



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION No.604 OF 2023

Ku. Aditi Laxmikant Nannore (aged 18)
(Aspirant for Admission to Medical Science courses).
At. Post. Satephal, Tah. Chandur Rly,
Dist. Amaravati. 444904
sangitanannore@gmail.com.
917218302285 : PETITIONER

...VERSUS...

The Scheduled Tribe Certificate
Scrutiny Committee Amaravati,
Through its Member Secretary,
Chaprashipura, Amaravati- 444 602
Email: tcscamr.mah@nic.in, tcscamr@gmail.com : RESPONDENT

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Mr.S.P. Khare and Mr. N.D. Jambhule, Advocate for Petitioner.
Mr. N.R. Patil, Assistant Government Pleader for Respondent.
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CORAM : **SMT. M.S. JAWALKAR AND**
NANDESH S. DESHPANDE, JJ.

RESERVED ON : **09th MARCH, 2026.**

PRONOUNCED ON : **17th APRIL, 2026.**

JUDGMENT : (Per : NANDESH S. DESHPANDE, J.)

1. Rule. Rule made returnable forthwith. Heard finally
with the consent of the parties.

2. The petitioner has filed the present Writ Petition
challenging the order dated 05.09.2022 passed by the respondent

Scheduled Tribe Certificate Scrutiny Committee, Amaravati (hereinafter referred to as “the Scrutiny Committee”), in Proceeding No.5/503/Edu/102021/193707, whereby the Scrutiny Committee invalidated the petitioner’s claim to “Mana” Scheduled Tribe, enumerated at Sr. No.18 of the Scheduled Tribes List for the State of Maharashtra.

3. The petitioner holds a “Mana” Scheduled Tribe Caste Certificate issued by the Sub-Divisional Officer, Chandur Railway, Amaravati, dated 15.09.2020. The Scrutiny Committee received the petitioner’s proposal for Validity on 21.10.2021 and verified the documents on 04.02.2022. The Scrutiny Committee thereafter referred the matter to the Police Vigilance Cell, which submitted its report on 21.06.2022. The Scrutiny Committee issued a Show Cause Notice dated 13.07.2022 to which the petitioner filed a detailed reply dated 18.07.2022 and attended the hearing. The Scrutiny Committee thereafter passed the impugned Invalidation Order dated 05.09.2022.

4. We have heard Mr. S.P. Khare and Mr. N.D. Jambhule, the learned counsels for the petitioner and Mr. N.R. Patil, learned Assistant Government Pleader for the respondent.

5. The learned counsel for the petitioner submits that the impugned order is arbitrary, perverse, and in direct violation of the

settled law laid down in a series of judgments of this Court and the Hon'ble Supreme Court. It is submitted that the petitioner's mother, Sangita Bhojraj Gadmade was granted a validity certificate towards "Mana" Scheduled Tribe" on 23.06.2010 by the Scrutiny Committee itself. It is further submitted that by a class litigation filed through **Mana Adim Jamat Mandal (MAJM) Vs. State of Maharashtra, 2003 (3) Mh.L.J. 513**, this Court directed the State of Maharashtra to grant Scheduled Tribe status to all members of the Mana community throughout Maharashtra.

6. It is further submitted that by framing issue No.5 "Difference between Mana caste and Mana tribe", the Scrutiny Committee has, in effect, disrespected the findings recorded in the MAJM judgment, *2003 3 Mh.L.J. 513*, which is binding. The Committee recorded in its impugned order at Page 29 that "In the Vidarbha region, "Mana" is an agriculturally dominant caste that does not fall within the Scheduled Tribes, and its population is large." Taking advantage of the similarity in name, they attempt to usurp the reservation benefits meant for Scheduled Tribes.

7. It is also submitted that the entries of "Mane", "Mani" and "Mane/Mani Kunbi" appearing in some documents of the petitioner's relatives cannot be treated as adverse to her "Mana ST"

claim. The Government Resolution dated 24.04.1985 issued by the State of Maharashtra itself acknowledged that “Mana/s are also known as Mani/Mane”.

8. It is lastly submitted that the petitioner’s home inquiry, as confirmed by Police Officers of the Vigilance Cell, revealed that the petitioner’s family members bear surnames Gadmade, Sherpure, Shrirame, Dodmal Gharat, Dhame worship deities Mankadevi, Thakurdev, and Rakhai, and that “Shende” was the head of their community Panchayat entrusted with resolution of internal disputes, all of which correspond precisely to the description of the Mana community as recorded in the Government Resolution of 24.04.1985.

