

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2405 of 2020**

Ravina Meshram D/o Deepak Kumar Meshram, Aged About 26 Years,
Caste Mahar, R/o Ruabandha Sector Nagar, Bhilai, Tahsil And District
Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Tribal Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur District Raipur, Chhattisgarh
2. The Sub Divisional Officer (Revenue) Durg, District Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Love Kumar Ramteke, Advocate
For State	:	Shri Anand Verma, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.10.2020**

1. The relief sought by the petitioner in the present writ petition is for an appropriate direction to the respondent No. 2 to consider grant of permanent caste certificate.
2. According to the petitioner, her father was an employee of Bhilai Steel Plant in the undivided State of Madhya Pradesh which now falls under the territorial jurisdiction of the State of Chhattisgarh. Therefore, her father falls within the ambit of Rule 12 of the Chhattisgarh Scheduled Castes, Scheduled Tribes and other Backward Classes (Regulation of Social Status Certification) Rules 2013. Rule 12 of the Rules of 2013

deals with the category of persons who would fall under “involuntary migration”. Under the said Rule, an employee who has been involuntarily migrated to the State of Chhattisgarh would be entitled for the benefit of reservation in the State of Chhattisgarh. This facility was earlier also prevalent as per the circular of the State Govt. dated 16th March, 2012.

3. According to the petitioner, she belongs to “Mahar” caste which falls within Scheduled Caste category. The petitioner had moved an application before the Respondent No. 02 for issuance of caste certificate. According to the petitioner, the application has been kept in abeyance on the ground enabling the petitioner to provide the documents to show that her ancestors were of Tahsil: Bhilai, Durg prior to 1950.
4. Given the facts, this Court is of the opinion that ends of justice would meet if the writ petition is disposed of with a direction to the respondent No.02 to process the claim of the petitioner and pass an appropriate order keeping in view Rule 12 of the Rules of 2013 and the circular referred to in the preceding paragraph.
5. Let respondent No. 2 take an appropriate decision within a period of 60 days from the date of receipt of copy of this order.
6. The present writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge