

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1427 of 2021

- Bhuneshwar Singh Dhurve S/o- Shri Panchooram Dhurve, Aged About 34 Years Presently Working As - Coordinator, Pradhanmantri Awas Yojana, Janpad Panchayat, Bodla, District - Kabirdham, R/o- House No. 72, Manpuriha Para, Village - Rajanawagaon, Tehsil - Bodla, District - Kabirdham (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Public Relation, Mantralaya, Atal Nagar, Raipur, District Raipur (Chhattisgarh),
2. High Power Caste Scrutiny Committee Through President-Cum-Secretary Department Of Schedule Caste And Schedule Tribe Development, Tribal Research Training Institute, Pt. Dindayal Upadhyay Nagar, Sector-4, Raipur, District Raipur (Chhattisgarh),
3. District Level Caste Scrutiny Committee Kabirdham, District - Kabirdham (Chhattisgarh),
4. The Collector Kabirdham, District Kabirdham (Chhattisgarh),
5. Additional Collector Kabirdham, District- Kabirdham (Chhattisgarh),
6. Sub Divisional Officer Kabirdham, District- Kabirdham (Chhattisgarh),

---- Respondents

For petitioner	:	Mr. Rajat Agrawal, Advocate
For State	:	Mr. Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.03.2021

Heard.

1. Learned counsel for the petitioner submits that the petitioner is presently working as Coordinator in Pradhan Mantri Awas Yojana and initially on a complaint made about the caste of the petitioner, an enquiry was conducted by the Collector and on 29.08.2020, the caste of the petitioner was found to be correct. Subsequently, the same application regarding complaint was forwarded to the District Level Caste Scrutiny Committee and the District Level Caste Scrutiny Committee came to a *prima facie* finding that initially the caste certificate obtained by the petitioner is wrong and a show cause notice was

issued to him by the District Level Caste Scrutiny Committee. He submits that Section 6 Sub-section 3 of the Chhattisgarh Scheduled Castes, Scheduled Tribes and Other Backward Classes (Regulation of Social Status Certification) Act, 2013 [For short 'the Act of 2013'] provides that the District Level Certificates Verification Committee shall forward the same to the High Power Certificate Certification Scrutiny Committee who in-turn shall examine and proceed according to the provisions. He further submits that in the meanwhile the Collector by Annexure P/2 dated 27.01.2021 has made a communication to the High Power Certificate Verification Committee and on the basis of this communication, the petitioner may lose the status and further consequence may follow. Therefore the effect of the order Annexure P/2 may be stayed.

2. Learned State counsel submits that by Annexure P/2 dated 27.01.2021, the Collector has forwarded the finding of the District Level Certificate Verification Committee to the High Power Committee.

3. On perusal of documents and considering the provision of Section 6(3) & Section 7 of the Act of 2013, it is directed that no coercive steps shall be taken against the petitioner on the basis of the communication of the Collector vide Annexure P/2 dated 27.01.2021.

4. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)

JUDGE