caste certificate no. JHCC/2017/1280800 issued on 04.10.2017 in prescribed format however after the last date of submission of the application form**
Appellant No. 6 – BC-II	**Caste Certificate No. JHCC/2017/398288 dated 09.05.2017 issued by the Circle Officer (wrongly written as SDO in the application form) in the central government format**	**Caste certificate no. JHCC/2018/378616 issued on 27.04.2018 by S.D.O. in prescribed format however after the last date of submission of the application form**
Appellant No. 7 – BC-II	**JHCC/2016/479579 dated 23.10.2016 issued by the CO (wrongly written as SDO in the application form) in the central government format**	**caste certificate no. JHCC/2017/1480139 issued on 25.11.2017 by the S.D.O. in prescribed format however after the last date of submission of the application form**
L.P.A No. 87 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3262 of 2018		
Appellant-SC	**Caste certificate No. JHRC/2017/716496 dated 02.06.2017 issued by the SDO (the said certificate number actually belongs to the**	**Caste certificate no. JHCC/2017/1546178 dated 10.11.2017 issued by the SDO, Chatra in proper format**

	appellant's Local Resident Certificate)	**however after the last date of submission of the online application form.**
L.P.A No. 88 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3636 of 2018		
Appellant-ST	**Caste Certificate No. JHCC/2017/854200 dated 19.07.2017 issued by the Circle Officer, Senha (wrongly written in the application form as SDO)**	**caste certificate no. JHCC/2017/1122887 dated 17.08.2017 issued in the proper format however the same was issued after the last date of submission of the application form**
L.P.A No. 92 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3216 of 2018		
Appellant No. 1 – SC	**Caste Certificate No. JHCC/2017/899345 dated 08.07.2017 issued by SDO**	**Caste certificate no. JHCC/2017/899345 issued on 01.12.2017 by S.D.O. in proper format after the last date of submission of the online application form**
Appellant No.2-BC-II	**Caste Certificate No. JHCC/2017/1093480 dated 04.08.2017 issued by SDO (However, 04.08.2017 was the date of registration of application for issuance of caste certificate)**	**JHCC/2017/1093480 dated 23.04.2018 issued by the SDO, Gumla in proper format after the last date of submission of the online application form**
Appellant No. 3 – EBC-I	**Caste Certificate No. JHCC/2017/1064861 issued on 13.08.2017 by SDO**	**Caste certificate no. JHCC/2017/1064861 issued on 15.08.2017 in proper format after the last date of submission of the online application form**
L.P.A No. 104 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3428 of 2018		
Appellant-ST	**JHCC/2017/969195 dated 16.07.2017 issued by the SDO**	**JHCC/2017/1468853 dated 28.12.2017 issued by the SDO, Ranchi in the proper format after the last date of submission of the online application form.**
L.P.A No. 128 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 4249 of 2018		
Appellant-EBC-I	**Caste Certificate No. JHCC/2016/538499 dated 19.01.2017 issued by the SDO in the format of Central Government**	**Case certificate no. JHCC/2018/564578 issued on 30.05.2018 by the SDO, Chas in proper format after the last date of submission of the application form.**

L.P.A No. 133 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3248 of 2018		
Appellant-BC-II	**Caste Certificate No. JHCC/2017/22737 dated 11.01.2017 issued by the C.O. (the said caste certificate number is actually issued under BC-I category)**	**caste certificate no. JHCC/2018/431319 dated 09.05.2018 issued by the SDO, Deoghar in proper format issued after the last date of submission of the application form.**
L.P.A No. 183 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 3476 of 2018		
Appellant No. 1 - EBC-I	**Caste Certificate No. JHCC/2016/606039 dated 22.11.2016 issued by the Circle Officer, Suriya (wrongly written in the application form as SDO)**	**caste certificate no. JHCC/2018/262013 dated 25.04.2018 issued by the SDO, Suriya after the last date of submission of the application form.**
Appellant No. 2 – EBC-1	**Caste Certificate No. JHCC/2017/91628 dated 22.01.2017 (however, the said date is date of registration and not issue date)**	**caste certificate no. JHCC/2018/441616 dated 10.05.2018 issued by the SDO, Dumri after the last date of submission of the application form.**
L.P.A No. 193 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 4255 of 2018		
EBC-I	**Caste certificate No. 336 dated 28.01.2017**	**Caste certificate no. 15 dated 28.01.2017 issued by the SDO Giridih not mentioning about creamy layer. After show cause, he submitted Caste Certificate No. JHCC/2016/326805 dated 30.09.2016 of EBC-I category issued by the C.O, Giridih**
L.P.A No. 266 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 6017 of 2018		
Appellant-BC-II	**Caste Certificate No. 496 dated 08.08.2013 issued by the Circle Officer (wrongly written in the application from as SDO)**	**Caste Certificate No. JHCC/2018/296239 dated 18.05.2018 issued by the D.C, Seraikella-Kharsawan which was issued after the last date of submission of the online application form.**

40. **Advertisement No. 7 of 2017** was issued by the JSSC for appointment to the post of Jharkhand Police Inspector (Wireless) and the last date for

submission of Online Application Forms was fixed as 02.09.2017.

Relevant Clauses of the Advertisement:-

Clause-3:-

परीक्षा के लिए आवेदन देने के पूर्व अभ्यर्थी यह सुनिश्चित हो लें कि वे विज्ञापित पद की पात्रता के विषय पर प्रकाशित सभी शर्त्तों को पूरा करते हैं। परीक्षा में बैठने की अनुमति पूर्णतः औपबन्धिक होगी। परीक्षा के लिए प्रवेश पत्र निर्गत होना प्रमाणित नहीं करता है कि अभ्यर्थी विज्ञापित पद पर नियुक्ति के लिए चयन हेतु निर्धारित पात्रता पूरी करते हैं क्योंकि आयोग परीक्षा के बाद अपनी सुविधा के अनुसार किसी भी समय अभ्यर्थियों की पात्रता से सम्बन्धित प्रमाण पत्रों की जाँच करेगा। प्रमाण पत्र जाँच के पश्चात अभ्यर्थी की पात्रता के बिन्दु पर अंतिम निर्णय हो सकेगा। किसी भी समय पात्रता पूरी नहीं करने वाले अभ्यर्थियों का आवेदन / अभ्यर्थिता रद्द किया जा सकता है।

7. आरक्षण **:**

(I) आवेदन में नियत प्रविष्टि के अधीन इंगित आरक्षण का दावा नहीं करने पर आरक्षण का लाभ नहीं मिलेगा।

(II) आरक्षण एवं उम्र में छूट का लाभ केवल झारखण्ड राज्य के स्थानीय निवासी को ही देय होगा।झारखण्ड राज्य के बाहर के सभी उम्मीदवार अनारक्षित / सामान्य वर्ग के माने जायेंगे।

(III) झारखण्ड सरकार द्वारा लागू आरक्षण सम्बन्धी सभी नियम प्रभावी होंगे। आरक्षण का दावा करने वाले झारखण्ड के स्थानीय निवासी उम्मीदवार को निम्न प्रमाण-पत्र आयोग द्वारा प्रमाण-पत्रों की जाँच के अवसर पर समर्पित करना अनिवार्य होगा:-

(i) जाति प्रमाण पत्र - जिला / अनुमंडल के उपायुक्त / अनुमण्डल

पदाधिकारी से विहित प्रपत्र [अनुसूचित जाति / अनुसूचित जनजाति के लिए परिशिष्ट - । पर अंकित प्रपत्र तथा अत्यंत पिछड़ा वर्ग (अनुसूची - 1) / पिछड़ा वर्ग (अनुसूची-2) के लिए परिशिष्ट - ॥ पर अंकित प्रपत्र] में अद्यतन निर्गत जाति प्रमाण-पत्र |

(ii) अत्यंत पिछड़ा वर्ग (अनुसूची - 1) एवं अत्यंत पिछड़ा वर्ग (अनुसूची-2) के लिए दिनांक 31.03.2015 के पश्चात् विहित प्रपत्र (परिशिष्ट - ॥ पर अंकित प्रपत्र) में निर्गत जाति प्रमाण पत्र मान्य होगा ।

