



2026:CGHC:13946



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1186 of 2026

1. Surendra Singh Bhatia S/o Shri Jamir Singh, Aged About 50 Years R/o Chhal Road Gharghoda Behind Durga Mandir, Tah. Gharghoda Distt. Raigarh (C.G.)
2. Dharmendra Singh Bhatia S/o Shri Jamir Singh Aged About 49 Years R/o Chhal Road Gharghoda, Behind Durga Mandir, Tah. Gharghoda Distt. Raigarh
... **Petitioners.**

Versus

1. State Of Chhattisgarh Through Secretary, Tribal And Minority Development Department, Mahanadi Bhavan, Mantralay Atal Nagar, New Raipur, Distt. Raipur (C.G.)
2. The Chhattisgarh State Commission For Scheduled Tribes, Through Its Secretary, Near Bhagat Singh Chauk Shankargarh Road Raipur Distt. Raipur (C.G.)
3. The Secretary, District Level Caste Certificate Scrutiny Committee, Raigarh, Distt. Raigarh (C.G.)
4. The Collector (Tribal Development Branch), Raigarh Distt. Raigarh (C.G.)
5. The Sub Divisional Officer (Revenue), Gharghoda, Distt. Raigarh (C.G.)
6. The Tahsildar, Gharghoda Distt. Raigarh (C.G.)
7. Shri Gurmit Singh S/o Shri Harcharan Singh R/o Bashir Colony Ward No. 5, Gharghoda, Distt. Raigarh (C.G.)
8. Shri Gurunam Singh S/o Shri Harcharan Singh, R/o Bashir Colony, Ward No. 5, Gharghoda Distt. Raigarh (C.G.)

... Respondents.

(cause title downloaded from CIS Periphery)

For Petitioners	:	Mr. Manoj Kumar Sinha, Advocate.
For Res No.1,3,4,5,6	:	Mr. Sabyasachi Choubey, GA.
For Res No.2	:	Mr. Ravi Kumar Bhagat, Advocate.



(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

24/03/2026

1. This Writ Petition under Article 226 of the Constitution of India has been filed for the followings reliefs:-

"10.1 That the Hon'ble Court be pleased to call for the entire records in connection of the petitioner's cases.

10.2 That the Hon'ble Court be pleased to Issue an appropriate writ, order or direction quashing the enquiry proceedings initiated against the petitioners in Case No.409/2024 and Case No.410/2024 and Nasti No. 177/2025-2026 by Respondent Nos.2 and 3.

10.3 That the Hon'ble Court be pleased to Issue a writ of Certiorari quashing the notices dated 13.02.2024 (Ann.P/11) and 16.12.2025 (Ann.P/13) issued pursuant to the complaints made by Respondent Nos. 7 and 8.

10.4 That the Hon'ble Court be pleased to Declare that once the caste certificates of the petitioners have been verified and found valid in earlier enquiries, the same cannot be reopened on identical allegations without fresh material evidence.

10.5 Pass any other order(s) as this Hon'ble Court may deem fit and proper in the interest of justice

10.6 That the cost of the petition be also awarded to the petitioners."

2. Learned counsel for the petitioner submits that, on account of a complaint made by private respondents (Res No. 7 & 8) regarding the caste of the petitioners, an enquiry was conducted by the Sub Divisional Officer (Revenue), Gharghoda, District Raigarh. It was found that the petitioners belong to the "Bhattra" caste which belongs to Schedule Tribe community, and the said complaint was recommended for rejection via a communication by the SDO (Revenue) made to the Collector (Complaint Branch), Raigarh



on 18.11.2022 (Annexure-P/9). Counsel further submits that the private respondents also sent a complaint to Respondent No.2, who subsequently issued a notice to Petitioner No. 2 on 13.02.2024 (Annexure-P/11), despite Respondent No. 2 having no power to issue such a notice. Hence, the notice dated 13.02.2024 (Annexure-P/11) deserves to be quashed.

3. Counsel further submits that, on account of another complaint, Respondent No.3 issued a notice to Petitioner No.2 on 16.12.2025 (Annexure-P/13) for the production of documents related to caste. It is also alleged to be illegal, as the issue of the petitioner's caste has already been decided by the SDO(R), Gharghoda. Hence, Respondent No. 3 has no power to reconsider the issue repeatedly, and the notice dated 16.12.2025 deserves to be quashed.
4. In reply, learned counsel for Respondent No.2 submits that only notice was issued on account of the complaint made by the private respondent.
5. Learned State counsel submits that while there is a complaint by the private respondents regarding the petitioners' caste, as they do not belong to "Bhattra" caste but they have obtained "Bhattra" caste certificates (a Scheduled Tribe community) and secured government employment. He further submits that the District Level Caste Certificate Scrutiny Committee is the competent authority to enquire into caste certificate issues under the Chhattisgarh SC, ST, and OBC (Regulation of Social Status Certification) Act, 2013 (briefly, "**Act 2013**"). However, he does not dispute the fact that the Chhattisgarh State Scheduled Tribe Commissioner has no authority to take a decision regarding the alleged communication/complaint related to caste verification. He also submits that, apart from the notice (Annexure-P/13), a separate proceeding against petitioner No.1 is already pending before the



District Level Caste Certificate Scrutiny Committee who is competent Authority to decide the issue. Hence, this petition deserves to be dismissed at threshold.

6. Heard learned counsel for the parties and perused the record.
7. As per the petitioners' pleadings, they secured government jobs by claiming the "Bhattra" caste. Petitioner No. 1 holds a caste certificate issued on 03.11.1993 showing he belongs to a "Bhattra" Scheduled Tribe community. However, private respondents filed complaints before Respondent No.2 and 3 regarding the petitioners' caste. Although counsel for the respondent No.2 submits that the respondent No.2 has not drawn any proceedings except issuing a notice, but since respondent No.2 (CG State Scheduled Commission) has no authority to initiate any proceedings against the petitioners regarding scrutiny of their caste, rather this power is vested with the District Level Caste Certificate Scrutiny Committee/High Level Scrutiny Caste Committee under the Act of 2013. Therefore, the notice dated 13.02.2024 (Annexure-P/11) is unsustainable and is hereby quashed.
8. Regarding the another notice dated 16.12.2025 (Annexure-P/13), it was issued by the District Level Caste Certificate Scrutiny Committee, Raigarh (Respondent No.3), which is the competent Authority to scrutinize the petitioners' case. Although the SDO (Revenue), Gharghoda, recommended rejection of complaint via communication dated 18.11.2022, but the SDO (Revenue) lacks the authority to decide disputes pertaining to the petitioners' caste. Instead, the District Level Caste Certificate Scrutiny Committee is the competent Authority to decide such issues as per Section 6 of the Act 2013.



Consequently, the notice dated 16.12.2025 (Annexure-P/13) requires no interference by this Court.

9. Furthermore, perusal of the petition reveals that no notice issued by Respondent No.3 has been filed in respect of Petitioner No. 1, however, learned State counsel submits that a separate proceeding regarding his caste certificate is pending. Hence, at this stage, the Court does not find it appropriate to comment or pass any order in respect of said proceeding.
10. In the result, the notice dated 13.02.2024 (Annexure-P/11) issued by Respondent No. 2 is quashed.
11. The writ petition is allowed and disposed of to the extent indicated above.
12. Pending application(s), if any, stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay