IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.1295 of 2018

Md. Waris Ali Ansari, Son of Barkat Ali Ansari, aged about 39 years, resident of Village - Mahuda Basti, P.O. & P.S. - Mahuda, District - Dhanbad, Jharkhand.

... ... Petitioner

Versus

1. The State of Jharkhand.
2. The Principal Secretary, Department of Personnel Administrative Reforms & Rajbhasha Government of Jharkhand, having its office at Project Building, P.O. & P.S. Dhurwa, District Ranchi.
3. Secretary, Health, Medical Education and Family Welfare Department, Government of Jharkhand, having its office at Namkum, P.O. & P.S. - Namkum, District - Ranchi.
4. Jharkhand Public Service Commission through its Secretary, having its office at Circular Road, P.O. - G.P.O., P.S. - Lalpur, District - Ranchi 834001.

... ... Respondents

With

W.P.(S) No.1297 of 2018

Malay Sameer, Son of Ghanshyam, aged about 37 years, resident of Qtr. No.2117, Sector-6/A, Bokaro Steel City, P.O. & P.S. - Bokaro Steel City, District - Bokaro, Jharkhand.

Versus

1. The State of Jharkhand.
2. The Principal Secretary, Department of Personnel Administrative Reforms & Rajbhasha, Government of Jharkhand, having its office at Project Building, P.O. & P.S. - Dhurwa, District - Ranchi.
3. Secretary, Health, Medical Education and Family Welfare Department, Government of Jharkhand, having its office at Namkum, P.O. & P.S. - Namkum, District - Ranchi.
4. Jharkhand Public Service Commission through its Secretary, having its office at Circular Road, P.O. - G.P.O., P.S. - Lalpur, District - Ranchi 834001.

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioners : Mr. Ajit Kumar, Advocate
For the JPSC : Mr. Sanjoy Piprawall, Advocate
: Mr. Prince Kumar, Advocate
: Mr. Jay Prakash, Advocate
For the State : Mr. Faisal Allam, AC to SC(Mines)-III

Order No. 07/Dated 30th September, 2026

Prayer made in W.P.(S) No.1295 of 2018

1. The instant writ petition under Article 226 of the Constitution of India has been filed for the following reliefs:-

(i) For issuance of an appropriate writ, order, direction commanding the concerned respondents to consider the candidature of the petitioner for the post of Dentist (Basic Cadre) as a reserved category candidate particularly backward category-I (B.C.-I) in respect of the Advertisement No. 02/2016 (Annex-5) issued by Jharkhand Public Service Commission, the petitioner being found eligible and qualified issued admit card allocated Roll No. 10163045, the petitioner appeared and declared to be successful in the written examination and the petitioner called for document verification on 07.03.2018 and interview on 08.03.2018, but, petitioner not allowed to appear in the interview on 08.03.2018 for the reason that the petitioner being considered an unreserved category candidate exceeded upper age limit, the prescribed upper age limit for unreserved category being 35 years as on 01.08.2015, the petitioner was 36 years 01 month as on 01.08.2015, whereas the upper age limit for B.C.-I category candidate was 37 years as on 01.08.2015 and the petitioner being considered a B.C. category candidate would fell within the prescribed age limit;

(ii) The respondents may be directed to take interview of the petitioner for the post of Dentist in pursuance of Advertisement No. 02 of 2016, as petitioner has been declared to a successful candidate in the written competitive test conducted by Jharkhand Public Service Commission and interview letter issued to the petitioner, but the petitioner not allowed to appear for interview;

Prayer made in W.P.(S) No.1297 of 2018

(i) For issuance of an appropriate writ, order, direction commanding the concerned respondents to consider the candidature of the petitioner for the post of Dentist (Basic Cadre) as a reserved category candidate particularly backward category-II (B.C.-II) in respect of the Advertisement No. 02/2016 issued by Jharkhand Public Service Commission, the petitioner being found eligible and qualified issued admit card allocated Roll No. 10162928, the petitioner appeared and declared to be successful in the written examination and the petitioner called for document verification on 07.03.2018 and interview on 08.03.2018, but, because of non-submission of the caste certificate in the prescribed format the candidature of the petitioner not been considered as a reserved category B.C.-II category and accordingly the respondents may be directed to treat the petitioner a reserved category, B.C.-II category candidate, the petitioner having clearly mentioned in his application that he claims reservation of B.C.-II category and even the Jharkhand Public Service Commission declared the result of the Dental (Basic Cadre) Competitive Examination Advertisement No. 02/2016 of the petitioner in B.C.-II Category:

