

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) NO. 34 of 2011**

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KABABHAI MALDHARI

Versus

STATE OF GUJARAT - THROUGH SECRETARY

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Appearance:

MR TATTVAM K PATEL(5455) for the Applicant(s) No. 1

GOVERNMENT PLEADER for the Opponent(s) No. 1

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 05/07/2024

ORAL ORDER

**(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. By means of the instant petition filed in the nature of PIL, the petitioner herein raised an issue with regard to the identification of people of the community known as Maldharis of Saurashtra region, so as to enable them to seek benefit of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949, which is applicable to Saurashtra region. It is stated in the writ petition that 10% of the total population of Gujarat is Maldhari community and approximately 15 to 17 lakhs of them are in Saurashtra region. However, the question is being raised about their identification and social position, as Maldharis have remained a nomadic community.
2. It is further brought before us that during the pendency of the writ petition, the Government Resolution dated

01.08.2016 has been issued whereby a committee has been constituted to work out the procedure for identification of Maldhari community and issue certificate of being agriculturist to members of the said community. By reading of the said Government Resolution, it is demonstrated before us that the committee, so constituted, was required to submit its report within a period of six months.

3. Further progress made in the matter is not before us, Mr. Dhawan Jaiswal, learned Assistant Government Pleader appearing for the State respondent prays for and is granted two weeks time to seek instructions and bring the progress made in the matter on record by means of an affidavit of a gazetted officer from the office of the Secretary, Revenue Department, Government of Gujarat.
4. Put up on 19.07.2024.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

SUDHIR