(iii) अनुसूचित जाति, अनुसूचित जन जाति, पिछड़ा वर्ग (अनुसूची-1) एवं अत्यंत पिछड़ा वर्ग (अनुसूची - 2) एवं महिला के आरक्षित पदों के लिए स्थानीय निवासी प्रमाण पत्र कार्मिक, प्रशासनिक सुधार तथा राजभाषा विभाग के पत्रांक- 9650 दिनांक- 02.06.2016 द्वारा निर्धारित प्रपत्र (परिशिष्ट - ।।। पर अंकित प्रपत्र) में जिला / अनुमंडल के उपायुक्त / अनुमण्डल पदाधिकारी के स्तर से निर्गत स्थानीय निवासी प्रमाण पत्र मान्य होगा एवं अनिवार्य रूप से प्रमाण पत्र की संख्या तथा तिथि आवेदन में अंकित करना होगा, जिसे प्रमाण पत्रों के जाँच कार्यक्रम में अनिवार्य रूप से जाँच हेतु उपस्थापित करना होगा।

स्थानीय निवासी प्रमाण पत्र का प्रपत्र परिशिष्ट - ।।। के रूप में विवरणिका में संलग्न है। आवेदक उपर्युक्त प्रपत्रों में सक्षम स्तर से प्रमाण पत्र प्राप्त करने के उपरान्त ही ऑन लाईन आवेदन पत्र भरना सुनिश्चित करें तथा ऑन लाईन आवेदन प्रपत्र में यथा स्थान अपने जाति प्रमाण पत्र, स्थानीय निवासी प्रमाण पत्र की संख्या एवं निर्गम तिथि दर्ज करें। उक्त प्रमाण पत्रों की मांग / जाँच आयोग आवश्यकतानुसार कभी भी कर सकता है।

सक्षम स्तर से भिन्न स्तर एवं विवरणिका के परिशिष्ट - । परिशिष्ट - ॥ एवं

परिशिष्ट - III पर अंकित प्रपत्र से भिन्न प्रपत्र में निर्गत जाति प्रमाण पत्र / स्थानीय निवासी प्रमाण पत्र मान्य नहीं होगा तथा ऐसे प्रमाण पत्रों के आधार पर भरे गये आवेदन पत्र नियुक्ति प्रक्रिया के किसी भी स्तर पर रद्द किये जा सकते है, जिसके लिए संबंधित आवेदक स्वयं उतरदायी होगे ।

Clause -8 :- ONLINE आवेदन पत्र को भरना एवं **Submit** करना**:-**

ऑन-लाईन आवेदन को भरने के लिए दिए गये दिशा निर्देश का अक्षरशः पालन करें। आवेदन पत्र में दी गई सूचनाओं से पूर्ण संतुष्ट होने के पश्चात ही आवेदन पत्र को जमा (Submit) करें। आवेदन पत्र भरने के लिए आयोग के वेबसाइट www.jssc.in अथवा www.jssc.nic.in पर जाएँ एंव Online Application for JPRSIWCE - 2017 पर Click करें तथा आवेदन पत्र भरें।

शैक्षणिक योग्यता एवं आरक्षण का दावा के संबंध में अभ्यर्थी यह सुनिश्चित हो ले कि आवेदन की तिथि तक वे आवश्यक अहर्त्ता पूर्ण करते हैं एंव एतत् संबंधी वांछित प्रमाण-पत्र उनके पास उपलब्ध है।

आवेदकों को सूचित किया जाता है कि आवेदन Submit करने के पूर्व भरे गये आवेदन को ठीक से देख लें। यदि कोई त्रुटि है तो उसे सुधार कर ही आवेदन Submit करें। एक बार आवेदन Submit करने के पश्चात् किसी भी प्रविष्टि में सुधार का कोई भी दावा मान्य नहीं होगा और भरे गये आवेदन के आधार पर ही आवेदक की परीक्षा ली जायेगी।

अतः आवेदकों को सलाह दी जाती है कि Online आवेदन फार्म भरने के पूर्व में आयोग के अधिकृत वेबसाइट से परीक्षा की विवरणिका Download करने के पश्चात् ही फार्म भरें वाह्य स्त्रोत से उपलब्ध विवरणिका के आधार पर फार्म भरने में यदि कोई त्रुटि होती है तो आवेदक स्वयं इसके लिए जिम्मेवार होंगे ।

Clause-14 अन्यान्यः-

3. आवेदन में अंकित सूचनाओं एवं प्रविष्टयों की पूर्ण जिम्मेवारी आवेदक की होगी तथा किसी भी प्रकार की गलत जानकारी के लिए आवेदक स्वयं उत्तरदायी होंगे।

41. The appellant of L.P.A No. 105 of 2020 (arising out of the order dated 20.12.2019 passed in W.P.(S) No. 2398 of 2018) filled up his online application form for the said advertised post. He appeared in the written examination and after clearing it, he was called for document verification on 08.01.2018. The final result of the said examination was published on 17.04.2018. The appellant was treated as "general category" candidate and he was not declared successful as he secured lesser marks than the last selected candidate under "general category".

42. For better appreciation of the claim of the appellant, the details of his category, particulars of the caste certificate mentioned by him in the online application form as well as the caste certificate submitted by him at the time of document verification or after issuance of show cause notices, are given hereunder: -

Category of the appellant	**Caste certificate mentioned by the appellant in the Online Application Form**	**Caste certificate submitted by the appellants at the time of document verification or after the show cause**
EBC-I	**Caste Certificate No. 1789444 dated 03.10.2016 issued by the SDO, Ranchi which was in the format of the Central Government. (caste certificate number mentioned in the application form was wrong as the said number was registration number.)**	**Same caste certificate particulars of which was filled up in the online application form. After show cause, he filed the caste certificate no. 3032 dated 02.07.2010 issued by the D.C. Ranchi in which there was no mentioning about the creamy layer. Another caste certificate dated 10.02.2018 was filed which was issued after the last date of submission of the application form.**

43. Advertisement No. 21 of 2016 was issued by JSSC for appointment to the post of Graduate Trained Teachers in different subjects and the last date for submission of the online application forms was fixed as 25.04.2017.

Relevant Clauses of the Advertisement:-

Clause - 3:- परीक्षा के लिए आवेदन देने के पूर्व अभ्यर्थी यह सुनिश्चित हो लें कि वे विज्ञापित पद की पात्रता के विषय पर प्रकाशित सभी शर्तों को पूरा करते हैं । परीक्षा में बैठने की अनुमति पूर्णतः औपबंधिक होगी। परीक्षा के लिए प्रवेश पत्र निर्गत होना प्रमाणित नहीं करता है कि अभ्यर्थी विज्ञापित पद पर नियुक्ति के लिए चयन हेतु निर्धारित पात्रता पूरी करते हैं क्योंकि आयोग परीक्षा के बाद यथोचित संख्या में अभ्यर्थियों की पात्रता से सम्बन्धित प्रमाण पत्रों की जाँच कर सकता है।

Clause-8 आरक्षण-**:**

(i) आवेदन में नियत प्रविष्टि के अधीन इंगित आरक्षण का दावा नहीं करने पर आरक्षण का लाभ नहीं मिलेगा।

(v) विज्ञापन - प्रकाशन की तिथि तक झारखण्ड सरकार द्वारा लागू आरक्षण सम्बन्धी सभी नियम प्रभावी होंगे। आरक्षण का दावा करने वाले झारखण्ड के स्थानीय निवासी उम्मीदवार को निम्न प्रमाण-पत्र आयोग द्वारा प्रमाण-पत्रों की जाँच के अवसर पर समर्पित करना अनिवार्य होगा:-

(i) जाति प्रमाण पत्र - जिला / अनुमंडल के उपायुक्त / अनुमण्डल पदाधिकारी से विहित प्रपत्र (अनुसूचित जाति / अनुसूचित जनजाति के लिए परिशिष्ट – III अंकित प्रपत्र तथा अत्यंत पिछड़ा वर्ग (अनुसूची-1) के लिए परिशिष्ट - II पर अंकित प्रपत्र) में अद्यतन निर्गत जाति प्रमाण-पत्र ।

(ii) अत्यंत पिछड़ा वर्ग (अनुसूची-1) एवं अत्यंत पिछड़ा वर्ग अनुसूची-2

के लिए विहत प्रपत्र (परिशिष्ट - II पर अंकित प्रपत्र) में निर्गत जाति प्रमाण पत्र मान्य होगा ।

(iii) स्थानीय निवासी प्रमाण पत्र विहित प्रपत्र (परिशिष्ट-1 पर अंकित प्रपत्र) में निर्गत जाति प्रमाण पत्र मान्य होगा एवं यह प्रमाण पत्र 02.06.2016 के पश्चात निर्गत होना चाहिए ।

जाति प्रमाण पत्र का प्रपत्र परिशिष्ट के रूप में विवरणिका में संलग्न है ।

प्रमाण पत्र अनिवार्यतः आवेदन देने की तिथि अथवा उसके पूर्व का होना चाहिए ।

Clause :- 9 – Online आवेदन पत्र को भरना एवं **submit** करना **:-**

ऑन-लाईन आवेदन को भरने के लिए दिए गये दिशा निर्देश का अक्षरशः पालन करें। आवेदन पत्र में दी गई सूचनाओं से पूर्ण संतुष्ट होने के पश्चात ही आवेदन पत्र को जमा (Submit) करें। आवेदन पत्र भरने के लिए आयोग के वेबसाइट www.jssc.in पर जाएँ एवं Online Application for CGTTCE-2016 पर Click करें तथा आवेदन पत्र भरें। आवेदकों को सूचित किया जाता है कि आवेदन Submit करने के पूर्व भरे गये आवेदन को ठीक से देख लें। यदि कोई त्रुटि है तो उसे सुधार कर ही आवेदन Submit करें। एक बार आवेदन Submit करने के पश्चात् परीक्षाफल को प्रभावित करने वाले किसी भी प्रविष्टि में सुधार का कोई भी दावा मान्य नहीं होगा और भरे गये आवेदन के आधार पर ही आवेदक की परीक्षा ली जायेगी ।

(i) ऑनलाईन आवेदन में क्षैतिज आरक्षण तथा अनूसूचित जिलों की रिक्तियों के विरूद्ध आवेदन करने वाले सभी अभ्यर्थियों को झारखण्ड का स्थानीय निवासी प्रमाण पत्र संख्या तथा दिनांक भरना अनिवार्यतः आवश्यक होगा। दिनांक 02.06.2016 के पश्चात निर्गत झारखण्ड का स्थानीय निवासी प्रमाण पत्र ही मान्य होगा । विहित प्रपत्र परिशिष्ट- III में है ।

(ii) अनूसूचित जिलों तथा अन्य जिलों में आरक्षण का दावा करने वाले अभ्यर्थियों को जाति प्रमाण पत्र का प्रमाण पत्र संख्या तथा दिनांक भरना आवश्यक होगा।

<u>प्रमाण पत्र अनिवार्यतः आवेदन देने की तिथि अथवा उसके पूर्व का होना चाहिए</u>

Clause 16 :- अन्यान्य

2. आवेदन में अंकित सूचनाओं एवं प्रविष्टयों की पूर्ण जिम्मेवारी आवेदक की होगी तथा किसी भी प्रकार की गलत जानकारी के लिए आवेदन स्वयं उत्तरदायी होंगे।

Relevant Clause of 'Necessary Information' issued for the documents verification:-

Note:- अभयर्थियों द्वारा आवेदन पत्र मे जिस प्रमाण पत्र की संख्या एवं निर्गत तिथि तथा आरक्षण कोटी का दावा किया गया है उस प्रमाण पत्र / उस कोटी से भिन्न जाति का प्रमाण पत्र तथा उपर्युक्त विहित प्रपत्र से भिन्न प्रपत्रों मे प्रस्तुत किए गए प्रमाण पत्र स्वीकार नहीं होंगे ।

44. The appellants of L.P.A No. 115 of 2020 (arising out of the order dated 20.12.2019 passed in W.P.(S) No. 2950 of 2019) filled up their online application forms for the said advertised posts. They appeared in the written examination and after passing the said examination, they were called for document verification on 11.01.2019. The final state wise result/merit list for the said examination was published in compliance of the order passed by the Hon'ble Supreme Court in **Satyajit Kumar Vs. The State of Jharkhand** reported in **(2022) 18 SCC 284** in which the appellants were not declared successful as they secured lesser marks than that of the last selected candidate under "general category".

45. For better appreciation of the claims of the appellants, the details of their categories, particulars of the caste certificates mentioned by them in the online application forms as well as the caste certificates submitted by

them at the time of document verification or after issuance of show cause notices, are given as under:-

Category of the appellant	**Caste certificate mentioned by the appellant in the Online Application Form**	**Caste certificate submitted by the appellants at the time of document verification**
Appellant No. – 1 - BC-II	**Caste Certificate No. JHCC/2017/238333 dated 18.03.2017 issued by the SDO under OBC Category in the format of Central Government**	**At the time of document verification he had submitted the same caste certificate and after show cause he submitted caste certificate no. JHCC/2019/10604 dated 08.01.2019 issued by the SDO in proper format however the same was issued after the last date of submission of the application form.**
Appellant No. 2 – BC-II	**Caste Certificate No. JHCC/2017/138601 dated 06.03.2017 issued by the SDO in the format of Central Government**	**Same caste certificate particulars of which was filled up in the online application form. After show cause notice, she submitted Caste Certificate No. JHCC/2019/66663 dated 17.01.2019 issued by the SDO in prescribed format however after the last date of submission of the application form.**

46. **Advertisement No. 10 of 2017** was issued by JSSC for appointment to the post of Post Graduate Trained Teacher in different subjects and the last date for submission of online application forms was fixed as 30.12.2017 which was subsequently extended upto 10.01.2018.

Relevant Clauses of the Advertisement:-

Clause - 3:- परीक्षा के लिए आवेदन देने के पूर्व अभ्यर्थी यह सुनिश्चित हो लें कि वे विज्ञापित पद की पात्रता के विषय पर प्रकाशित सभी शर्तों को पूरा करते हैं। परीक्षा में बैठने की अनुमति पूर्णतः औपबन्धिक होगी। परीक्षा के लिए प्रवेश पत्र

निर्गत होना प्रमाणित नही करता है कि अभ्यर्थी विज्ञापित पद पर नियुक्ति के लिए चयन हेतु निर्धारित पात्रता पूरी करते हैं क्योंकि आयोग मुख्य परीक्षा के बाद सफल अभ्यर्थियों की पात्रता से सम्बन्धित प्रमाण पत्रों की प्रारम्भिक जाँच कर सकता है। निर्धारित जाँच कार्यक्रम में अनुपस्थित रहने तथा आवेदन में भरे गये पात्रता सम्बन्धी प्रमाण पत्र प्रस्तुत नहीं करने पर आरक्षण का लाभ अनुमान्य नहीं होगा / अभ्यर्थिता रदद की जा सकती है।

Clause - 10 आरक्षण-:

(I) आवेदन में नियत प्रविष्टि के अधीन इंगित आरक्षण का दावा नहीं करने पर आरक्षण का लाभ नहीं मिलेगा। आरक्षण का दावा करने पर यह माना जाएगा कि अभ्यर्थी द्वारा दावा किये गए आरक्षण कोटि का सक्षम स्तर से निर्गत प्रमाण पत्र धारित किया जाता है।

(III) विज्ञापन प्रकाशन की तिथि तक झारखण्ड सरकार द्वारा लागू आरक्षण सम्बन्धी सभी नियम प्रभावी होंगे। आरक्षण का दावा करने वाले झारखण्ड के स्थानीय निवासी उम्मीदवार को निम्न प्रमाण-पत्र आयोग द्वारा प्रमाण-पत्रों के सत्यापन के अवसर पर समर्पित करना अनिवार्य होगा:-

(i) जाति प्रमाण पत्र - जिला / अनुमंडल के उपायुक्त / अनुमण्डल पदाधिकारी से विहित प्रपत्र (अनुसूचित जाति / अनुसूचित जनजाति के लिए परिशिष्ट - 1 पर अंकित प्रपत्र तथा अत्यंत पिछड़ा वर्ग (अनुसूची-1 एवं 2) के लिए परिशिष्ट - II पर अंकित प्रपत्र में अद्यतन निर्गत जाति प्रमाण-पत्र |

(ii) अत्यंत पिछड़ा वर्ग अनुसूची-1 एवं पिछड़ा वर्ग अनुसूची-2 के लिए दिनांक 31.03.2015 के पश्चात् विहित प्रपत्र (परिशिष्ट - II पर अंकित प्रपत्र) में निर्गत जाति प्रमाण पत्र मान्य होगा।

(iii) महिलाओं के आरक्षित पदों के लिए स्थानीय निवासी प्रमाण पत्र कार्मिक, प्रशासनिक सुधार तथा राजभाषा विभाग के पत्रांक 4650 दिनांक 02.06.2016 द्वारा निर्धारित प्रपत्र (परिशिष्ट - III पर अंकित प्रपत्र) में अनुमण्डल पदाधिकारी के स्तर से निर्गत स्थानीय निवासी प्रमाण पत्र मान्य होगा एवं अनिवार्य रूप से प्रमाण पत्र की संख्या तथा तिथि आवेदन में अंकित करना होगा तथा इस प्रमाण पत्र को प्रमाण पत्रों के सत्यापन कार्यक्रम में अनिवार्य रूप से सत्यापन हेतु प्रस्तुत करना होगा ।

(iv) दिव्यांग कोटि (दृष्टिदोष / मूक बधिर / चलन निःशक्तता, सेरिब्रल पाल्सी) के तहत क्षैतिज आरक्षण का दावा करने वाले अभ्यर्थियों को 40 प्रतिशत अथवा उससे अधिक दिव्यांगता प्रमाण पत्र की संख्या एवं उसके निर्गम की तिथि ऑन लाईन आवेदन पत्र में अंकित करनी होगी तथा प्रमाण पत्रों के जाँच के समय उक्त प्रमाण पत्र जाँच हेतु आयोग को उपलब्ध कराना होगा । दिव्यांग कोटि के अधीन क्षैतिज आरक्षण का लाभ झारखण्ड राज्य के स्थानीय निवासी अभ्यर्थियों को ही देय है।

(v) सभी वांछित प्रमाण पत्रों की संख्या एवं निर्गत तिथि आवेदन में अंकित करना अनिवार्य है।

स्थानीय निवासी प्रमाण/पत्र जाति प्रमाण पत्र का प्रपत्र परिशिष्ट के रूप में विवरणिका में संलग्न है। आवेदक उपर्युक्त प्रपत्रों में सक्षम स्तर से प्रमाण पत्र प्राप्त करने के उपरान्त ही ऑन लाईन आवेदन पत्र भरना सुनिश्चित करे तथा ऑन लाईन आवेदन प्रपत्र में यथा स्थान अपने जाति प्रमाण पत्र, स्थानीय निवासी प्रमाण पत्र की संख्या एवं निर्गम तिथि दर्ज करें। उक्त प्रमाण पत्रों की मांग आयोग आवश्यकतानुसार कभी भी कर सकता है ।

नोट:- सक्षम स्तर से भिन्न स्तर एवं विवरणिका के परिशिष्ट - I, परिशिष्ट - II एवं परिशिष्ट - III पर अंकित प्रपत्र से भिन्न प्रपत्र में निर्गत जाति प्रमाण पत्र / स्थानीय निवासी प्रमाण पत्र मान्य नहीं होगा तथा ऐसे प्रमाण पत्रों के आधार पर भरे गये आवेदन पत्र नियुक्ति प्रक्रिया के किसी भी स्तर पर रद्द किये जा सकते है, जिसके लिए संबंधित आवेदक स्वयं उतरदायी होंगे ।

12. आवेदन पत्र को भेजना**:-**

ऑनलाईन आवेदन को भरने के लिए दिए गये दिशा निर्देश का अक्षरशः पालन करें। आवेदन पत्र में प्रविष्ट सूचनाओं से पूर्ण संतुष्ट होने के पश्चात् ही आवेदन पत्र को समर्पित (Submit) करें। आवेदन पत्र भरने के लिए आयोग के वेबसाइट www.jssc.in या www.jssc.nic.in पर जाएँ एवं Online Application for PGTTCE - 2017 पर Click करें तथा आवेदन पत्र भरें। आवेदन पत्र भरने के क्रम में नियुक्ति हेतु पद का विकल्प अपनी शैक्षणिक योग्यतानुसार देना आवश्यक होगा। आवेदकों को सूचित किया जाता है कि आवेदन Submit करने के पूर्व भरे गये आवेदन को ठीक से देख लें। यदि कोई त्रुटि है तो उसे सुधार कर ही आवेदन Submit करें। एक बार आवेदन Submit करने के पश्चात् परीक्षाफल को प्रभावित करने वाली किसी भी प्रविष्टि यथा जन्म तिथि, जाति, निःशक्तता प्रमाण पत्र, स्थानीय निवासी प्रमाण पत्र, चयनित विषय इत्यादि में सुधार का कोई भी दावा मान्य नहीं होगा और भरे गये आवेदन के आधार पर ही आवेदक के सन्दर्भ में परीक्षा प्रक्रिया पूरी होगी। ऑनलाईन आवेदन में अभ्यर्थियों के द्वारा जिन प्रमाण पत्रों की संख्या एवं तिथि का उल्लेख किया जाएगा उन प्रमाण पत्रों की मूल प्रति सत्यापन कार्यक्रम में अनिवार्य रूप से सत्यापन हेतु प्रस्तुत करना होगा अन्यथा आरक्षण का लाभ देय नहीं होगा / अभ्यर्थिता रद्द समझी जाएगी ।

Clause 22 :- अन्यान्य

(2). आवेदन में अंकित सूचनाओ एवं प्रविष्टियों की पूर्ण जिम्मेवारी आवेदक की होगी तथा किसी भी प्रकार की गलत जानकारी के लिए आवेदक स्वयं उत्तरदायी होंगे।

47. The appellants of L.P.A No. 125 of 2020, L.P.A No. 126 of 2020 and L.P.A No. 127 of 2020 filled up their respective online application forms for the said advertised post. They appeared in the written examination and after passing the said examination, they were called for document verification on 12.07.2018. The appellants were treated under "general category" and since they scored lesser marks than that of the last selected candidate of "general category", they were declared unsuccessful. The selection process of the said advertisement has already been completed.

