



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

WRIT PETITION NO. 242 OF 2026

Pankaj Jaganath Rane,
Aged 23 years, Occ-Education,
R/o Kasampur, Taluka-Daryapur &
District-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, Dist. Amravati.

....RESPONDENTS

Ms. Rajshree Kabra, Advocate for the petitioner.
Mr. N.R.Patil, AGP for the respondents.

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

DATE ON RESERVING THE JUDGMENT : 22.01.2026

DATE ON PRONOUNCING THE JUDGMENT : 28.01.2026

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

Heard.

2. Rule. Rule made returnable forthwith. By consent of the parties and at their request, the matter is taken up for final disposal at the stage of admission.

3. By this petition, the petitioner is challenging the order dated 23/12/2025 passed by the respondent No.1-Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati (for short the “Scrutiny Committee”), thereby invalidating the caste claim of the petitioner of belonging to “Koli Mahadeo” Scheduled Tribe enlisted at Sr. No.29 in the list of Scheduled Tribes in Constitutional (S.T.) Order 1950 and order dated 06/11/2025 passed by the respondent No.2, thereby rejecting the caste claim of the petitioner.

3. The learned counsel for the petitioner submits that despite submitting documents, including the father’s caste certificate issued in 1991–92, the respondent No.2 rejected the claim of the petitioner due to lack of satisfactory record prior to 1950 and declined to issue the caste certificate by order dated 06/11/2025. Thereafter an appeal was preferred before the respondent No.1-Scrutiny Committee, where the respondent

No.1 went on to adjudicate the caste claim without there being a caste certificate and dismissed the appeal, thereby confirming the findings of respondent No.2 by order dated 23/12/2025.

4. The petitioner submits that the respondent No.1 wrongly placed reliance upon earlier writ petitions filed by the petitioner's father and uncles while deciding the present caste claim. In W.P. No.1243/2008 termination order of the petitioner's uncle was assailed, and the said petition was remitted back and W.P. No. 2930/2014, the termination of uncle of petitioner's father was set aside and was directed to be treated under the "open' category, while in W.P. No.3095/2012, the invalidation of another uncle's claim was upheld only for failure to prove the claim, without any finding of fabrication or interpolation. Further, the petitioner's father has challenged his invalidation order in W.P. No.7652/2017, wherein this Court has granted protection in service and the matter is still pending.

5. The petitioner pointed out that the father of the petitioner has been granted a caste certificate in the year 1991-92 of belonging to Koli Mahadeo which is issued by the then

Competent Authority. It is pertinent to note that by the communication dated 12th March 2020, issued by the Tribal Research and Training Institute, Maharashtra, through its Commissioner to all the SDOs across the State of Maharashtra were directed to issue certificates strictly in Form 'C' and withdraw and replace the certificate issued prior to coming into force of the Rules of 2003 in any other format with immediate effect.

6. It is submitted that the petitioner pointed out documentary evidence of caste which includes the school leaving certificate of the petitioner's father, Jagannath Namdeo Rane, dated 01.06.1985, wherein his caste is recorded as "Koli"; and an entry in birth register of the petitioner's cousin's grandfather, Kasiram Ranya, dated 01.12.1930, recording the birth of a male child and showing the caste as "Koli".

7. The petitioner submitted that this Court, in several matters including W.P. No. 416/2023 and Writ Petition No.2011/2024 has consistently held that a caste certificate cannot be denied merely due to absence of pre-constitutional

documents and that the Sub-Divisional Officer is required to issue the certificate subject to verification. In similar cases, this Court has also quashed such orders and remanded the matters for fresh consideration. The petitioner's case is fully covered by these decisions.

8. Further it is contended that the respondents have rejected the claim of the petitioner belonging to "Koli Mahadev" Scheduled Tribe solely on the ground of non-production of pre-1950 documents under the Act of 2000 and Rules of 2003, despite such a requirement being contrary to the settled legal position.

9. Heard both the parties at length. Perused the documents placed on record.

10. We are placing reliance on Writ Petition No.2011/2024 wherein similar issues were dealt by this Court and relevant portions are reproduced as under :

"8. Learned counsel for the petitioners has relied upon the judgment of this Court in 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 was 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 WPNo.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 SubDivisional Officer, as well as

the decision dated 28/08/2024 passed by the respondent No.2 Committee, are hereby quashed and set aside.

9. In view of above the said legal position, it is clear that the respondent no.2 while exercising powers under Section 4 of the Act, 2000 is not empowered to delve into the question of validity of the claim of the petitioners, the same is not permissible under the provisions of law. Hence, we are of the opinion that respondent no.1 exceeded his jurisdiction while refusing to grant caste certificate to the petitioner.”

11. In view of the above settled legal position, it is evident that the respondent No.2, while exercising powers under Section 4 of the Act of 2000, was not required to delve into the question of validity of the petitioner’s caste claim. Such an exercise was clearly impermissible under the provisions of law, and therefore, the respondent No.2, by rejecting the petitioner’s application, acted beyond the scope of his jurisdiction, specifically when the father of the petitioner is holding the caste certificate belonging to Koli Mahadeo.

12. Similarly, the respondent No.1–Scrutiny Committee while deciding the appeal preferred by the petitioner against the impugned order passed by the respondent No.2, also exceeded its jurisdiction. The respondent No.1-Scrutiny Committee proceeded to decide the appeal as if it were adjudicating upon

the validity of the caste certificate, which was not its function at that stage. The respondent No.1 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.

13. In view of the foregoing discussion, the impugned orders passed by both respondents are liable to be quashed and set aside. Accordingly, the following order is passed:

ORDER

- i. The petition is partly allowed.
- ii. The impugned order dated 23/12/2025 passed by the respondent No.1–Caste Scrutiny Committee, Amravati and the order dated 06/11/2025 passed by the respondent No.2-Sub-Divisional Officer, Daryapur, District Amravati are hereby quashed and set aside.
- iii. The respondent No.2-Sub Divisional Officer, Daryapur, District Amravati, is hereby directed to issue caste certificate to the petitioner under section 4 of the Act of 2000 within a period of three weeks from the date of appearance of the petitioner.

- iv. The petitioner to appear before the respondent No.2-Sub-Divisional Officer, Daryapur, District Amravati on 09/02/2026 at 11.00 am.
- v. The respondent No. 1-Caste Scrutiny Committee is directed to consider the caste claim of the Petitioners if the same is referred as per prescribed procedure, afresh, on the basis of caste certificate issued by the respondent No.2-Sub-Divisional Officer, Daryapur, District Amravati without being influenced by the findings recorded in the impugned order dated 31/12/2025 passed by the respondent No.1-Caste Scrutiny Committee.

14. Rule is made absolute in the above terms. No order as to costs.

(NANDESH S. DESHPANDE, J.)

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

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