Facts of the case

2. The brief facts of the first case, i.e., W.P.(S) No.1295 of 2018, as per the pleadings made in the writ petition, is that the Jharkhand Public Service Commission has floated an Advertisement No. 02 of 2016 inviting online application upto 29.02.2016 for appointment to the post of Dentist (Basic Cadre).

3. The petitioner being qualified and eligible applied in pursuance of said Advertisement No. 02/2016. In the application petitioner claimed reservation mentioning his category as B.C.-I referring to Caste Certificate No. 102 dated 28.08.2002.

4. Thereafter the Jharkhand Public Service Commission uploaded on its official website the list of consisting of such applicants, who have applied for the post of Dentist vide Advertisement No. 02/2016 and to meet the minimum requisite qualification as per the terms of the Advertisement. The name of the petitioner was at Serial no. 426 with his Registration No. 162000688.

5. Thereafter provisional admit card was issued to the petitioner for appearing in the written examination to be held on 20.12.2017. Petitioner has allocated Roll No. 10163045.

6. The petitioner appeared in the examination in the Dentist (Basic Cadre) Examination conducted by Jharkhand Public Service Commission on 20.12.2017 and was declared successful. The petitioner's name figured in the said result in the category of B.C.-I.

7. Thereafter an interview e-call letter was issued by the Jharkhand Public Service Commission in the name of the petitioner informing the petitioner about being shortlisted for interview for the post of Dentist Doctors

(Basic Cadre) Advertisement No. 02 / 2016. The petitioner was requested to appear for the documents' verification and interview for the said post as per schedule mentioned therein, on 07.03.2018 at 9:00 a.m. for documents verification and on 08.03.2018 at 9 a.m. for interview.

8. The petitioner went for document verification on 07.03.2018 then upon verification of the document, petitioner was treated to be unreserved category candidate since the certificate produced by the petitioner was not in the prescribed format and the petitioner thereafter was not allowed to appear in the interview because was found to be overage.

9. The case of the petitioner is that only because of the reason that the caste certificate mentioned in the application form is not in the prescribed format, the petitioner has been treated as an unreserved category candidate and has not been allowed to appear in the interview.

10. Similar is the fact of second case i.e., W.P.(S) No.1297 of 2018.

11. The respondent JPSC has appeared and filed counter affidavit stating inter alia that on the date of verification of testimonials, the petitioner appeared before the JPSC and has produced the caste certificate issued by the B.D.O., Baghmara, having No. 102 dated 28.8.2002.

Since aforesaid caste certificate was not valid in terms of Advertisement for extending benefit of reservation under B.C.I. category and as such the candidature of the petitioner was considered under general category. Since the petitioner was found more than 35 years of age, which is the prescribed age limit for general category candidate, he was not allowed to appear in the interview.

12. In the other writ petition, i.e., W.P.(S) No.1297 of 2018, the respondent JPSC has taken the ground that on the date of verification of documents, the petitioner appeared before the J.P.S.C. and has submitted caste certificate No. 145/014 dated 6.3.2014 issued by the Sub Divisional Officer, Dumka, but it would be evident from the perusal of the caste certificate that the caste certificate produced by the petitioner is of other backward class for appointment to the post under the Govt. of India. The caste certificate, as enclosed by the petitioner, is not valid for claiming benefit of reservation under B.C.-II category for the services in the State of Jharkhand and petitioner failed to produce the caste certificate, as indicated in his on-line application form, of B.C.-II category in Performa-II as mentioned in the Advertisement and no benefit of reservation can be extended on the basis of Annexure-2 and as such candidature of the petitioner was considered under unreserved category and petitioner was allowed to

appear in interview as an unreserved category candidate in the facts and circumstances of the case.

