



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 7413 OF 2024

Praful Ravindra Shrirame,

Aged about 18 years,

Occ. Student, aspirant to pursue 'BE',

Present Res. Samta Nagar, Ward No.06,

Tah. and Dist. Chandrapur- 442404,

Originally At Paghora, Post. Paghora,

Dist. Bhandara M.7821028315,

.... **PETITIONER**

// **VERSUS** //

1) **The Scheduled Tribe Certificate**

Scrutiny Committee, Gondia,

Through its Member Secretary

Collector office, Gondia-441614

E-mail.tcscgondia@gmail.com

2) **State Common Entrance Test Cell,**

Maharashtra State,

through its Commissioner,

8th Floor, New Excelsior Building,

A.K. Nayak Marg, Fort, Mumbai- 400001.

(e-Mail Maharashtra.cetcell@gmail.com)

3) **Government College of Engineering,**

through its Principal,

Chandrapur- 442401.

.... **RESPONDENTS**

Respondent
Nos.2 and 3
added as per
Court's order
dt.03.09.2025.

Mr. N. D. Jambhule, Advocate for Petitioner.

Ms. M. S. Naik, Assistant Government Pleader for
Respondent Nos.1 and 3.

Mr. N. A. Gaikwad, Advocate for Respondent No.2.

**CORAM : MRS. M. S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATE ON RESERVING THE JUDGMENT : 13.01.2026
DATE ON PRONOUNCING THE JUDGMENT : 19.01.2026

JUDGMENT : (Per – M. S. JAWALKAR, J.)

1. Heard. **Rule.** Rule is made returnable forthwith. Matter is taken up for final hearing at the stage of admission by consent of the parties and at the request of parties.

2. The Petitioner by this petition is challenging the order dated 02/08/2024, passed by the Respondent No. 1 Scheduled Tribe Scrutiny Committee, Gondia thereby invalidating the caste claim of the Petitioner to the 'Mana' Scheduled Tribe and further confiscating and cancelling the caste certificate issued to the Petitioner by the Sub-Divisional Officer, Bhandara, Dist. Bhandara.

3. It is contended that the Petitioner is a student pursuing a Degree in Engineering and he obtained a Caste Certificate towards 'Mana' Scheduled Tribe from Sub Divisional Officer, Bhandara on 27/08/2019. The petitioner has obtained a seat in the Government College of Engineering, Chandrapur

against a seat reserved for Scheduled Tribe Category. The Petitioner forwarded his application for grant of Caste Validity towards 'Mana' Scheduled Tribe to the Respondent No. 1 Scrutiny Committee on 05/12/2022. In support of his tribe claim, the Petitioner submitted various documents, out of which one document pertains to the pre-constitutional period. The said document is a P-1 describing land acquired by 'Ranga Vald Isana Mana' (Great Great Grandfather of the Petitioner) of the year 1916-17.

4. The Police Vigilance Cell conducted an inquiry and submitted its report to the Respondent No. 1 Scrutiny Committee on 16/10/2023, whereby the Petitioner was called for hearing on 29/11/2023 by the Respondent No. 1 Scrutiny Committee. Thereafter, the Respondent No. 1 Scrutiny Committee passed the order of invalidation and further confiscation and cancellation of Caste Certificate vide its order dated 02/08/2024.

5. It is pertinent to note here that, the Petitioner has secured admission in the Respondent No. 3 College subject to

submission of validity certificate in his favor. This court, vide its order dated 04.09.2025, granted interim relief to the Petitioner and protected his admission till the disposal of the present petition.

6. Per contra, the Respondent No. 1 Scrutiny Committee in its reply affidavit, submitted that the ethnic linkage, characteristics and the anthropological traits of the 'Mana' schedule Tribe found in Maharashtra, do not match with that of the Petitioner and her forefathers. It is further contended that, the Petitioner failed to establish his affinity and ethnic linkage towards the 'Mana' Schedule Tribe.

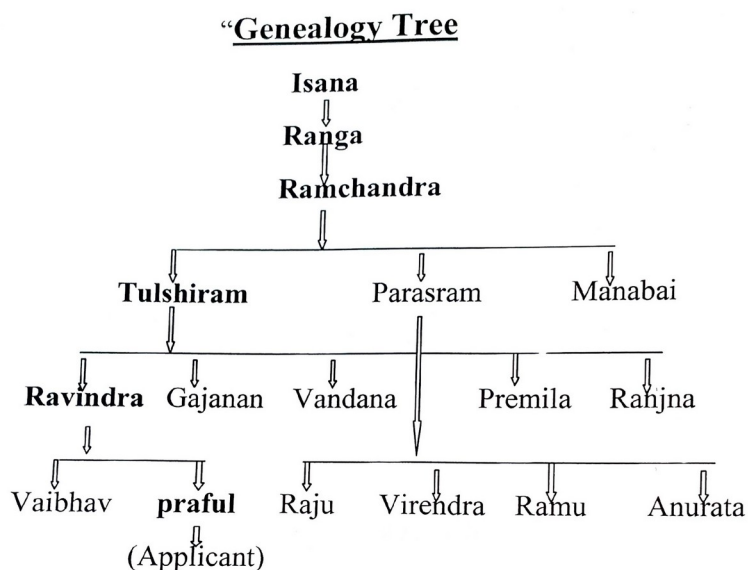
7. In addition to this, the Respondent No. 1 Committee has also procured three documents showing adverse entries, which are as follows:

Sr. No.	Nature of Document	Name	Relationship with the Petitioner	Caste	Date
1	School Record	Ravindra Tulsiram Shrirame	Father	Mani	28.06.1985
2	Dakhal Kharij extract	Ravindra Tulsiram Shrirame	Father	Mani	22.06.1981
3	School Record	Pramila Tulsiram Shrirame	Paternal Aunt	Gond	11.07.1983

8. The Respondent No. 1 Scrutiny Committee contended that the Petitioner failed to give proper explanation regarding the adverse entries in the documents procured by the Vigilance Cell. The Respondent No. 1 Committee further contended that the Petitioner also failed to produce documents of pre-constitutional period which could undeniably establish his tribe claim to 'Mana' Schedule Tribe.

