



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

WRIT PETITION NO. 8312 OF 2025

Abhishek Ramesh Rane,
Age about 22 years, Occ-Education,
R/o. At post Samda, Tal- Daryapur
& Dist-Amravati

...PETITIONER

// VERSUS //

1.The Scheduled Tribe Caste Certificate
Scrutiny Committee, Through Its Member/Secretary,
Bhatkuli Road, Amravati, Dist. Amravati.

2. The Sub-Divisional Officer,
Daryapur, Tq. & Dist. Amravati.

....RESPONDENTS

Ms. Rajshree Kabra, Advocate for the Petitioner
Shri H.D. Futane, AGP for the Respondent/State

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

DATE OF RESERVING THE JUDGMENT: 10.02.2026

DATE OF PRONOUNCING THE JUDGMENT: 18.02.2026

JUDGMENT : (Per – Smt.M. S. JAWALKAR, J.)

1. **RULE. Rule made returnable forthwith.** Heard finally
by consent of learned Counsel for the respective parties.

2. By this Petition, the Petitioner is challenging the
order dated 30/10/2025 passed by the Respondent No. 1 -

Scheduled Tribe Caste Certificate Scrutiny Committee (for short the “Scrutiny Committee”), thereby invalidating the tribe claim of the Petitioner of belonging to tribe “Koli Mahadeo”, so also, the order dated 25/02/2020 passed by the Respondent No. 2 – Sub-Divisional Officer thereby rejecting to issue the tribe certificate to the Petitioner.

3. It is the contention of the Petitioner that though the father of the Petitioner was having the tribe certificate issued on 17/01/1992 i.e. prior to coming into force of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 (hereinafter referred to as “the Act of 2000”), the Sub-Divisional Officer, Daryapur, Amravati rejected the Application of the Petitioner for issuance of tribe certificate of ‘Koli Mahadeo’.

4. The above order was challenged by the Petitioner before the Caste Scrutiny Committee, Amravati in Appeal. The Caste Scrutiny Committee treated the said Appeal as proposal for validation and passed its judgment thereby rejecting the

claim of the Petitioner. The petitioner submits that both the Respondents have exceeded their jurisdiction, and hence, the orders passed by the Respondents are illegal, and contrary to settled position law, and therefore are liable to be quashed and set aside.

5. Learned Counsel for the petitioner, in support of her contentions, placed reliance on **Writ Petition No. 7081 of 2024 (Sushil S/o Rajendra Thakur and others Vs. The Sub Divisional Officer, Daryapur, Dist. Amravati and another)** decided on **10th March, 2025**. In the said judgment, the identical issue arose and this Court has recorded its findings in paragraphs 6, 7 and 8 as under:

(6) It is settled position of law that the competent authority under Section 4 of the Maharashtra Scheduled Castes, Scheduled Tribes, Denotified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of Caste Certificate Act, 2000 (hereinafter referred to as 'Act of 2000') while issuing caste certificate is not entitled to make a detailed enquiry as to the validity of the claim of the petitioners of belonging to particular Caste/Tribe; for that is the job of the Committee constituted under Section 6 of the said Act.

(7) A perusal of the impugned orders dated 15/05/2024 (Annexures 4 to 8) passed by the Sub-Divisional Officer, who is the competent authority in terms of Section 4 of the Act of 2000, would indicate that he has gone into the question of validity of the claim of the petitioners, which is impermissible in law. Thus, it seems that the Sub-Divisional Officer exceeded its jurisdiction while refusing to grant caste certificates to the petitioners. Similar is the position in respect of the order dated 28/08/2024 passed by the respondent No.2 the Committee. The respondent No.2 Committee has not considered the documents produced on record by the petitioners in their proper perspective.

(8) Apart from this, the position in this matter is no longer res integra, but it is covered by the judgment of this Court in *Namdeo s/o. Baburao Ingale and ors. vs. Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati* [2015(2)Mh.L.J.707], *Dhanashree Ravindra Koli and others V/s The state of Mah. & ors.* In W.P. No.8829/20021 decided on 12/08/21 and followed subsequently in *Vishal Namdeo Gopewad vs. The Scheduled Tribe Caste Certificate Scrutiny Committee, through its Member/Secretary, Yavatmal* and another [WP No. 4335/2023 decided on 01/09/2023], in view of which, the impugned orders dated 15/05/2024 passed by respondent No.1 Sub-Divisional Officer, as well as the decision dated 28/08/2024 passed by the respondent No.2 Committee, are hereby quashed and set aside.”

6. In view of the above settled legal position, it is evident that the Respondent No. 2 – Sub-Divisional Officer, while exercising the powers under Section 4 of the Act of 2000, was not required to delve into the question of validity of the petitioner's tribe claim. Such an exercise was clearly impermissible under the provisions of law, and therefore, the Respondent No. 2 – Sub-Divisional Officer, by rejecting the petitioner's Application, acted beyond the scope of his jurisdiction. *Prima-facie* satisfaction is sufficient on the basis of the tribe certificate of the father.

7. Similarly, Respondent No. 1 - the Scrutiny Committee, while deciding the appeal preferred by the petitioner against the impugned order passed by Respondent No. 2 – Sub-Divisional Officer, also exceeded its jurisdiction. The Committee proceeded to decide the appeal as if it was adjudicating upon the validity of the tribe certificate, which was not its function at that stage. The Respondent No. 1 – Caste Scrutiny Committee was not justified in dismissing the appeal on the ground that the petitioner failed to establish his claim. Such

an approach was contrary to the provisions of the Act and inconsistent with the law laid down by this Court.

8. Admittedly, tribe certificate was issued to the father of the Petitioner on 17/01/1992 i.e. before coming into force the Act of 2000. As such, in our opinion, the Caste Scrutiny Committee has exceeded its jurisdiction and decided the validity itself. Hence, both the orders passed by the Caste Scrutiny Committee, Amravati and the Sub-Divisional Officer, Daryapur, Amravati are required to be quashed and set aside.

9. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The Writ Petition is **allowed**.
- (ii) The impugned order dated 25/02/2020 passed by the Respondent No. 2 - Sub Divisional Officer, Daryapur, Amravati and the order dated 30/10/2025 passed by the Respondent No. 1 - Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati are hereby quashed and set aside.
- (iii) The Respondent No. 2 - Sub Divisional Officer, Daryapur, Amravati is hereby directed to issue tribe certificate to the Petitioner under section 4 of the Caste Certificate Act, 2000, within a period of three

weeks from the date of receipt of copy of this judgment.

- (iv) The Respondent No. 1 - Caste Scrutiny Committee, Amravati is directed to consider the tribe claim of the Petitioner afresh, if the same is referred as per prescribed procedure, on the basis of tribe certificate issued by the Respondent No. 2 – Sub-Divisional Officer.

Rule is made absolute in above terms. Pending Application(s), if any, stand(s) disposed of.

(NANDESH S. DESHPANDE, J.)

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