



CGHC010128992019



2026:CGHC:33865

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3045 of 2019

Pallavi Meshram, D/o Avindra Meshram, Aged about 31 years, Caste Mahar, R/o Ward No.10, Kalkapara, Dongargarh, Tahsil Dongargarh, District Rajnandgaon, Chhattisgarh.

... Petitioner

versus

1. State of Chhattisgarh, Through its Secretary, General Administration Department, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
2. State of Chhattisgarh, Through its Secretary, Department of Tribal Welfare, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
3. State of Chhattisgarh, Through its Secretary, Agriculture (Pashudhan Vikas) Department, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
4. Directorate, Veterinary Services, Indravati Bhawan, Atal Nagar, Raipur, Chhattisgarh.
5. The Collector, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
6. The Sub Divisional Officer (Revenue), Dongargarh, District Rajnandgaon, Chhattisgarh.
7. The Tahsildar, Dongargarh, District Rajnandgaon, Chhattisgarh.

... Respondents

For Petitioner	:	Mr. Love Kumar Ramteke, Advocate.
For Respondents	:	Mr. Rahul Tamaskar, Government Advocate.
For Intervener	:	None present.

Single Bench:-
Hon'ble Shri Justice Sanjay K. Agrawal

**Order on Board****04/08/2026**

1. The petitioner has called in question legality, validity and correctness of the order dated 15-3-2019 (Annexure P-1) passed by the High Power Certification Scrutiny Committee, by which her caste certificate dated 22-6-2006 of Mahar Scheduled Caste has been annulled.
2. Mr. Love Kumar Ramteke, learned counsel appearing on behalf of the petitioner, would submit that the High Power Certification Scrutiny Committee was constituted under Section 7 of the Chhattisgarh Scheduled Castes, Scheduled Tribes and Other Backward Classes (Regulation of Social Status Certification) Act, 2013 (for short, 'the Act of 2013') with effect from 29-4-2013 and thereafter, by virtue of Section 7 of the Act of 2013, no direct complaint could have been made by the Veterinary Service as it could have been made either by the State Government or under Section 6 by the District Level Certificates Verification Committee, therefore, the order impugned is without jurisdiction and without authority of law. He would rely upon the decision of this Court passed in WPS No.5370/2019 (**Dr. Rajkumar Gadpayle v. State of Chhattisgarh and others**)¹, decided on 23-2-2026.
3. Mr. Rahul Tamaskar, learned State counsel, would support the impugned order and oppose the writ petition.

¹ 2026:CGHC:9385



4. I have heard learned counsel for the parties and considered their rival submissions made herein-above and also gone through the record with utmost circumspection.
5. The short question involved in this petition is, whether the High Power Certification Scrutiny Committee can directly entertain the request/application for enquiry into social status certificate without being referred by the District Level Certificates Verification Committee under Section 6 or by the State Government in view of the provisions contained in Section 7 of the Act of 2013?
6. In order to consider the plea raised at the Bar, it would be appropriate to reproduce Sections 6 and 7 of the Act of 2013. Section 6 reads as under:-

“6. District Level Certificates Verification Committee and its powers.- (1) There shall be a District Level Certificates Verification Committee with such composition as may be prescribed for verification of Social Status Certificate issued by the Competent Authority under Section 4, as may be notified by the State Government having jurisdiction over one or more districts.

(2) A district Level Certificates Verification Committee shall on its own motion or on receipt of any information or reference made to it, in regard to Social Status Certificate(s) issued by the competent Authority, verify such Certificate(s) in the manner as may be prescribed :

Provided that the reference made to the District Level Certificates Verification Committee by an employer, an Educational Institution, a Local Authority, the Central Government or the State Government, as the case may be, for verification of Social Status Certificate(s), shall be in such form and in such manner as may be prescribed, and it shall be



the duty of the District Certificates Verification Committee or report its findings to the employer, the Educational Institution, the Local Authority, the Central Government or the State Government, as the case may be, within a period of one month from the date of receipt of the reference.

(3) Where there is *prima-facie* reason to believe that the Social Status Certificate(s) have been wrongfully or fraudulently obtained, the District Level Certificates Verification Committee shall refer all information and relevant documents along with record of its findings to the High Power Certification Scrutiny Committee :

Provided that where the District Level Certificates Verification Committee arrives at an adverse finding, it shall not refer the case to High Power Certification Scrutiny Committee unless a reasonable opportunity of being heard is given to the person, whose Social Status Certificate is disputed.

(4) The District Level Certificates Verification Committee shall follow such procedure for verification of Social Status Certificate and adhere to such time limit for reference to the High Power Certification Scrutiny Committee under sub-section (3) of this Section, as may be prescribed.”

7. A careful perusal of Section 6 of the Act of 2013 would show that there shall be a District Level Certificates Verification Committee, which is empowered to verify the certificate and by virtue of sub-section (3), where there is *prima facie* reason to believe that the social status certificate has been obtained wrongfully or fraudulently, the District Level Certificates Verification Committee shall refer all information and relevant documents along with record of its findings to the High Power Certification Scrutiny Committee.