13. It has further been stated that the petitioner did not produce caste certificate in terms of Advertisement and as such the candidature of the petitioner was considered under unreserved category candidate and as such there is no illegality in considering the petitioner as unreserved category candidate.

Submission made on behalf of the petitioners

14. Mr. Ajit Kumar, learned counsel appearing for the petitioner, has fairly submitted that a similar matter along with batch cases was considered by the Division Bench of this Court in ***Dr. Nutan Indwar @ Nutan Indwar v. The State of Jharkhand & Others*** [L.P.A. No. 64 of 2020]. By a common judgment dated 07.05.2026, the Division Bench dismissed the Letters Patent Appeals, thereby upholding the view that rejection of candidature on account of non-submission of caste certificate in the prescribed format cannot be sustained.

15. Learned counsel appearing for the petitioner has produced the judgment dated 07.05.2026 passed in L.P.A. No.64 of 2020 and analogous cases [***Dr. Nutan Indwar @ Nutan Indwar v. The State of Jharkhand & Others***].

Submission made on behalf of the Respondent-JPSC

16. Learned counsel appearing for the respondents has submitted that the ratio laid down in the aforesaid judgment squarely applies to the present case, and the present writ petition may also be disposed of in terms of the judgment rendered by the Division Bench of this Court in L.P.A. No.64 of 2020 and analogous cases [***Dr. Nutan Indwar @ Nutan Indwar v. The State of Jharkhand & Others***].

Analysis

17. This Court has heard learned counsel for the parties and gone through the judgment rendered by the Division Bench of this Court in L.P.A. No.64 of 2020 and analogous cases [***Dr. Nutan Indwar @ Nutan Indwar v. The State of Jharkhand & Others***].

18. On perusal of the judgment passed in L.P.A. No.64 of 2020, it is evident that the appellant of the said case 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.

19. The appellant of the said case 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.

20. The respondents have taken the ground 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".

21. Learned counsel for the respondents of the said appeal has submitted that 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.

22. Herein, the instant writ petitions have also been filed by the petitioners who had applied for the post of

Dentist as advertised vide Advertisement No.02 of 2016. For ready reference, the relevant conditions of Advertisement No.2 of 2016 is being referred herein :-

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 -1 (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 ॥ 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 - ॥ 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।

23. From the aforesaid condition of the advertisement, it is evident that it was 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. 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.

24. Since the constitutional validity of the condition 9(gha) of Advertisement No.2 of 2016 was challenged by some of the candidates, the matter was referred before the larger Bench of this Court in L.P.A. No.64 of 2020. The larger Bench of this Court examined the same and in the order dated 15.09.2025 has held 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."

25. Now reverting to the facts of the present case, none of the petitioners 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.

26. The Division Bench of this Court has taken into consideration the aforesaid facts and has observed that compliance of the conditions was mandatory in nature since as per Clause 9(ch), 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 and accordingly dismissed the L.P.A.

27. This Court, after going though the judgment rendered in L.P.A. No.64 of 2020 and analogous cases and also going through the facts of the instant writ petitions, is of the view that the issue involved herein is squarely covered by the ratio laid down in the said appeal, i.e., L.P.A. No.64 of 2020 and analogous cases wherein it was held that non-submission of caste certificate in the prescribed format disentitles a candidate from claiming reservation benefits, and such action of the recruiting authority cannot be faulted.

28. In view of the settled position of law, this Court is not inclined to interfere with the action of the respondents. The petitioner having failed to produce caste certificate in the prescribed format as mandated by the advertisement, no illegality can be attributed to the respondents in treating him as an unreserved category candidate.

29. Accordingly, the writ petitions stand dismissed in terms of L.P.A. No.64 of 2020 and analogous cases.

30. Interlocutory application, if any, also stands disposed of.

(Sujit Narayan Prasad, J.)

Date : 30.09.2026

Birendra/

A.F.R.

Uploaded on 09/10/2026