48. For better appreciation of the claims of the appellants, the details of their categories, particulars of the caste certificates mentioned by them in the online application forms as well as the caste certificates submitted by them at the time of document verification or after issuance of show cause notices, are given below:-

Category of the appellant	**Caste certificate mentioned by the appellant in the Online Application Form**	**Caste certificate submitted by the appellants at the time of document verification or after show cause**
L.P.A No. 125 of 2020 arising out of the order dated 20.12.2019 passed in W.P.(S) No. 5514 of 2018		
Appellant-BC-II	**Caste Certificate No. JHCC/2017/1706685 dated 06.01.2018 issued by the SDO under OBC Category in the format of Central Government**	**Submitted the same caste certificate mentioned in the online application form and after show cause she submitted caste certificate no. JHCC/2018/894173 dated 13.07.2018 issued by the SDO in**

		proper format after the last date of application.
L.P.A No. 126 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 5903 of 2018		
Appellant-BC-II	**Caste Certificate No. JHCC/2016/392355 dated 20.08.2016 issued by the DC under OBC Category in the format of Central Government**	**Submitted the same caste certificate mentioned in the online application form and after show cause she submitted caste certificate no. JHCC/ 2018/834109 dated 10.07.2018 issued by the SDO in proper format, however the same was issued after the last date of submission of the application form.**
L.P.A No. 127 of 2020 which is arising out of the order dated 20.12.2019 passed in W.P.(S) No. 5896 of 2018		
Appellant-BC-II	**Caste Certificate No. JHCC/2017/06330 dated 10.01.2017 issued by the SDO under OBC Category in the format of Central Government**	**At the time of document verification she submitted the same caste certificate and after show cause, she submitted the caste certificate no. JHCC/2018/834749 dated 07.07.2018 issued by the SDO in proper format, however the same was issued after the last date of submission of the application form.**

49. On perusal of the sub-clauses of clauses-9 as mentioned in the Advertisement No. 2 of 2016 referred hereinabove, it emerges as follows:

(i) At the time of filling up the online application form, a candidate belonging to reserved category (SC/ST.BC-I/BC-II) must have possessed the caste certificate issued by the Deputy Commissioner/Sub-Divisional Officer in the prescribed Form-I or Form-II as published by the Department of Personnel, Administrative

Reforms and Rajbhasa, Government of Jharkhand vide Memo No. 5682 dated 22.10.2008 and Memo No. 10007 dated 29.08.2012.

(ii) The particulars of the said caste certificate must have been filled up by the candidate claiming reservation under the aforesaid categories in the online application form at the specified column, failing which his/her candidature was to be treated under "general category".

(iii) The required caste certificate was to be produced in original at the time of document verification, failing which the candidature of such candidate was to be cancelled.

(iv) It was also mentioned that the candidature of a candidate claiming reservation under the aforesaid categories would be cancelled in case any difference was found between the particulars of the caste certificate entered in the online application form and the original caste certificate produced at the time of interview/document verification.

50. Thus, aforesaid clauses, in unequivocal terms, were communicated to all the candidates belonging to reserved category mandating that they must possess valid caste certificates issued by the competent authority in the format prescribed in the said advertisement and that the particulars of the valid caste certificate had to be mandatorily filled up in the online application forms. At the time of interview/document verification, the original caste certificate, the particulars of which were mentioned in the

online application, was to be produced before the authority. It was clearly stipulated that if any of the candidates failed to comply the said requirement, his/her candidature would be liable to be cancelled. The similar stipulations were also made in all other advertisements in question. On perusal of the said conditions made in the advertisements, it would be evident that the compliance of the said terms and conditions was not made optional but mandatory for all the candidates claiming reservation under their respective categories.

51. The constitutional validity of Clause 9 (gha) of the Advertisement No. 2 of 2016 and similar stipulations in other advertisements came to be examined by the Full Bench of this Court and in the order dated 15.09.2025, the issue no. 'B' was decided observing as under: -

> **"81. Thus, Clause 9(gha) of the Advertisement No.2 of 2016 and a similar stipulation in the other advertisements cannot be said to be against the constitutional mandate under Articles 14, 16 and 335, rather it has been incorporated in the advertisement for smooth conduction of the examination process. There is a well-known legal maxim *ignorantia juris non excusat* which literally means that ignorance of law is of no excuse. It is the duty of an aspirant for public employment to read and note the terms of advertisement and if he/she finds any of the terms ambiguous, a clarification may be sought. If the aspirant does not make any such effort and takes a calculated chance by appearing in the examination, it is not open for him/her to challenge any of the terms and conditions of the Advertisement after participating in the same."**

52. In the present batch of appeals, none of the appellants have claimed that they had strictly complied with the conditions mentioned in the advertisements for claiming reservation and they had filled up the

particulars of valid caste certificates issued to them by the Deputy Commissioner/Sub-Divisional Officer in the prescribed format, rather from the facts of the cases, it is evident that in the online application forms, some of the appellants had entered the particulars of the caste certificates issued by the Sub-Divisional Officer in the format of Central Government or some had entered the particulars of the caste certificates issued by the Circle Officer and wrongly filled up the online application forms mentioning that the same were issued by the Sub-Divisional Officer. Moreover, some of the appellants had filled up the registration date of their forms applied for getting the caste certificates in the column- "caste certificate date of issue" as specified in the 'Personal Details' part of the application forms. Some candidates had even entered the wrong caste certificate number or wrong date of issue in the specified columns of the online application forms. In fact, the appellants had produced the caste certificates in the prescribed format either at the time of document verification or after issuance of show cause notices that too obtained after the last date of submission of the application forms.

53. Thus, the facts and circumstances of the present batch of appeals are not similar to the case of **Ram Kumar Gijroya (supra.),** rather the cut-off date for obtaining the caste certificate in the prescribed format was fixed in the advertisements in question and the same was required to be mandatorily followed by the appellants.

54. Mr. Sanjay Piprawal, learned counsel appearing on behalf of the respondent-JPSC/JSSC, has placed reliance on few judgments rendered by different Co-ordinate Benches of this Court and we have also perused those judgments.

55. In the case of **Dr. Sweta Kumari Vs. The State of Jharkhand & Others (L.P.A No. 91 of 2020),** the appellant was treated under the "general category" on the ground that in the online application form, she had filled up the details of the caste certificate issued in central format whereas at the time of scrutiny, she had submitted different caste certificate. The writ petition filed by the said appellant was dismissed and the Division Bench of this Court also dismissed the appeal.

56. In the case of **Pawan Oraon Vs. The State of Jharkhand & Others (L.P.A No. 530 of 2024),** the Division Bench of this Court had an occasion to deal with a case where the appellant had submitted the online application form by filling up the particulars of the caste certificate issued in the central format. He was allowed to appear in the preliminary as well as mains examinations, however at the time of declaration of final result, he was treated as "general category" candidate and his name did not find place among the successful candidates. The writ petition filed by the said appellant was dismissed. In appeal, the Division Bench of this Court held that the condition stipulated in Clauses 7(a), 7(b) and 7(c)(i) of the concerned advertisement was to be mandatorily followed by submitting the caste certificate in due format as contained in the advertisement itself, failing which no benefit of reservation was to be given, rather the candidature was required to be considered under the unreserved category. In the said case, the claim of the appellant was that since his candidature was accepted at the time of participating in the preliminary and the mains examinations, his candidature, at the time of interview/during the document verification, should not have been rejected. The said claim was also not accepted by the learned Division

Bench by observing that in view of the specific condition stipulated in the advertisement under clause 7(b) wherein it was provided that the document verification (including the caste certificate) was to be made at the time of the interview and since at the time of scrutiny of the documents, the caste certificate of the appellant was not found in terms of the said conditions stipulated in the advertisement, his candidature was rejected. .

57. In the case of **Sher Mohammad Vs. The State of Jharkhand & Others (L.P.A No. 183 of 2024)** also, the candidature of the appellant was rejected on the ground that he had submitted the caste certificate in the central format. The writ petition filed by the appellant was dismissed by holding inter alia that the caste certificate produced by him at the time of filling up the online application form of the mains examination could not be said to be sufficient compliance of production of the required caste certificate. In appeal before the Division Bench, the appellant raised the issue that his candidature ought not to have been rejected after allowing him to participate in the preliminary and mains examinations. The contention of the appellant was rejected by the Division Bench observing that if the format of the caste certificate itself was contrary to the condition stipulated in the advertisement, then no right can be said to have accrued in favour of the writ petitioner. It was further observed that if the Commission noticed at the time of scrutiny of the documents that the application form of the candidate was not in accordance with the terms and conditions of the advertisement, then the Commission was right in rejecting his candidature and accordingly it was not available for such candidate to take the ground that since he had been allowed to

participate in the process of selection, rejection of his candidature was unjustified. Moreover, had his candidature been not rejected, the action of the Commission would have been unjustified as in that situation, the condition stipulated in the advertisement would have been flouted.

