

IN THE HIGH COURT OF JHARKHAND AT RANCHI

WP(S) No.724 of 2023

Anjali Bakhla, aged about 35 years, daughter of Harlen Bakhla, resident of P.O. & P.S.-Bingaon, Kachabari, District-Khunti, (Jharkhand) **... Petitioner(s).**

Versus

1. State of Jharkhand through the Chief Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S.Jagarnathpur, District - Ranchi.
2. Secretary, Personnel, Administrative Reforms & Rajbhasha Department, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagarnathpur, District - Ranchi.
3. Jharkhand Public Service Commission through its Secretary, having office at Circular Road, P.O. & P.S. Lalpur, District Ranchi.
4. Controller of Examination, Jharkhand Public Service Commission, having office at Circular Road, P.O. & P.S. - Lalpur, District-Ranchi. **... Respondent(s).**

With

WP(S) No.459 of 2023

Sunil Kumar Suman, aged about 33 years, son of Suresh Chandra Mahra, resident of House No.35, Singhpur Yogidih, P.O. & P.S. Yogidih, District-Deoghar, (Jharkhand) **... Petitioner(s).**

Versus

1. State of Jharkhand through the Chief Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagarnathpur, District - Ranchi.
2. Secretary, Personnel, Administrative Reforms & Rajbhasha Department Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagarnathpur, District - Ranchi.
3. Jharkhand Public Service Commission through its Secretary, having office at Circular Road, P.O. & P.S. Lalpur, District - Ranchi.
4. Controller of Examination, Jharkhand Public Service Commission, having office at Circular Road, P.O. & P.S. - Lalpur, District - Ranchi. **... Respondent(s).**

With

WP(S) No.489 of 2023

Ravikant Ram, aged about 41 years, son of Kuleshwar Ram, resident of Village-Kewla, P.O.-Jori, P.S.-Bashishtha Nagar Jori, District-Chatra, (Jharkhand) **... Petitioner(s).**

Versus

- 1. State of Jharkhand through the Chief Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagarnathpur, District - Ranchi.
 - 2. Secretary, Personnel, Administrative Reforms & Rajbhasha Department Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. - Jagarnathpur, District - Ranchi.
 - 3. Jharkhand Public Service Commission through its Secretary, having office at Circular Road, P.O. & P.S. - Lalpur, District - Ranchi.
 - 4. Controller of Examination, Jharkhand Public Service Commission, having office at Circular Road, P.O. & P.S. Lalpur, District - Ranchi.
- ... Respondent(s).

With
WP(S) No.896 of 2023

Satyam Kumar, aged about 33 years, son of Late Saryu Mehra, resident of Village-Nawadih, P.O. & P.S.Palojori, District-Deoghar, (Jharkhand)
... Petitioner(s).

Versus

- 1. State of Jharkhand through the Chief Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagarnathpur, District Ranchi.
 - 2. Secretary, Personnel, Administrative Reforms & Rajbhasha Department Government of Jharkhand, having office at Project Building, Dhurwa, P.O. Dhurwa, P.S. - Jagarnathpur, District - Ranchi.
 - 3. Jharkhand Public Service Commission through its Secretary, having office at Circular Road, P.O. & P.S. - Lalpur, District - Ranchi.
 - 4. Controller of Examination, Jharkhand Public Service Commission, having office at Circular Road, P.O. & P.S. - Lalpur, District - Ranchi.
- ... Respondent(s).

With
WP(S) No.1310 of 2023

Rajesh Kumar Das, aged about 29 years, Son of Banwari Das, Resident of Village- Babhani, P.O.- Taranakho, P.S.-Dhanwar, District- Giridih.
... Petitioner(s).

Versus

- 1. The State of Jharkhand.
 - 2. The Principal Secretary, Karmik, Prashashnik Sudhar, Rajya Bhasha Bibhag, Jharkhand At + P.O. + P.S. Dhurwa, District Ranchi
 - 3. Jharkhand Public Service Commission at Circular Road, P.O.- Ranchi, P.S. Kotwali, District - Ranchi.
- ... Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Amritansh Vats, Advocate
Mr. Shivam Anand Pathak, Advocate
Mr. Arpan Manjash Ekka, Advocate
Mr. Amartya Choubey, Advocate
Mr. Ashish Choudhary, Advocate
Mr. Sumeet Gadodia, Advocate
Ms. Shruti Shekhar, Advocate
Mr. Anish Lal, Advocate
Mr. Vijay Kumar Roy, Advocate
For the State : Mr. Abhinay Kumar, AC to GA-I
For the JPSC : Mr. Sanjoy Piprawall, Advocate
Mr. Rakesh Ranjan, Advocate
Mr. Prince Kumar, Advocate

.....

14 /20.01.2026: Heard the learned counsel representing the petitioners and the learned counsel representing the State.

2. Petitioners had appeared in the Jharkhand Joint Civil Services Competitive Examination- 2021, pursuant to the Advertisement No.01 of 2021.

3. The candidature of the petitioners has been rejected on the ground that at the time of filing of the application form the caste certificate which was produced was not in the proper prescribed format.

4. The issue which falls for consideration is that if the certificate which required to be filed in particular prescribed format is not filed in the same prescribed format, whether the same can be accepted by the respondents or not for considering the candidate in reserved category.

