

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.652 OF 2025

Sominath s/o Subhash Ingle & Ors. .. Petitioners

Versus

The State of Maharashtra through .. Respondents
Secretary, Department of Rural
Development & Anr.

...

Mr.Sahil Choudhari h/f Mr.Deepak Choudhari for the
Petitioners.

Mr.V.M.Mali, A.G.P. for the State/Respondent.

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CORAM: BHARATI DANGRE &
ASHWIN D. BHOBE, JJ.
DATED : 15th JANUARY, 2025

P.C:-

1. The present Petition filed by 26 Petitioners raised an objection to the requirement of submission of validity certificate for enrolling themselves in the pre-training programme for Police/Military/Para-Military entrance examination.

The grievance arises out of the process adopted by the Tribal Development Department of the Government of Maharashtra through the Tribal Research and Training Institute (“**TRRI**”), Pune, who published an advertisement inviting online applications from interested eligible Scheduled

Tribe candidates in Maharashtra for providing non-residential coaching for Police/Military course examination.

The applications were invited from the candidates by TRTI, a registered autonomous Organization, which implements projects and schemes for the economic and social development of Scheduled Tribes and also conduct competitive examination pre-training programs for the youth.

2. A notice is published by the Respondent No.2 on 20/09/2024, imparting certain instructions in respect of implementation of the scheme and this includes a specific clause to the effect that while admitting the eligible candidates to any educational institution for offering them training, they should produce various documents, which shall include the following :-

(a) original certificate belonging to Scheduled Tribe;

(b) original certificate validating the candidature as Scheduled Tribe

In addition, the documents regarding birth date, educational qualification, domicile, Aadhar Card etc. are also directed to be furnished alongwith two passport size photographs.

3. The grievance of the Petitioners is that after they filled up the application forms and also allotted respective institutes, where they were to undertake the training, the Respondents now cannot insist upon the production of validity certificate, as this was not required to be mandatorily produced/uploaded at the time when they filled up their application forms.

The counsel for the Petitioner has invited our attention to clause No.4 of the notice published by Respondent No.2, which had issued instructions for implementing the programme, and according to him, what was required to be produced for verification, were only the documents, which were uploaded at the time of filling up the application form.

4. We are not persuaded by the aforesaid submission, since we have found that in the very said notice, there is mention of producing the caste/tribe certificate and its validity and we find sufficient justification is imposing this condition, since the project which is being implemented by the Tribal Development Department through the TRRI is for providing coaching for certain examinations for the eligible Scheduled Tribe candidates and we are of the opinion that, “an eligible candidate” means the one, who actually belongs to Scheduled Tribe category.

A person who is armed with validity certificate can be surely said to be a Scheduled Tribe candidate, but a person who is only armed with tribe certificate, without validity being accorded to it, cannot be conclusively held to be a Scheduled Tribe candidate and, since, we find that the curriculum is only for six months, if we permit such type of admission provisionally, saying that the curriculum shall be undertaken, subject to verification of caste certificate, since most of the candidate have not even approached the Scrutiny Committee, they will undergo the whole curriculum, without being successfully established that they are Scheduled Tribes.

We are also forbidden by the consequences to follow, namely, that a candidate will undergo the entire curriculum on the guise that he belongs to Scheduled Tribe, but tomorrow he is unable to procure the validity certificate and we are of the opinion that in such a case, the whole bonafide exercise carried by the Department, which was intended for upliftment of Scheduled Tribe youth, so that they gear up themselves for appearing in various competitive examinations and get themselves selected, would stand defeated.

In addition, we are informed that several Scheduled Tribe candidates have applied for the curriculum and one of the eligible person may lose his right to participate in the training.

This is the precise reason why we do not intend to show indulgence to the Petitioners, who at present are not armed with validity certificate,

5. However, at this stage, we clarify that if the TRTI do not receive the requisite number of Scheduled Tribe candidates who are armed with the validity certificates, it will be open for it to consider the candidature of the persons like the Petitioners, who have the caste certificate, but it is not yet received the validity.

With this clarification, we dispose off the Writ Petition.

(ASHWIN D. BHOBE, J.)

(BHARATI DANGRE, J.)