

झारखण्ड कर्मचारी चयन आयोग,

कालीनगर, चायबगान, नामकोम, राँची-834010.

e-mail- jharkhand_ssc@rediffmail.com

झारखण्ड प्रारंभिक विद्यालय प्रशिक्षित सहायक आचार्य

संयुक्त प्रतियोगिता परीक्षा-2023

विज्ञापन संख्या-13/2023

आवश्यक सूचना-104

संशोधित अतिरिक्त परीक्षाफल

दिनांक-22.05.2026

स्कूली, शिक्षा एवं साक्षरता विभाग, झारखण्ड के पत्रांक-1697, दिनांक-21.08.2025, पत्रांक-1703, दिनांक-22.08.2025 एवं पत्रांक-1705, दिनांक-23.08.2025 के माध्यम से माननीय उच्चतम न्यायालय की त्रि-सदस्यीय पीठ द्वारा सिविल अपील संख्या-8259/2019 Govt. of NCT Delhi and Other Vs. Pradeep Kumar and others वाद में दिनांक-24.10.2019 को पारित न्यायादेश के अनुपालन हेतु झारखण्ड प्रारंभिक विद्यालय प्रशिक्षित सहायक आचार्य संयुक्त प्रतियोगिता परीक्षा-2023 के अंतर्गत इंटरमीडिएट प्रशिक्षित सहायक आचार्य (कक्षा-1 से 5) तथा स्नातक प्रशिक्षित सहायक आचार्य (कक्षा-6 से 8) के अंतर्गत गणित एवं विज्ञान शिक्षक, सामाजिक विज्ञान शिक्षक एवं भाषा शिक्षक के प्रथम चरण के तहत पूर्व प्रकाशित परीक्षाफल को संशोधित करने हेतु निदेशित किया गया है। पारित न्यायादेश की मुख्य बिन्दुएँ निम्नवत् हैं:-

19. The above excerpts reveal the Court's concern for maintaining equality in the recruitment process. However, in the present recruitment process, in the absence of a compensatory disadvantage or balancing factor, the ratio in Vikas Sankhala cannot be applied for the respondents who obtained CTET qualification by virtue of concession given to OBC categories. In other words, the concession benefit is not neutralized in the Delhi recruitment process. Thus, a level playing field and a fair treatment is not achieved, by inappropriately applying the ratio of Vikas Sankhala without having regard to the peculiarity of facts of that case where, a different selection yardstick was applied.

20. As noted above, although there was no balancing out of the relaxation for the selection process in Delhi unlike the process in Vikas Sankhala's decision, the CAT erroneously applied the ratio of the Rajasthan case for giving relief to the respondents.

21.1 In Vikas Sankhala, the Court considered the implication of the Circular dated 11.05.2011 issued by the Department of Personnel, government of Rajasthan, (A, Gr.II) bearing ref.no.No.F.7(1) DOP/A-II/99 that expressly allowed migration to the unreserved category irrespective of any concession availed by the candidate of the reserved category if he/she had secured more marks than the last Unreserved category candidate who is selected. But here the OMs dated 01.07.1998 and 04.04.2018 issued by the Department of Personnel & Training would bear consideration. Contrary to the circular dated 11.05.2011 in

Vikas Sankhala (supra), the two OMs referred by Ms Divan, issued specific instructions to the effect that when a relaxed standard is applied in selecting a reserved category candidate, in age limit, experience, qualification, additional chances in written examination etc., such candidates will be counted against reserved vacancies.

21.2 For better understanding, the implications of the afore noted OM dated 01.07.1998 (ref.36011/1/98-Estt.(Res), Ministry of Personnel, Public Grievances and Pensions), the relevant portion is extracted below:-

“..... 3.
In this connection, it is clarified that only such SC/ST/OBC candidates who are selected on the same standard as applied to general candidates shall not be adjusted against reserved vacancies. In other words, when a relaxed standard is applied in selecting an SC/ST/OBC candidates, for example in the age limit, experience, qualification, permitted number of chances in written examination, extended zone of consideration larger than what is provided for general category candidates etc., the SC/ST/OBC candidates are to be counted against reserved vacancies. Such candidates would be deemed as unavailable for consideration against unreserved vacancies.....”

21.3 In the same context, the relevant part of the second OM dated 04.04.2018 (Ref.No.F.No.43011/4/2018-Estt.(Res.)) issued by the Ministry of Personnel, Government of India), reiterating in substance, what was stated in the earlier O.M. of 01.07.1998, is extracted as below, for ready reference:-

“.....As
per instructions issued vide this Department’s OM No.36012/2/96-Estt.(Res) dated 02.07.1997, in direct recruitments to Central Government jobs and services, the reserve category candidates who are selected on the same standards as applied to general candidates will not be adjusted against reserved vacancies. As per instructions issued vide DOP & T OM No.36011/1/98-Estt.(Res) dated 01.07.1998, only when a relaxed standard is applied in selecting a reserved candidates, for example in the age limit, experience, qualification, permitted number of chances in written examination, etc., such candidates will be counted against reserved vacancies”

22. From the above extract of the two OMs, it is quite apparent that, unlike in *Vikas Sankhala*, there is an express bar on migration to the unreserved category of those reserved category candidates who had availed of relaxation including those for qualification. The prescription of the eligibility qua CTET, in the advertisement, will therefore have to be understood bearing in mind, the contents of the OM dated 01.07.1998. To apply the advertisement in the present facts will not be correct. The same OM dated 01.07.1998 was considered in *Deepa EV v Union of India*² and we feel that the Court was correct in the view, vis-à-vis the OM dated 01.07.1998.

23. The other distinguishing aspect in *Vikas Sankhala (supra)* is that the candidates who had applied under the reserved category belonged to Rajasthan. For the selection and aspirants from the same State i.e., Rajasthan, the Court allowed such candidates to

migrate to the unreserved category. In the present case, however, the candidates (i.e. the respondents) belong to States other than Delhi. Being OBC (outsiders), they could have been considered only under the unreserved category if they secure at least 60% marks in the CTET. The respondents admittedly did not secure 60% and thus were ineligible. Moreover, an OBC candidate not certified in the State/Territory outside of Delhi cannot be eligible to avail of employment in reserved category posts earmarked for OBCs who are certified by the Delhi Government.

24. It is important to keep in mind that the respondents are competing for general category vacancies. All others in this group have obtained their CTET eligibility qualification, securing the normal pass marks without availing any relaxation of pass norms. On the other hand, the respondents despite their lesser marks in the CTET examination, could qualify only because they availed the relaxation benefits as OBC category examinees. Their eligibility qualification is secured under relaxed norms meant for OBC category and therefore we do not think it is proper to consider them to be eligible for the general category vacancies and contention to the contrary is unacceptable.

25. The respondents with their CTET qualification under relaxed norms would be eligible for OBC category posts provided their OBC status is certified and recognized by the Delhi government. But such not being the case, they are ineligible for the reserved category vacancies. To allow them to migrate and compete for the open category vacancies would not be permissible simply because, they have secured the CTET qualification with relaxation of pass marks meant for those belonging to the OBC category. As the respondents have not secured the normal pass marks for general category, their eligibility for the general category vacancies is not secured. Therefore, their performance in the selection examination would be of no relevance, in the present process.

26. As earlier discussed, this case concerns qualifications obtained with concession in pass marks. Such concession would have a direct impact on standards of competence and merit in the recruitment of Special Education Teachers. The principles of reservation under the Constitution of India are intended to be confined to a specifically earmarked category and the unreserved category must be protected, to avoid dilution of competence and merit. If *Vikas Sankhala (supra)* is interpreted shorn of its peculiar facts, as has been suggested by the respondents' counsel, it would in our perception, considering that respondents secured the qualification under relaxed norms, would lead to dilution of merit in the unreserved category. The arguments made to the contrary by the respondents is therefore rejected.

27. In view of the forgoing, the High Court and the Tribunal erred in granting relief to the respondents. The impugned judgment of the High Court of Delhi in Writ Petition (C) No. 557 of 2019 dated 21.1.2019 is set aside and this appeal is allowed. No order as to costs.

2. माननीय सर्वोच्च न्यायालय द्वारा पारित उपर्युक्त न्यायादेश एवं तदनुसार प्राप्त विभागीय निदेश के अनुपालन में झारखण्ड प्रारंभिक विद्यालय प्रशिक्षित सहायक आचार्य संयुक्त प्रतियोगिता परीक्षा-2023 के अंतर्गत जेटेट में प्राप्त आरक्षण के आधार पर अपने आरक्षण कोटि में उत्तीर्ण अभ्यर्थियों को अनारक्षित कोटि से अपनी आरक्षण कोटि में स्थानान्तरित करने के साथ-साथ पारा कोटि के वैसे अभ्यर्थी, जिनके द्वारा अधिकतम उम्र सीमा की छूट एवं रियायत प्राप्त की गई है, को अनारक्षित कोटि से अपनी आरक्षण कोटि में स्थानान्तरित करते हुए संशोधित परीक्षाफल एवं अन्य संशोधन प्रकाशित किया गया है, जिसकी विवरणी निम्नवत् है:-

क्र.स.	पदनाम	परीक्षाफल एवं अन्य संशोधन
1.	भाषा शिक्षक	संशोधित परीक्षाफल आवश्यक सूचना संख्या 89 दिनांक 15.09.2025, 93 दिनांक 07.11.2025, 95 दिनांक 12.12.2025 एवं 96 02.02.2026

उक्त प्रकाशित परीक्षाफल के अतिरिक्त स्नातक प्रशिक्षित सहायक आचार्य (कक्षा-6 से 8) अन्तर्गत भाषा शिक्षक का अतिरिक्त परीक्षाफल निम्नवत् प्रकाशित किया जाता है:-

भाषा शिक्षक

SL. NO.	REGISTRATION NUMBER	TEACHER TYPE	CATEGORY	DISTRICT
1	2	3	4	5
1	138351477	PARA TEACHER	EBC-I	BOKARO
2	102048043	NON PARA	UR	CHATRA
3	143857823	NON PARA	BC-II	CHATRA
4	105196554	NON PARA	UR	DEOGHAR
5	125187849	NON PARA	UR	DHANBAD
6	141563821	NON PARA	BC-II	DHANBAD
7	143283821	PARA TEACHER	EBC-I	EAST SINGHBHUM
8	143254004	PARA TEACHER	EBC-I	GARHWA
9	116953602	NON PARA	UR	GIRIDIH
10	133763657	NON PARA	UR	GODDA
11	108852537	NON PARA	BC-II	GODDA

SL. NO.	REGISTRATION NUMBER	TEACHER TYPE	CATEGORY	DISTRICT
1	2	3	4	5
12	126871697	PARA TEACHER	EBC-I	GODDA
13	108894324	NON PARA	UR	HAZARIBAGH
14	135096586	NON PARA	UR	JAMTARA
15	139979172	PARA TEACHER	EBC-I	JAMTARA
16	112237765	NON PARA	EBC-I	KODARMA
17	106431124	NON PARA	BC-II	KODARMA
18	127794884	NON PARA	BC-II	PAKUR
19	139551178	PARA TEACHER	EBC-I	PALAMU
20	121883046	PARA TEACHER	EBC-I	SARAIKELA KHARSAWAN
21	106672917	NON PARA	UR	WEST SINGHBHUM
22	107698239	NON PARA	ST	WEST SINGHBHUM

3. स्नातक प्रशिक्षित सहायक आचार्य के अन्तर्गत भाषा शिक्षक (कक्षा 06 से 08) के पूर्व में प्रकाशित परीक्षाफल अन्तर्गत कतिपय अभ्यर्थियों के मेधा-सह-विकल्प के आधार पर कोटि/जिला में संशोधन निम्नवत् तालिका के रूप में संसूचित किया जाता है:-