8. Similarly, Section 7 of the Act of 2013 reads as under:-

“7. High Power Certification Scrutiny Committee.-

(1) The State Government shall constitute, by notification in the Official Gazette, one or more High Power



Certification Scrutiny Committee or Committees, for conducting enquiry into Social Status Certificate(s) referred to it by District Level Certificates Verification Committee under Section 6 or by the State Government, and it shall be the duty of the High Power Certification Scrutiny Committee to examine the report of the District Level Certificates Verification Committee and to proceed in this matter as prescribed under Chapter IV of this Act.

(2) The High Power Certification Scrutiny Committee shall follow such procedure as may be prescribed :

Provided that where the High Power Certification Scrutiny Committee decides to arrive at an adverse finding, it shall not do so unless a reasonable opportunity of being heard is given to the person whose Social Status Certificate is disputed.”

9. From a careful perusal of the provisions contained in Section 7(1) of the Act of 2013, it is explicit that the State Government shall constitute one or more High Power Certification Scrutiny Committee or Committees for conducting enquiry into Social Status Certificate(s) referred to it by District Level Certificates Verification Committee under Section 6 or by the State Government. As such, the High Power Certification Scrutiny Committee has power and jurisdiction to verify the social status certificate(s) only when reference is made either by the District Level Certificates Verification Committee under Section 6 or by the State Government as defined by Section 2(p) of the Act of 2013.
10. The Supreme Court in the matter of **Cherukuri Mani v. Chief Secretary, Government of Andhra Pradesh and others**² observed that where the law prescribes a thing to be done in a

² (2015) 13 SCC 722



particular manner following a particular procedure, it shall be done in the same manner following provisions of law and held as under :

“14. Where the law prescribes a thing to be done in a particular manner following a particular procedure, it shall be done in the same manner following the provisions of law, without deviating from the prescribed procedure. When the provisions of Section 3 of the Act clearly mandated the authorities to pass an order of detention at one time for a period not exceeding three months only, the government order in the present case, directing detention of the husband of the appellant for a period of twelve months at a stretch is clear violation of the prescribed manner and contrary to the provisions of law. The Government cannot direct or extend the period of detention up to the maximum period of twelve months in one stroke, ignoring the cautious legislative intention that even the order of extension of detention must not exceed three months at any one time. One should not ignore the underlying principles while passing orders of detention or extending the detention period from time to time.”

11. Similarly, the Supreme Court in the matter of **Union of India and others v. Mahendra Singh**³ held that if a statute provides for a thing to be done in a particular manner, then it has to be done in that manner and in no other manner and observed in paras 15, 16 & 17 as under :

“15. A three Judge Bench of this Court in a judgment reported as ***Chandra Kishore Jha v. Mahavir Prasad [(1999) 8 SCC 266]***, held as under:

“17.....It is a well-settled salutary principle that if a statute provides for a thing to be done in a particular manner, then it has to be done in that manner and in no other manner. (See with advantage : *Nazir Ahmad v. King Emperor [(1935-36) 63 IA 372 : AIR 1936 PC 253 (2)]*, *Rao Shiv Bahadur Singh v. State of U.P. [AIR 1954 SC 322 : 1954 SCR 1098]*, *State of U.P. v. Singhara Singh [AIR 1964 SC 358 : (1964) 1 SCWR*



57].) An election petition under the rules could only have been presented in the open court up to 16-5-1995 till 4.15 p.m. (working hours of the Court) in the manner prescribed by Rule 6 (supra) either to the Judge or the Bench as the case may be to save the period of limitation. That, however, was not done.....”

16. The said principle has been followed by this Court in *Cherukuri Mani v. Chief Secretary, Government of Andhra Pradesh* (supra) wherein this Court held as under:

“14. Where the law prescribes a thing to be done in a particular manner following a particular procedure, it shall be done in the same manner following the provisions of law, without deviating from the prescribed procedure.....”

17. Similarly, this Court in *Municipal Corporation of Greater Mumbai (MCGM) v. Abhilash Lal* [(2020) 13 SCC 234] and *OPTO Circuit India Limited v. Axis Bank* [(2021) 6 SCC 707] has followed the said principle. Since the advertisement contemplated the manner of filling up of the application form and also the attempting of the answer sheets, it has to be done in the manner so prescribed. Therefore, the reasoning given by the Division Bench of the High Court that on account of lapse of time, the writ petitioner might have attempted the answer sheet in a different language is not justified as the use of different language itself disentitles the writ petitioner from any indulgence in exercise of the power of judicial review.”

12. In the instant case, admittedly, neither the reference has been made to the High Power Certification Scrutiny Committee by the District Level Certificates Verification Committee under Section 6 nor by the State Government under Section 7 of the Act of 2013, therefore, the High Power Certification Scrutiny Committee had no jurisdiction to entertain the complaint directly from the Director, Veterinary Services, Chhattisgarh, Raipur, as the High Power Certification Scrutiny Committee will get the jurisdiction to conduct enquiry into social status certificate of a government servant only if it is referred



by the District Level Certificates Verification Committee under Section 6 or by the State Government in the manner indicated under Section 7(1) of the Act of 2013. As such, the order dated 15-3-2019 is without jurisdiction and without authority of law and the direct complaint made to the High Power Certification Scrutiny Committee by memo dated 8-9-2014 is totally not entertainable. In that view of the matter, the impugned order dated 15-3-2019 (Annexure P-1) is hereby quashed. However, the competent authority is at liberty to proceed in accordance with law.

13.The writ petition stands allowed to the extent indicated herein-above. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

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