

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10010 OF 2016

01 Vikrant s/o Shivaji Bilpe
02 Sangram s/o Shivaji Bilpe

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.S.M.Vibhute, advocate for petitioners.
Mr.V.M.Kagne, AGP for Respondents.

**CORAM : R.M.BORDE &
P.R.BORA, JJ.**

DATE : 01st October, 2016

PER COURT:

1 In the instant petition, petitioners, who are *inter se* real brothers, make a grievance against the Scrutiny Committee in respect of non acceptance of hard copy of the proposal for verification of tribe certificate.

2 Petitioners claim to belong to *Koli Mahadev*, Scheduled Tribe and have already tendered online proposals to the Scrutiny Committee for verification of tribe certificate/s.

3 Learned Assistant Government Pleader, appearing for Respondents, states on instructions, that copies of the tribe certificates, tendered by petitioners, are not in conformity with Form "C" provided under Rule 4(6) and 5(2) (a) and (b) of the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003 (for short, "Rules, 2003").

4 We have perused tribe certificates issued to the

respective petitioners by the Sub Divisional Officer. It is noticed that the Sub Divisional Officer has not recorded his name below his signature on the tribe certificates, which is the requirement provided under Rules, 2003. The Sub Divisional Officer is not required to mention the list of documents in tribe certificate verified by him. The tribe certificate shall have to be issued strictly in conformity with rules and in given proforma i.e. Form "C". The Sub Divisional Officer, thus, shall apply his mind and shall issue the certificates in conformity with Form "C" prescribed under the Rules, 2003.

5 The petitioners undertake to tender original tribe certificates to the Sub Divisional Officer within one week from today. On receipt of original tribe certificates, the Sub Divisional Officer shall issue corrected certificates to the respective petitioners within one week from the date of receipt of original tribe certificates. The petitioners shall thereafter tender hard copy of the proposals together with corrected certificate/s to the Scrutiny Committee directly. The Scrutiny Committee shall accept the proposals and proceed to consider verification of claims of the petitioners in accordance with law. The Scrutiny Committee shall take appropriate decision, as expeditiously as possible, preferably within one year from the date of receipt of proposals.

6 With the directions as above, writ petition stands disposed of.

P.R.BORA
JUDGE

R.M.BORDE
JUDGE