SL. NO.	REGISTRATION NUMBER	PREVIOUS RESULT			REVISED RESULT		
		TEACHER TYPE	CATEGORY	DISTRICT	TEACHER TYPE	CATEGORY	DISTRICT
1	2	3	4	5	6	7	8
1	139593416	NON PARA	BC-II	SAHIBGANJ	NON PARA	BC-II	BOKARO
2	105529717	NON PARA	EBC-I	KODARMA	NON PARA	EBC-I	DEOGHAR
3	143765949	NON PARA	BC-II	GIRIDIH	NON PARA	BC-II	DEOGHAR
4	126876958	NON PARA	EBC-I	GIRIDIH	NON PARA	EBC-I	DHANBAD
5	159102444	NON PARA	EBC-I	DEOGHAR	NON PARA	EBC-I	DHANBAD
6	127352115	NON PARA	BC-II	BOKARO	NON PARA	BC-II	DHANBAD
7	126133145	NON PARA	BC-II	DEOGHAR	NON PARA	BC-II	GODDA

SL. NO.	REGISTRATION NUMBER	PREVIOUS RESULT			REVISED RESULT		
		TEACHER TYPE	CATEGORY	DISTRICT	TEACHER TYPE	CATEGORY	DISTRICT
1	2	3	4	5	6	7	8
8	134385408	PARA TEACHER	EBC-I	RAMGARH	PARA TEACHER	EBC-I	HAZARIBAGH
9	113965849	NON PARA	UR	RANCHI	NON PARA	UR	RAMGARH
10	149042904	PARA TEACHER	EBC-I	RANCHI	PARA TEACHER	EBC-I	RAMGARH
11	125159284	NON PARA	UR	LOHARDAGA	NON PARA	UR	RANCHI
12	137163105	NON PARA	EBC-I	DHANBAD	PARA TEACHER	EBC-I	RANCHI

नोट:— 1. WP(S) No. 4049/ 2023, बहादुर महतो एवं अन्य बनाम स्कूली शिक्षा एवं साक्षरता विभाग, झारखण्ड एवं अन्य, WP(S) No. 5594/ 2023, डमरूधर साहु एवं अन्य बनाम झारखण्ड राज्य एवं अन्य तथा WP(S) No. 3543/ 2025, गिरिधर कुमार राउत एवं अन्य बनाम झारखण्ड राज्य एवं अन्य में माननीय झारखण्ड उच्च न्यायालय द्वारा पारित अंतिम आदेश से उक्त परीक्षाफल में संशोधन संभावित है। संशोधन के क्रम में सफल अभ्यर्थियों के आवंटित जिला में परिवर्तन संभव है।

2. याचिका संख्या WP(S) No. 3337/ 2025, बिप्लब दत्ता एवं अन्य बनाम राज्य सरकार एवं अन्य मामले में पारित न्यायादेश के आलोक में स्नातक प्रशिक्षित सहायक आचार्य पद अन्तर्गत कतिपय अभ्यर्थियों का परीक्षाफल रिक्ति सहित लंबित रखा गया है। संबंधित मामले में दायर अपील याचिका LPA No. 510/2025 के फलाफल से उक्त प्रकाशित परीक्षाफलों में संशोधन संभावित है। संशोधन के क्रम में सफल अभ्यर्थियों के आवंटित जिला/कोटि में परिवर्तन संभव है।

3. अनिवार्य प्रमाण पत्रों/अभिलेखों की अनुपलब्धता/अस्पष्टता के आलोक में कतिपय अभ्यर्थियों का परीक्षाफल लंबित रखा गया है। इस संबंध में संबंधित अभ्यर्थियों द्वारा उपलब्ध कराए जाने वाले प्रमाण पत्रों के आधार पर आयोग के निर्णयोपरान्त परीक्षाफल में संशोधन संभावित है। संशोधन के क्रम में सफल अभ्यर्थियों के आवंटित जिला/कोटि में परिवर्तन संभव है।

4. भाषा शिक्षक के पूर्व में प्रकाशित परीक्षाफल संबंधी आवश्यक सूचना संख्या 89 दिनांक 15.09.2025 में टंकण त्रुटिवश पंजीयन संख्या 113348001 को सम्मिलित कर लिया गया था। अतः पंजीयन संख्या 113348001 को उक्त प्रकाशित परीक्षाफल से विलोपित किया जाता है।

5. प्रकाशित परीक्षाफल में किसी प्रकार की त्रुटि अथवा टंकण त्रुटि के सुधार का अधिकार आयोग के पास सुरक्षित रहेगा।

ह./—
परीक्षा नियंत्रक।