9. The Petitioner has placed reliance on the following judgments: (i) **Mana Adim Jamat Mandal vs. State of Maharashtra, 2003(3) Mh.L.J. 513**; (ii) **State of Maharashtra vs. Mana Adim Jamat Mandal, (2006) 4 SCC 98 (CA 5270/2004)**; (iii) **Palghat Jilla Thandan Samudaya vs. State of Kerala, (1994) 1 SCC 359**; (iv) **Anand Katole vs. State of Maharashtra, (2012) 1 SCC 113**; (v) **Manisha Dadmal vs. State of Maharashtra, 2018 Mh.L.J. Online 162**; (vi) **Gitesh s/o Narendra Ghormare v. Scheduled Tribe Certificate Scrutiny Committee, Nagpur, 2018 (4) Mah.L.J. 93**, (vii)

Shubham Sharad Gadmade vs. Scheduled Tribe Caste Certificate Scrutiny Committee, Nagpur, (2017) SCC ONLINE BOM 355; (viii) Umesh s/o Ganeshrao Jambhore vs. Vice-Chairman/Member-Secretary, Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati, (2022) SCC OnLine Bom 305 : 2022(3) Mah LJ 31.

10. Per contra, Shri N.R. Patil, the learned Assistant Government Pleader appearing for the Respondent Scrutiny Committee has opposed the petition. It is submitted that the proposal of the petitioner was referred to the answering respondent on 04.02.2022 for educational purpose through the Principal, Rajashri Shahu Maharaj Mahila Vidyalaya, Latur. The respondent Committee thereafter forwarded the petitioner's case for vigilance inquiry pursuant to which the Vigilance Cell submitted its report on 11.06.2022.

11. It is submitted that during the course of inquiry, the Vigilance Cell obtained the following documents which are adverse to the claim of the Petitioner :

S. N.	Document	Person	Relationship	Caste Entry	Year
1	Dakhal Kharij Extract Record	Devrao Sadashiv Nannavre	Grand-father	Kunbi	07.04.1953

2	Kharij Extract Record	Manohar Sadashiv Nannavre	Cousin Grand-father	Mani Kunbi	12.04.1955
3	Death Record	Soni Vald Bhika	Great-Great Grand-father	Kunbi Mani (Ku)	08.03.1930
4	Birth Record	Female child (Mani) born to Sadashiv Bhika	Great Grand-father's line	Mane Kunbi	25.02.1943
5	Birth Record	Female child (Guni) born to Bala Vald Bhika	Cousin Great Grand-father's line	Mane Kunbi	01.04.1943
6	Birth Record	Male child (Bapurao) born to Sadashiv Vald Bhika	Great Grand-father's line	Mane Kunbi	25.09.1946
7	Birth Record	Male child (Bhairao) born to Sadashiv	Great Grand-father's line	Mani	20.05.1949
8	Birth Record	Male child (Bahuli) born to Vithal Bhika	Great Grand-father's line	Mani Kunbi	20.05.1949

12. It is submitted that the genealogy tree recorded during vigilance inquiry consistently reflects the caste of the petitioner's blood relatives as Kunbi, Mane Kunbi, and Mani across documents spanning the years 1930 to 1955, covering both pre and post-constitutional periods. It is further submitted that as observed by the Hon'ble Supreme Court in **Milind Sharad Katware and others**

vs. State of Maharashtra and others , (1985) SCC OnLine Bom 214, the Presidential Order should be read as it is and nobody has the right to insert a single comma or change a single word in it. Hence, the respondent Committee was bound to consider these entries as different caste entries and the Petitioner cannot get the benefit of doubt.

13. It is lastly submitted that the Committee, after affording full opportunity to the petitioner and upon due consideration of her submissions, the documentary evidence and the Police Vigilance Cell report, found that the petitioner was unable to prove her socio-cultural affinity with “Mana Scheduled Tribe” and accordingly passed the impugned Invalidation Order dated 05.09.2022. The said order is just, proper, and legal, having been passed after following due procedure and no interference is warranted therewith.

14. We have heard the learned counsel for the parties at length and have carefully perused the impugned order dated 05.09.2022, the record of the Scrutiny Committee, the Police Vigilance Cell report, the documents produced by the petitioner, and the precedents relied upon by both sides. We have also considered, by way of comparison, the validity order dated

02.11.2018 passed in the case of Ku. Sai Ravindra Srirame (Case ID: 6-ST/2015/13452) by the Scheduled Tribe Certificate Scrutiny Committee, Nagpur, where, on a materially identical documentary foundation, the Committee itself granted a validity certificate to the claimant of “Mana” Scheduled Tribe.

15. The legal status of “Mana” as a distinct Scheduled Tribe is settled beyond controversy by the judgment of the Hon’ble Supreme Court in **State of Maharashtra vs. Mana Adim Jamat Mandal**, (supra), affirming this Court’s decision in **Mana Adim Jamat Mandal vs. State of Maharashtra** (supra). The Scrutiny Committee’s framing of issue No. 5 “difference between Mana caste and Mana tribe” and its conclusion that “Mana in Vidarbha is an agriculturally dominant caste” is directly contrary to this binding ratio and constitutes, in effect, an impermissible re-examination of a question that stands concluded by Hon’ble Supreme Court.

16. The Vigilance Cell has placed eight documents bearing entries of “Kunbi”, “Mani Kunbi” and “Mane Kunbi” against the petitioner’s forefathers between 1930 and 1955, which the Committee has treated as conclusive. Such entries in pre-independence revenue registers carry no adverse weight as the State itself has declared in the Government Resolution dated

24.04.1985 that “Mana/s are also known as Mani/Mane” a declaration the Committee has noticed but wholly ignored. Further, The School Leaving Certificate of Pundlik Sadashivrao Nannaware (cousin grandfather) dated 04.07.1959, the School Leaving Certificate of Manohar Sadashivrao Nannaware (uncle) dated 01.07.1966, the Caste Certificate dated 18.05.2010 and the Validity Certificate dated 23.06.2010 of the petitioner’s mother Smt. Sangita Bhojraj Gadmade, and the petitioner’s own School Leaving Certificate dated 25.06.2016, each and every one of these documents consistently records the caste as “Mana”.

17. The Hon’ble Supreme Court in **Priya Pramod Gajbe vs. State of Maharashtra, (2023) 9 SCR 1261**, held that where a Vigilance Cell report itself discloses a document recording the caste as “Mana” there is no reason to discard such a document merely because another record of the same blood line bears the entry “Mani” thereby observing that “Mani” has no independent existence as a caste and that such a discrepancy is, at best, a scribal error attributable to transliteration.

18. The petitioner’s mother, Smt. Sangita Bhojraj Gadmade, has herself been granted a “Mana” Scheduled Tribe Validity Certificate by the Scrutiny Committee on 23.06.2010. The

impugned order records no finding of fraud, fabrication or tampering in respect of the mother's Validity Certificate, nor does it offer any cogent reason for departing therefrom. In **Apoorva D/o Vinay Nichale vs. Divisional Caste Certificate Scrutiny Committee, 2010 (6) Mh.L.J. 401**, this Court held that where a Committee has validated the caste of a blood relative, a subsequent Committee ought not to refuse the same status on a merely different view of the same facts. The Hon'ble Supreme Court in **Anand vs. Committee for Scrutiny and Verification of Tribe Claims, (2012) 1 SCC 113** affirmed that departure from a blood relative's validity requires a specific finding of fraud or fabrication, a ground that the Committee has conspicuously not alleged in the present case.

19. The impugned order is further vitiated by gross inconsistency by the Scrutiny Committee machinery of the State. In *Ku. Sai Ravindra Srirame* (Case ID: 6-ST/2015/13452, decided 02.11.2018), the Scrutiny Committee, Nagpur, granted a "Mana" Validity Certificate to a claimant whose pre-independence revenue records of 1940, 1941 and 1943 bore identical "Mani" entries against her grandparents, a factual matrix materially indistinguishable from the present case. The Scrutiny Committees across the State are constituted under the same statute, exercise the

same jurisdiction, and are bound by the same judicial precedents. When one Committee, on an identical factual foundation, has granted validity by applying the judgments in **Shubham Sharad Gadmade** (supra) and **Gitesh Ghodmare** (supra), the other Committee's diametrically opposite conclusion on the same legal and factual matrix, without any distinguishing materials results in an arbitrary and unequal application of the law, contrary to Article 14 of the Constitution.

20. For all the foregoing reasons, the impugned order dated 05.09.2022 cannot be sustained. The Committee has acted contrary to the binding ratio of **Mana Adim Jamat Mandal**, (supra) has ignored the holistic documentary approach mandated by **Priya Pramod Gajbe** (supra) has departed from the petitioner's mother's existing Validity Certificate without any finding of fraud or fabrication, in breach of the principles in **Apoorva Nichale, 2010** (supra) and **Anand vs. Committee for Scrutiny and Verification of Tribe Claim** (supra) and has applied the law inconsistently vis-à-vis the Srirame validity order on an identical factual matrix. The impugned order is accordingly arbitrary, perverse and contrary to settled law, and is liable to be quashed and set aside. We, therefore, pass the following order :

ORDER

(i) Writ Petition is allowed.

(ii) The impugned order dated 05.09.2022 passed by the respondent Scheduled Tribe Certificate Scrutiny Committee, Amravati in Proceeding No.5/503/Edu/102021/193707 is hereby quashed and set aside.

(iii) It is declared that the petitioner belongs to “Mana” Scheduled Tribe, enumerated at Serial No.18 of the Constitution (Scheduled Tribes) Order, 1950.

(iv) The respondent-Scheduled Tribe Certificate Scrutiny Committee, Amravati shall issue a Caste Validity Certificate in favour of the petitioner certifying her as belonging to “Mana” Scheduled Tribe within four weeks from the date of production of a certified copy of this order.

(v) Rule is made absolute in above terms. No order as to costs.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)