58. In the case of **Prem Chand Kumar Vs. The State of Jharkhand & Others (L.P.A No. 469 of 2015)**, the appellant had submitted the residential certificate issued by the Circle Officer, Latehar which was not in accordance with the specific condition stipulated in the advertisement that the residential certificate to be given along with the application form, must have been issued by an officer not below the rank of Sub-Divisional Officer and the cut-off date to submit the filled up application form was fixed as 09.03.2012. Subsequently when he realized the said mistake, he submitted the correct residential certificate at the time of interview. However, his result was not declared by the JPSC. Thereafter, he preferred writ petition which was dismissed. The learned Division Bench also dismissed the appeal observing that there could not be two types of cut-off date - one for "General category" candidates and another for "Scheduled Tribe" category candidates, so that the candidates belonging to "Scheduled Tribe" category could produce certificate at any point of time. The reserved category candidates are given some priority which is in the form of leniency in passing standard or in the age relaxation etc., but, that does not mean that procedural leniency should also be given to such candidates. Procedural leniency can be given only by the respondents and not by the Court, otherwise, even age and cut-off marks relaxation may be granted by the Court, but it is not permissible in the eyes of law. Whatever leniency is to be given, or relaxation is to be given,

or whatever condition is to be waived for the reserved category candidates, all can be done as a policy decision by the respondents and not by the Court, much less, while exercising power under Article 226 of the Constitution of India.

59. The Bench further held that the Court cannot be more charitable than the law, nor the Court can be more lenient or generous beyond the policy of the respondents. Too much leniency will lead to a chaotic situation. A candidate cannot be allowed to submit the certificates as per convenience. If there is a prescribed cut-off date, everyone is bound by such cut-off date so that process of selection can be started, examination be conducted and result be declared. If the courts keep on changing the cut-off date, perhaps there cannot be any finality of the examination process. This is not permissible in the eyes of law. Every candidate is bound to submit correct application with all necessary documents on or before the prescribed cut-off date, so that process of selection can be over, examination can be conducted in time and the result can be declared. The Court can alter neither the cut-off date prescribed by the government nor the condition of the advertisement.

60. The said judgment was also affirmed by the Hon'ble Supreme Court vide order dated 14.01.2020 passed in S.L.P (C) No. 33684 of 2018 and therefore the observation made by the learned Division Bench has attained finality.

61. Thus, the co-ordinate Benches of this Court have also consistently not allowed any relief to the candidates who have deviated from the cut-off date fixed by the authorities for submitting the requisite caste certificates.

62. Mr. Krishna Murari has also relied upon the judgment of the Division

Bench of this Court rendered in the case of **Jharkhand Staff Selection Commission Vs. The State of Jharkhand & Others** reported in **2018 (4) JBCJ 650 (HC).** In the said case, there was neither any prescribed format for domicile certificates in the appendix to the prospectus, nor any cut-off date was fixed by which such domicile certificates were to be issued. The Bench allowed the relief to the candidates by applying the ratio of the judgment laid down in the case of **Ram Kumar Gijroya (supra.)**. The said judgment was rendered keeping in view the peculiar facts and circumstance of that case and thus the same would be of no help to the case of the appellants. Moreover, the said judgment has already been considered by the Full Bench of this Court in the order dated 15.09.2025 while answering the issues referred to it. Hence, the appellants cannot be allowed to reopen the issue already decided by the Full Bench.

63. In the case of **Ashok Kumar Sharma (Supra.),** the Hon'ble Supreme Court has held that if applications are invited prescribing a particular date as the last date for filing the same, the eligibility of the candidates shall have to be judged with reference to that date alone. It has further been held that a person, who acquires the required qualification subsequent to prescribed date, cannot be considered at all. An advertisement or notification issued/published calling for applications constitutes a representation to the public and the authority issuing it is bound by such representation who cannot act contrary to it. One reason behind this proposition is that if it was known that the persons who obtained the qualification after the prescribed date, but before the date of interview would be allowed to appear for the interview, other similarly placed

persons could also have applied. Just because some of the persons had applied notwithstanding that they had not acquired the prescribed qualification by the cut-off date, they could not be treated on a preferential basis.

64. In the case of **Bedanga Talukdar Vs. Saifudaullah Khan and Others** reported in **(2011) 12 SCC 85**, the Hon'ble Supreme Court has held that all appointments to public office have to be made in conformity with Articles 14 and 16 of the Constitution of India and 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 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.

65. In the case of **State of Tamil Nadu and Others Vs. G. Hemalathaa and Another** reported in **(2020) 19 SCC 430**, the fact was that the respondent had violated Instruction 22(1)(II) of the Instructions issued by the Tamil Nadu Public Service Commission which prohibited candidates

from using pencil for any purpose. Before the High Court, the respondent contended that it might have been done inadvertently and due to anxiety. She pleaded for leniency and prayed that a direction might be given to the said Commission to declare her as having been successful in the main examination. The High Court accepted the submission of the respondent observing that she should not have been disqualified for a mistake committed unwittingly and inadvertently since she did not gain any advantage from such marking. The matter having travelled to the Hon'ble Supreme Court, Their Lordships observed that the instructions issued by the Commission were mandatory having the force of law and those had to be strictly complied with. It was further observed that strict adherence to the terms and conditions of the Instructions was of paramount importance and the High Court in exercise of powers under Article 226 of the Constitution should not have modified/relaxed the Instructions issued by the Commission.

66. In the case of **Mohit Kumar Vs. State of Uttar Pradesh and Others** decided together with **State of Uttar Pradesh and Anr. Vs. Kiran Prajapati** reported in **2025 SCC OnLine SC 1125**, the appellant- Mohit Kumar and the respondent of the another case namely Kiran Prajapati had submitted their OBC (Non Creamy Layer) caste certificates in the formats prescribed for appointments to the central government services and not the one prescribed for the state government services, as mandated by Clause 5.4 of the advertisement. Their Lordships in the said case have held that irrespective of whether an aspirant for public employment belongs to a particular community like SC/ST/OBC, the status claimed by him for being accorded the benefit of reservation is *per*

se not decisive. Such status has to be certified by the competent authority upon following due process and identification that the aspirant is what he claims to be. It has further been held that once a process of recruitment is set in motion, all aspirants are entitled in law to equal treatment. There cannot be different yardsticks for different sets of aspirants. Non-compliance with the terms of the advertisement/notification is bound to trigger adverse consequences of rejection of the aspirant's claimed status by the selecting body/appointing authority, should he choose not to adhere to the same. Having regard thereto, the selecting body/appointing authority would be justified in not entertaining the application of an aspirant as a member of the community for whom reservations are permissible.

67. It has further been held in the said judgment that once an advertisement is issued inviting applications for public employment, it is the responsibility, nay duty, of an aspirant to read and note the terms and understand what its requirements are. If any aspirant finds any of the terms ambiguous and there is scope for an inquiry inbuilt in the advertisement or is provided by any rule/regulation, an effort ought to be first made to obtain clarity for understanding the requirements accurately. If no such scope is available, nothing prevents the aspirant from seeking clarity by making a representation. Should such clarity be not provided, the aspirant may participate in the process without prejudice to his rights and may question the term even after he is not selected. However, if the aspirant does not make any such effort and takes a calculated chance of selection based on his own understanding of the disputed term in the advertisement and later, he emerges unsuccessful, ordinarily, it would not

be open to him to challenge the selection on the ground that the disputed term is capable of being understood differently. In such cases, the courts should be loath to entertain such plea of ambiguity while preferring to accept the recruiting authority's understanding of the said term. This is for the simple reason that the recruiting authority is the best judge of what its requirements are and it is such understanding of the recruiting authority that would matter most in cases brought up before the courts; hence, after commencement of the process wherein aspirants have participated without raising any demur as to what a particular term means, even if any of the terms be ambiguous, the courts should lean in favour of the recruiting authority.

