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IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.10135 of 2026

Decided on: 25.06.2026

Pawna Devi **.....Petitioner**

Versus

The State of H.P. and Ors **....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioner: Mr. Naresh Kumar Tomar, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General with Mr. Y.P.S. Dhaulta, Additional Advocate General, for respondents No. 1 to 3.

Jyotsna Rewal Dua, Judge

Notice. Mr. Y.P.S.Dhaulta, learned Additional Advocate General, appears and waives service of notice on behalf of respondents No. 1 to 3.

In view of limited grievance of the petitioner, no notice is required to be issued to respondent No.4. Reply to the writ petition is also not required to be called from the appearing respondents. The matter has accordingly been heard at this stage.

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[1]Whether reporters of print and electronic media may be allowed to see the order? Yes.

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2 Income certificate was issued in favour of the petitioner on 01.06.2022. On the basis of this certificate, which reflected her income as not exceeding Rs. 34,000/- per annum, petitioner was selected for the post of Multitask Worker in the Education Department.

3. Respondent No.4 filed a complaint on 21.07.2022 to the Sub Divisional Officer (Civil) Thunag, District Mandi, alleging that while furnishing information for procuring income certificate, petitioner had masqueraded herself to be a poor person. She had concealed her ownership of a property that included a three storeyed building/shop in Mohal Thunag, which had been rented out by her. Upon this, an inquiry was conducted. Tehsildar Thunag, vide order dated 06.02.2023, held the complaint to be genuine and ordered cancellation of the income certificate. Petitioner's appeal against the aforesaid order was dismissed by the Sub Divisional Magistrate, Thunag, District Mandi on 26.05.2026. The petitioner has laid challenge to the aforesaid orders in this writ petition.

4. Heard and considered the case file.

5. As per notification of the State Revenue Department dated 09.01.2012, the process of issuance of income certificate to a person is as follows:-

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"(8) Income certificate will be issued on the basis of the following documents, namely:-

(a) Affidavit of the applicant about the known sources of income of his family from-

(i) house or any other property

(ii) business

(iii) salary/pension

(iv) wages

(v) self employment

(vi) other sources

(b) Report of the patwari concerned about income from agriculture/ horticulture/ allied pursuits based on rates of crops grown and yield thereof per unit area in case of agricultural/horticultural crops and any other parameters which the Deputy Commissioner concerned may deem necessary in case of allied pursuits. Such rates fixed by the Deputy Commissioner shall be valid for the financial year."

It is not disputed for the petitioner that while applying for the income certificate in question, petitioner had furnished an affidavit, declaring Rs. 13,000/- per annum as her family income from all known sources. Petitioner had given the details of the land belonging to her situated at Mohal Nihri Bajaun under Lambathach Patwar Circle. She declared in her affidavit that there was no other income of her family from anywhere else in Himachal Pradesh. On the basis of this declaration, income certificate was issued to the petitioner.

Upon receipt of the complaint about petitioner's possessing other immovable assets in Tehsil Thunag, the

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inquiry was conducted by the official respondents, which reported that petitioner owned 0-1-16 bighas of land in Mohal Thunag, as per revenue record. Construction of three storeyed pucca house/shop was also reported on this land. To the show-cause notice dated 06.08.2022 issued to the petitioner in this regard, ownership of the land and construction raised therein was admitted. Petitioner, however, denied renting it out. Petitioner having concealed material facts of her owning land as described above from her affidavit, thereby, depriving the respondents to verify the fact of the aforesaid land being the source of income to her or not, did call for cancellation of her income certificate that was issued in favour of the petitioner on 01.06.2022. Since, the petitioner had concealed material facts in her affidavit, the income certificate issued to her on that basis, therefore, had justly been cancelled. To this effect, the impugned orders do not call for any interference. However, in the process, the respondents are also required to do the consequent exercise of furnishing fresh income certificate to the petitioner after verifying whether the petitioner is deriving any income from the aforesaid land; Whether there is any change in her family income or not. Fresh income certificate as on the date in question is, therefore, required

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to be issued to her. Let this exercise be carried out in accordance with law within six weeks after associating the petitioner. Corresponding income certificate be accordingly issued to the petitioner within the said period. With this, modification, the writ petition to stand disposed of.

Pending application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

June 25, 2026
R.Atal