



2026:CGHC:17111

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPC No. 2572 of 2021

Ramesh Kumar Kamar S/o Late Shri Sitaram Kamar Aged About 52 Years Occupation- Nayab Tahsildar, Pathriya, Mungeli, District- Mungeli, Chhattisgarh.

... **Petitioner**

**versus**

**1** - State of Chhattisgarh Through- The Secretary, Department of Revenue And Disaster Management, Mahanadi Bhawan, Post Office Mantralaya, P.S. - Rakhi, Atal Nagar, District- Raipur, Chhattisgarh.

**2** - The Director Directorate of Scheduled Caste And Scheduled Tribe Development Department, Block 4D, Indravati Bhawan, Post Office Mantralaya, P.S.- Rakhi, Atal Nagar, District- Raipur, Chhattisgarh.

**3** - The High Power Caste Certificate Scrutiny Committee Adim Jati Research And Training Institute, Pt. Ravishankar Shukla University Campus, Raipur, Chhattisgarh.

**4** - The Assistant Commissioner Adivasi Vikas Gariyaband, Collectorate Building, District- Gariyabandh, Chhattisgarh.

... **Respondents**

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Vipin Tiwari, Advocate
For State/Respondents	:	Mr. Ujjawal Choubey, Panel Lawyer

**Hon'ble Shri Amitendra Kishore Prasad, Judge**

**Order on Board**

**15.04.2026**

1. By filing the present petition, the petitioner calls in question the legality and validity of the notice dated 03.04.2021 issued by respondent No. 4, whereby the caste status of the petitioner's daughter, Aradhya Kamar, is sought to be re-verified by



respondent No. 4 without any authority of law. The petitioner has prayed for following relief(s):-

*“10.1 That, the Hon'ble Court may kindly be pleased to Quash the notice dated 03.04.2021 (Annexure P-1) issued by the respondent no. 4, in the interest of justice.*

*10.2 That, the Hon'ble Court may kindly be pleased to call for the entire relevant records from the respondents.*

*10.3 That, Any other order of orders or Direction or Relief though just and fit in the circumstances of the case may also kindly be granted.”*

2. Brief facts of the case, in a nutshell are that the petitioner is serving as Nayab Tahsildar at Pathariya, District Mungeli (Chhattisgarh). His daughter, Aradhya Kamar, born on 02.04.1991, passed the Senior Secondary Examination in the year 2008, and her mark-sheet dated 21.05.2008 records her name along with the names of her parents, reflecting her caste as Kamar. Upon due verification of documents, the Sub-Divisional Officer, Gariyaband (Chhattisgarh), issued a permanent caste certificate in her favour on 04.07.2008. Subsequently, the High Power Caste Certificate Scrutiny Committee, Raipur, confirmed her caste status as Scheduled Tribe by issuing a caste verification certificate dated 23.07.2008.
3. Despite the aforesaid verification, respondent No. 4 issued a notice dated 04.03.2021 seeking to verify the caste status of the petitioner's daughter. The petitioner submitted a representation



dated 13.03.2021 stating that the caste status had already been duly verified by the competent authority. It is further the case of the petitioner that in earlier proceedings relating to caste verification, the Co-ordinate Bench of this Court had granted a stay order on 16.10.2019 in WPC No. 3663/2019.

4. Thereafter, respondent No. 4 again issued the impugned notice dated 03.04.2021 directing the petitioner to appear along with relevant documents for verification of the caste status of his daughter. Hence, the present petition has been filed challenging the said notice.
5. Learned counsel for the petitioner submits that the caste status of the petitioner's daughter has already been duly verified by the competent authority, i.e., the High Power Caste Certificate Scrutiny Committee, which issued a caste verification certificate on 23.07.2008 after conducting proper scrutiny. Once such verification has been carried out by the statutorily competent committee, the same attains finality and is binding on all subordinate authorities.
6. It is further submitted that in view of the law laid down by the Hon'ble Supreme Court in ***Kumari Madhuri Patil vs. Additional Commissioner, Tribal Development, (1994) 6 SCC 241***, the power of verification and scrutiny of caste certificates vests exclusively with the Scrutiny Committee, and no other authority is empowered to re-open or re-verify the caste status once it has



been conclusively determined. Thus, respondent No. 4, being an authority subordinate to the Scrutiny Committee, has acted wholly without jurisdiction in issuing the impugned notices.

7. Learned counsel contends that the impugned action of respondent No. 4 in repeatedly issuing notices for re-verification, despite the existence of a valid and subsisting caste verification certificate, is not only without authority of law but also amounts to an abuse of process. It is argued that the respondents are under an obligation to act in accordance with the certificate already verified and cannot sit in appeal over the decision of the Scrutiny Committee.
8. It is lastly submitted that once the caste certificate has been verified by the competent committee, all authorities are bound to accept the same and proceed accordingly, and any attempt to reopen the issue by an incompetent authority is arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India. Hence, the impugned notice deserves to be quashed.
9. On the other hand, learned State counsel submits that the impugned notice has been issued in the course of administrative verification and for ensuring the correctness of records, and the same cannot be said to be without jurisdiction at the threshold. It is contended that the authority has acted bonafide in calling for documents to satisfy itself regarding the caste status in the relevant context. However, learned State counsel fairly does not



dispute the fact that the caste status of the petitioner's daughter has already been verified by the High Power Caste Certificate Scrutiny Committee and that a caste verification certificate has been issued in her favour on 23.07.2008.

10. I have heard learned counsel appearing for the parties and perused the material available on record.
11. It is not in dispute that the caste status of the petitioner's daughter has already been duly verified by the High Power Caste Certificate Scrutiny Committee, which is the competent authority constituted for such purpose, and a caste verification certificate has been issued in her favour on 23.07.2008 after following the prescribed procedure.
12. Once the caste certificate has been subjected to scrutiny and duly verified by the competent Scrutiny Committee, the same attains finality and is binding on all authorities subordinate thereto. In view of the law laid down by the Hon'ble Supreme Court in ***Kumari Madhuri Patil*** (supra), the power of verification and adjudication of caste status vests exclusively with the Scrutiny Committee, and no parallel or subordinate authority can assume jurisdiction to re-open or re-verify the same. Any such attempt would be clearly without jurisdiction and contrary to the settled legal position. In the present case, despite the existence of a valid and subsisting caste verification certificate issued by the competent Scrutiny Committee, respondent No. 4 has proceeded



to issue the impugned notice dated 03.04.2021 calling upon the petitioner to appear along with documents for re-verification of caste status. Such an action, in the considered view of this Court, is wholly arbitrary, without authority of law and amounts to overreach of jurisdiction. The respondents are bound to act in accordance with the certificate already verified and cannot sit in appeal over the findings recorded by the Scrutiny Committee.

13. The action of respondent No. 4 also falls foul of Articles 14 and 16 of the Constitution of India, as it subjects the petitioner to unnecessary and repeated verification proceedings despite a conclusive determination by the competent authority. Permitting such repeated inquiries would defeat the very purpose of constituting a specialized Scrutiny Committee and would lead to uncertainty and harassment.
14. Consequently, the impugned notice dated 03.04.2021 issued by respondent No. 4 is hereby quashed and set aside. It is held that respondent No. 4 has no authority to re-verify the caste status of the petitioner's daughter once the same has already been verified by the High Power Caste Certificate Scrutiny Committee.
15. The writ petition is accordingly **allowed**. No order as to costs.

Sd/-

(Amitendra Kishore Prasad)  
Judge