68. In the case of **Sakshi Arya (supra)**, the fact was that an advertisement inviting applications for appointment to the post of Civil Judge Cadre was published which was silent on the aspect of the last date of issuance of the concerned certificates for each reserved category. The Appellants in all the appeals belonged to different reserved categories and they had successfully cleared their preliminary examination, followed by mains examination, as per the requirements of marks in their respective categories. However, as none of those candidates had their certificates issued as per the date specified in the subsequent notice, their names were not included in the list of the candidates called for interview. In the said case, Their Lordships by relying on the judgments rendered in the cases of **Bhupinderpal Singh and Others Vs. State of Punjab and Others** reported in **(2000) 5 SCC 562**, **Rekha Chaturvedi (Smt.) Vs. University of Rajasthan and Others** reported in **1993 Supp (3) SCC 168**, **Ashok Kumar Sonkar Vs. Union of India & Others** reported in

(2007) 4 SCC 54 and **Divya (Supra.)**, have held that the claim made by a candidate while filling his or her application as per the concerned advertisement are to hold good as on the date of his or her application or as per the last date of submission of application prescribed in the concerned advertisement.

69. Thus, it is no more *res integra* that the eligibility of a candidate is required to be judged at the time of filling up of the application form. The candidates are duty bound to carefully go through the terms and conditions of the advertisement and strictly comply the same. If any format for obtaining caste certificate and cut-off date for its submission is prescribed in the concerned rule or any advertisement, the same is to be strictly complied with by the candidates. In case of any confusion, the candidates may seek clarification from the authority. Any deviation from the said terms and conditions entitles the authorities to reject the candidature of the candidates.

70. Even if there is no cut-off date fixed by the rules or advertisement for producing the relevant certificates, a candidate is required to have an eligibility criterion on the last date of submission of application form. The reason behind it is that in case of uncertainty of cut-off date, the candidates who apply for the advertised post will be unable to ascertain whether they are qualified for the post applied for or not. In such a situation, a candidate who does not possess the requisite qualifications *in presenti* and is likely to acquire them on an uncertain future date, may also apply for the advertised post and thus the number of applications will enormously increase.

71. No relaxation can be granted to a candidate if the same is not provided

in the rules or advertisement. The candidates cannot claim any relaxation on the ground of mistake or otherwise. If relaxation is granted to one candidate, the others may seek similar relief from the court, which would delay the completion of the appointment process. Moreover, granting such relaxation would cause prejudice to those candidates who did not apply due to their ineligibility.

72. A candidate cannot claim reservation mere by the reason that he/she belongs to the reserved category. For claiming reservation, the candidate is bound to submit the caste certificate in the prescribed format within the cut-off date.

73. Mr. Krishna Murari has tried to distinguish the case of the appellant – Dr. Nutan Indwar from the other appellants and has submitted that the said appellant was in possession of the requisite certificate at the time of submitting the online application form. Learned counsel has given much emphasis to the argument that the only condition for claiming benefit of reservation was the possession of the caste certificate issued by the Deputy Commissioner/Sub-Divisional Officer in the prescribed format. It has further been contended that even if the particulars of such caste certificate were not mentioned in the online application form due to mistake or omission, the same would not make any difference to the case of the said appellant. What actually Mr. Krishna Murari wants to convey is that mere possession of the caste certificate in the prescribed format was sufficient to claim the benefit of reservation irrespective of the fact that the details/particulars of such certificate were not mentioned in the application.

74. In support of the said contention, Mr. Krishna Murari has relied on the

judgment rendered in the case of **Charles K. Skaria (supra)**. In the said case, for admission to the Post Graduate degree course, there was a provision that a diploma holder would be given extra 10 marks subject to the condition that the certificate of diploma must be obtained at least on or before the last date fixed for submitting the application and not later. In the said case, Their Lordships held as under: -

> **"20. ... To confuse between a fact and its proof is blurred perspicacity. To make mandatory the date of acquiring the additional qualification before the last date for application makes sense. But if it is unshakeably shown that the qualification has been acquired before the relevant date, as is the case here, to invalidate this merit factor because proof, though indubitable, was adduced a few days later but before the selection or in a manner not mentioned in the prospectus, but still above-board, is to make procedure not the handmaid but the mistress and form not as subservient to substance but as superior to the essence."**

75. Their Lordships finally held in the aforesaid case that three candidates who were eventually admitted by the selection committee could not be ousted merely for the reason that the certificate of diploma had not been produced together with the application for admission. The government was not at fault for issuing a directive to the selection committee that the application forms of the students of the diploma course could be considered subject to the condition that they would produce the diploma certificates before finalising the selection to post-graduate courses.

76. The judgment of **Charles K. Skaria (Supra.)** was also referred in the case of **Divya (Supra.)** and Their Lordships distinguished the fact of the said case from those of **Charles K. Skaria (supra)** by observing as

under: -

> **"47. In Charles K. Skaria, most candidates possessed the eligibility viz. the diploma. Only the proof in the form of certificate was awaited. The authorities had also accepted them as eligible, expressly informing the Selection Committee that for eligible candidates even if proof came later and before the final selection, it should be considered as valid. This was also equally the situation in *[Dolly Chhanda v. Chairman, JEE, (2005) 9 SCC 779], [Alok Kumar Singh v. State of U.P., (2018) 18 SCC 242] and [Dheerender Singh Paliwal v. UPSC, (2017) 11 SCC 276]* where the factual position about the eligibility was not in dispute. Those cases and the cases of that ilk cannot support the petitioners in this case for the purpose of claiming eligibility in CSE-2022 as an EWS candidate."**

77. In the present case also, the facts and circumstances are different from those of **Charles K. Skaria (Supra.)** particularly because in this case, the recruiting authorities had made the condition of mentioning the particulars of valid caste certificate in the online application form as mandatory not directory.

78. In **Divya (Supra.),** Their Lordships while also relying upon the judgment of **Union Public Service Commission Vs. Gaurav Singh & Others** reported in **(2024) 2 SCC 605,** have held as under: -

> **"65. In Gaurav Singh case, this Court has held as under : (SCC OnLine SC paras 19-21 & 23)**
>
> > **"19. A technical irregularity in a certificate issued by the competent authority in respect of the correct financial year cannot be equated with an Income and Asset Certificate in respect of a different financial year when the Income and Assets for the particular financial year prior to the year of submission of the application, goes to the root of eligibility**

of a candidate to qualify in the EWS category.

20. The Respondent-Writ Petitioners were well aware that they had to furnish Income and Asset Certificates issued by the Competent Authority for the financial year prior to the year of application. If the applications were made pursuant to a notification published on 24-4-2019 with 20-5-2019 notified as the last date for submission of the applications, the financial year prior to the year of submission of application could not possibly be Financial Year 2019-2020, to which the Certificates related. The observation in the impugned judgment and order [Gaurav Singh v. Union of India, 2020 SCC OnLine Del 2711] of the High Court of the expediency of specifying the financial year in the notification for recruitment is in the nature of an advisory, which may be kept in mind when recruitment notifications are issued by the Appellant in future. The Respondent Writ Petitioners 2 and 4, in whose Income and Asset Certificates were not in order, did not have any legal right to be considered EWS candidates.