5. The issue has been already been set at rest by the Full Bench of this Court passed in “**Dr. Nutan Indwar @ Nutan Indwar vs. State of Jharkhand and Others**” with analogous cases in LPA No. 64 of 2020. The Full Bench relying upon the judgment of the Hon’ble Supreme Court in the case of “**Mohit Kumar vs. State of Uttar Pradesh and Others**” reported in **2025 SCC OnLine SC 1125** held that the caste certificate should in proper format as prescribed in the advertisement. Paragraphs 42 and 49 of the aforesaid judgment is quoted hereunder:

42. We hold that once a specific format and the authority to

issue certificate has been prescribed, the same has to be followed strictly. The prescription of a format or designating any authority cannot be said to be violative of Articles 14 and 16 of the Constitution of India as the prescription made is applicable to all concerned without any discrimination.

The caste certificate, which is not in the prescribed format and has not been issued by the authority, as prescribed, cannot be considered. What would be the status of those candidates, who produce such certificates, which is not in a prescribed format as mandated by the Rules or advertisement, has already been taken note of and has been decided by the Hon'ble Supreme Court in the case of Mohit Kumar versus State of Uttar Pradesh and Others reported in 2025 SCC OnLine SC 1125.

49. Taking a cue from Mohit Kumar (supra), it is clear that if a candidate furnishes caste certificate in the format prescribed for employment in the Central Government, for an application seeking appointment under the State Government, the same cannot be said to be in a proper format and his claim for reservation can be rejected.

6. In the aforesaid judgment, three questions were framed, which are as follows:-

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 Article 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?

The analysis of question B is in paragraph 52 of the judgment of the Full Bench, which reads as follows:-

52. The off shoot of the analysis and the judgments is that a candidate must adhere to the conditions and requirements, which have been prescribed in the Rules. There cannot be any deviation. Certificate, which has been prescribed to be furnished in a proper format should be in the format as prescribed. Similarly, if an authority has been prescribed to issue the said certificate, the certificate issued by the said

authority only will be accepted. Certificate issued by any other authority, which is not in the format cannot be accepted. Further, Article 335 of the Constitution of India has no application in this matter, inasmuch by prescribing an authority and the format, the Scheduled Caste / Scheduled Tribe / Other Backward Class as a whole is not excluded from getting the benefit of reservation. It is only an individual in that group, who does not qualify or does not possess the requisite qualification / certificate is debarred. Disqualifying an individual within the class cannot be said to be deprivation of entire class.

The analysis of question A and C is in paragraph 39 of the judgment of the Full Bench, which reads as follows:-

39. To summarise, from what has been held above, it is clear that: - (a) If a cut-off date is fixed for submitting documents by the Rules, the same has to be followed and in absence of any cut-off date in the Rules, the cut-off date mentioned in the advertisement has to be strictly followed and if there is no cut-off date in the advertisement also, then the last date of application should be treated to be the cut-off date. The cut-off date is sacrosanct and the conditions and eligibility criteria mentioned in the advertisement must be read in harmony with the cutoff date. The cut-off date cannot be changed nor any authority can impliedly shift the cut-off date by giving relaxation to fulfill a criteria, which ought to have been fulfilled by the candidate within the said cutoff date.

It is also clear that a person, who acquires prescribed qualification after the cut-off date is not eligible to be considered and they cannot get any preferential treatment. Possessing a valid caste certificate / necessary certificate issued by the competent authorities in a prescribed format on the cut-off date is the prescribed qualification.

7. Ultimately the answer to the reference was given at para 53 which is as follows:-

53. In view of what has been observed and discussed above and in the light of the judgments of the Hon'ble Supreme Court in the cases as cited hereinbefore, answer to Reference Questions are as follows: -

(A) Ram Kumar Gijroya (supra) cannot be applied irrespective of the facts of the case nor can it 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 or in case if no date is prescribed, in either of the two, then on the last date of submission of application.

(B) The Clause 9(gha) of the advertisement, which stipulates

for obtaining caste certificate from the authority prescribed and how a candidate shall be treated in absence of such certificate, by no means violates Article 14, Article 16 or Article 335 of the Constitution of India.

(C) Fixing/providing a condition in the advertisement that the caste certificate in a proper format should be in possession of the candidate on the last date of making the application cannot be said to be in exercise of excessive delegation of power neither it is beyond the power conferred upon the Jharkhand Public Service Commission / Jharkhand Staff Selection Commission. Further, in absence of possession of the caste certificate in proper format on the last date of making the application or the cut-off date prescribed in the Rules or that in the Advertisement, treating the candidate as a candidate of un-reserved category is also not illegal nor the same can be considered to be an exercise of excessive delegation of power neither it is beyond the power conferred upon the Jharkhand Public Service Commission / Jharkhand Staff Selection Commission.

8. The judgment passed by the Full Bench has also been relied upon by this court in the case of “**Anmol Bara vs. Jharkhand Public Service Commission and Others**” passed in WP(S) No. 245 of 2023 wherein similar issue fell for consideration in which this Court taking into consideration the judgment passed by the Full Bench of this Court did not grant any relief to the petitioner.

9. Admittedly, in these cases caste certificate were not in prescribed format. Since the caste certificate is not in proper format and the judgment of the Full Bench of this Court prohibits accepting caste certificate which is not in a proper format as these cases are covered by the judgment of “**Mohit Kumar vs. State of Uttar Pradesh and Others**” reported in **2025 SCC OnLine SC 1125**, the petitioner cannot be treated as a reserved category candidate.

10. Thus, no relief can be granted to the petitioners in these cases.

11. These writ petitions are **dismissed**.

(ANANDA SEN, J.)