9. Heard learned Counsel for the respective parties at length. Perused the record and proceedings with the assistance of the learned Assistant Government Pleader.

10. For the sake of convenience, family tree is reproduced as under :



11. It is pertinent to note here that the oldest entry appears to be of the year 1916-17, which is extract of P-1 Register, wherein there are three different lands and the owners of the lands is shown as Ranga Vald Isna Mana. If the Vigilance Cell Report is perused, there is no objection or any remark after verification of this document. Thus, its genuineness is already verified.

12. There is a document procured by the Vigilance Cell, which is of the year 1981, in respect of the father of the Petitioner, showing entry as 'Mani'. However, there are certain entries of 'Mana', which are of the years 1980, 1981, 1983, 1985, 1988 and 1990. As such, the only entry of 1981 cannot prevail over the oldest entry of 1916-17, and the other entries of the 1980's showing caste as 'Mana'. Even the Vigilance Cell confirmed that in P-1 of 1916-17, name of the agriculturist is shown as Ranga Vald Isna Mana.

13. Learned Counsel for the Petitioner relied on the Judgment in ***Writ Petition No.1208/2020 (Yogesh Shalik Shrirame Vs. The Scheduled Tribe Certificate Scrutiny***

Committee, Amravati & others), dated 24/08/2022, in support of his contention that if any single pre-constitutional document supports the claim and asserts that the claimant belongs to 'Mana' community, it requires to be considered.

14. The learned Counsel for the Petitioner also placed reliance on ***Priya Pramod Gajbe Vs. State of Maharashtra & Ors.***, reported in ***2023 OnLine SC 909***, wherein the Hon'ble Apex Court in paras 10 and 11 held as under :

“10. A perusal of the report of the Vigilance Committee itself would reveal that the appellant's great grandfathers birth record show the caste as 'Mana. The said document relates to as early as 10th March 1924, while another document of 14th April 1926 shows as 'Mani'. However, it is pertinent to note, and learned counsel for the parties also agree, that there is no caste named 'Mani'. It is thus possible that there could be some mistake in writing when the caste was written. It is to be noted that original record is written in Marathi and not in English. As such, such an error is quite possible.

11. We, therefore, find that there was no reason to discard the pre-Constitutional document of the period as early as 1924.”

15. The learned Counsel for the Petitioner also placed reliance on ***Maharashtra Adiwasi Thakur Jamat Swarakshan***

Samiti Vs. State of Maharashtra & Others, reported in **2023(2) Mh.L.J. 785**, in support of his contention that the affinity test is not a litmus test to decide a caste claim, wherein the Hon'ble Apex Court in para 36 held as under :

“36. Thus, to conclude, we hold that :

(a) Only when the Scrutiny Committee after holding an enquiry is not satisfied with the material produced by the applicant, the case can be referred to Vigilance Cell. While referring the case to Vigilance Cell, the Scrutiny Committee must record brief reasons for coming to the conclusion that it is not satisfied with the material produced by the applicant. Only after a case is referred to the Vigilance Cell for making enquiry, an occasion for the conduct of affinity test will arise.

(b) For the reasons which we have recorded, affinity test cannot be conclusive either way. When an affinity test is conducted by the Vigilance Cell, the result of the test along with all other material on record having probative value will have to be taken into consideration by the Scrutiny Committee for deciding the caste validity claim; and

(c) In short, affinity test is not a litmus test to decide a caste claim and is not an essential part in the process of the determination of correctness of a caste or tribe claim in every case.

16. In the present matter, it is not the contention of the Scrutiny Committee that there is any fraud, misrepresentation or have submitted any incorrect family tree. The pre-independence

document is of 1916-17, produced by the Petitioner as well as procured by the Vigilance Cell, wherein the caste of the great grandfather of the Petitioner is recorded as 'Mana'. Merely because certain documents indicate entry of caste/tribe other than 'Mana' is not enough to reject the claim. Thus, we are of the considered opinion that the Respondent Caste Scrutiny Committee erroneously invalidated the caste claim of the Petitioner as belonging to 'Mana' Scheduled Tribe. That a single entry of the pre-independence period is sufficient to prove conclusive evidence for recording a finding regarding the caste claim of the petitioner, even subsequent entries are there except one entry of 'Mani' and 'Gond'. It needs to be noted here that the 'Gond' is included in the Scheduled Tribe, therefore, no additional benefits are going to be gained by mentioning caste as 'Gond'. In our considered opinion, it is by a mistake, however, it hardly makes any difference.

17. As such, the impugned order passed by the Caste Scrutiny Committee is patently erroneous, perverse and is liable to be set aside. Accordingly, we proceed to pass following order :

- (i) The Writ Petition is allowed.
- (ii) The impugned order dated 02/08/2024, passed in case No. JC/TCSC/GONDIA/I/40/35/2021, passed by the Respondent – Scheduled Tribe Certificate Scrutiny Committee, Gondia is hereby quashed and set aside.
- (iii) It is declared that the Petitioner duly established that he belongs to “Mana” Scheduled Tribe.
- (iv) The Respondent Scheduled Tribe Certificate Scrutiny Committee, Gondia is hereby directed to issue the validity certificate of “**Mana**” Scheduled Tribe to the Petitioner within a period of two months.

18. Rule is made absolute in the above terms. No order as to costs. Pending application(s), if any, stand(s) disposed of.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)