21. The Respondent-Writ Petitioners were required to submit Certificates for the relevant financial year. The negligence of the Respondent-Writ Petitioners in not checking if the Certificate related to the correct financial year, cannot be lightly brushed aside as inadvertent lapses of the certifying authority. A candidate applying for a post pursuant to an advertisement, cannot afford to be negligent. Documents required to be submitted have to be carefully checked by the candidate concerned before submission. An

> **appointing authority proceeds on the basis of what is stated in a certificate. When a certificate pertains to a different financial year, the same is liable to be outright rejected. No candidate can, in such case, claim any legal right to reconsideration of his/her candidature by submission of a fresh certificate and/or rectified certificate.**
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> ***
>
> **23. In the case of Respondent-Writ Petitioner 3, the Income and Asset Certificate, which had initially been questioned as having been issued by an authority not competent, was later accepted as it was found that the authority issuing the certificate was in fact competent. The certificate of the Respondent-Writ Petitioner 1 was also accepted as there was no discrepancy in either the date of issuance or the year. It was just that the seal had been stamped without the full name of the officer concerned and that was accepted as an error not attributable to the candidate concerned.""**

79. In the case of **Divya (Supra.)**, the claim of one of the appellants was that he was in possession of the requisite Income & Asset Certificate (IA &C) dated 11.10.2021 in the prescribed format but by mistake he uploaded the certificate in online Detailed Application Form-I on the same day for financial year 2021-22 instead of financial year 2020-21. Their Lordships did not accept the said claim of the appellants and observed at para 86 as under: -

> **"86. The rules clearly mandate and as has been held in *[UPSC v. Gaurav Singh, (2024) 2 SCC 605]*, any mistake/omission/negligence cannot be condoned so**

> **as to extend the deadline for production of the documents. Neither the Office Memorandum nor the rules in question can be construed as directory. They prescribe clearly the eligibility criterion and the date before which the certificate should be possessed and the date before which the certificate should be submitted. They also prescribe the consequence for the omission. As the old ditty goes for a want of a horseshoe nail, kingdoms have been lost. Here we are dealing with crucial documents determining eligibility. The petitioners who did not possess the valid documentation determining their eligibility, before the prescribed cut-off date, cannot complain, if their claim for categorisation as EWS was rejected."**

80. We are not convinced with the argument of Mr. Krishna Murari particularly for the reason that the relevant clauses of the Advertisement No. 02 of 2016 referred hereinabove, in unequivocal term mandate that not only the possession of the valid caste certificate was necessary for claiming the benefit of reservation by the concerned candidates, but also mentioning of the particulars of the same in the online application form was essential to avail the benefit of reservation. Moreover, compliance of the said conditions was mandatory in nature since as per Clause 9(च), all the candidates were required to submit the original certificates of the documents, particulars of which were mentioned in the online application form otherwise his/her candidature was liable to be cancelled. Admittedly, the appellant-Dr. Nutan Indwar had not fulfilled these twin conditions mentioned in the advertisement for claiming reservation and as such no relief can be granted to her.

81. Next argument on behalf of the learned counsels for the appellants is that once the caste certificates submitted by the appellants were duly accepted by the authorities by allowing them to appear in the respective

examinations, the authorities cannot be permitted to declare them unsuccessful by treating under "general category".

82. We do not find any substance in the said argument of the learned counsel for the appellants in view of clear stipulation made in the advertisements that the candidatures of the candidates would be cancelled if the documents submitted by them were found invalid. Mere acceptance of the application form and permitting the appellants to appear in the examination would not give any right to them to be treated under reserved category. If the particulars given by the candidates are subsequently found false and not in conformity with the relevant rules or advertisements, then their candidatures are liable to be cancelled even after the appointment. Any appointment taken under false/incorrect information are treated as void. Admittedly, the appellants did not fill up the particulars of the requisite caste certificates in the online application forms and therefore as per the terms and conditions of the advertisements, their candidatures were liable to be cancelled, however the authorities being liberal with the appellants did not cancel their candidatures, rather they were treated under "general category" and since they secured lesser marks than those of the last selected candidates of "general category", they were declared unsuccessful. Thus, no illegality/arbitrariness is found in the action of the respondents.

83. The learned counsels for the appellants have also submitted that some similarly situated persons have been given appointments and thus the action of the authorities in treating the appellants differently from other similarly situated persons is arbitrary and discriminatory in nature.

84. To appreciate the said contention of the learned counsels for the

appellants, it would be appropriate to refer the judgment of the Hon'ble Supreme Court rendered in the case of **State of U.P and Others Vs. Raj Kumar Sharma and Others** reported in **(2006) 3 SCC 330** wherein the Hon'ble Supreme Court has held that the selectees cannot claim appointment as a matter of right. Mere inclusion of the candidate's name in the list does not confer any right to be selected, even if some of the vacancies remained unfilled and the concerned candidates cannot claim that they have suffered hostile discrimination. It has further been held that even if in some cases, appointments have been made wrongly or by mistake, that does not confer any right on another person. Article 14 of the Constitution does not envisage negative equality, and if the State has committed mistake or illegality, it cannot be forced to perpetuate the same.

85. In the case of **Soni Kumari Vs. K. Ravi Kumar & Others (Miscellaneous Application Diary No. 9234 of 2023 in Contempt Petition (Civil) No. 612 of 2022 in Civil Appeal No. 4044 of 2022)**, the appellants were claiming appointment on the ground that 400 teachers who did not possess post-graduation degrees, had already been appointed. Their Lordships rejected the said contention of the appellants by observing as under: -

> **"7. We cannot accept the submissions made by Mr. Jayant Sud, learned senior counsel for two reasons: Firstly, if the Rules provide a specific qualification, then the same is to be fulfilled. The advertisement cannot modify or reduce the qualifications mentioned in the Rules. Secondly,**

> **if some appointments have been made contrary to the Rules, it would be open to the applicant(s)/ petitioner(s) to point out the same before the appointing authority or challenge the same in the Court of law which shall be dealt with on its own merits."**

86. In the present case, even if the claim of the appellants is taken to be true, they cannot claim negative equality since this court has already held that the appellants were bound to strictly adhere to the terms and conditions of the advertisements for claiming reservation. It is well settled principle of law that Article 14 of the Constitution does not envisage negative equality. If there has been a benefit or advantage conferred to a candidate without legal basis or justification, then that benefit cannot be relied upon as a principle of parity or equality. The principle of equality cannot be used to perpetuate illegality or compel the State to repeat it.

87. Moreover, those similarly situated candidates who have been given appointments, have not been arrayed as respondents in the present batch of cases and thus no order prejudicial to the interest of those candidates can be passed by this Court. Though, the appellants have claimed that some of the candidates who have scored lesser marks than them, have been given appointments, however they were not arrayed as respondents in the respective writ petitions. Further, though in L.P.A No. 77 of 2020, the appellants had filed I.A No. 159 of 2024 to implead those similarly situated persons who had been given appointments, as respondents, however the said interlocutory application was not pursued by them till the stage of final argument. We are of the view that the appellants should have raised the said issue in the writ proceeding itself, however they failed

to do so. As such, they cannot be allowed to raise such a factual contention before this Court that too at a belated stage. Even otherwise, if according to the appellants, some candidates were wrongly appointed by the JPSC/JSSC, they should have challenged their appointments before the competent court of law. Nonetheless, on that ground they cannot claim their appointments.

88. Mr. Krishna Murari has also claimed that out of 44 vacancies, only 8 were filled and as such 36 posts are still vacant. Under the said circumstance and looking to the peculiar fact of the case of the appellant-Dr. Nutan Indwar, she may be given appointment to the advertised post treating her under reserved category. It is further contended that no prejudice will be caused to other candidates on giving appointment to the said appellant. He also urged to consider the case of the said appellant sympathetically.

89. The said argument of Mr. Krishna Murari is also not worth consideration in view of the fact that the condition for filling up the particulars of the requisite caste certificate in the online application was a mandatory requirement and the consequence of its non-compliance was also mentioned in the advertisement no. 02 of 2016. The said appellant has to face the consequence of non-adherence to the mandatory requirement. Under the writ jurisdiction, the High Court is not supposed to relax the rule/condition of advertisement on mere ground that some advertised posts have remained vacant. If such a practice is allowed, then the entire purpose of fixing the cut-off date for submitting requisite certificate(s) will be redundant. All aspirants are entitled under law to be treated equally. There cannot be different yardsticks for different set of aspirants.

90. In view of the aforesaid discussion, we do not find any infirmity in the impugned judgment dated 20.12.2019 passed in the respective writ petitions filed by the writ petitioners/appellants.

91. The present appeals being devoid of merit are, accordingly, dismissed.

92. Pending application(s), if any, also stands disposed of.

(M.S. Sonak, C.J.)

(Rajesh Shankar, J.)

May 07, 2026
Ritesh/**A.F.R.**
Uploaded on 07.05.2026