CHAPTER -8

VERIFICATION OF THE CLAIMS OF SCHEDULED CASTES, SCHEDULED TRIBES AND OTHER BACKWARD CLASSES

8.1 Any person who claims to belong to a Scheduled Caste or a Scheduled Tribe or Other Backward Class will have to produce a certificate to the Appointing Authority/Selection Committee/Board etc. in support of his claim so as to make him eligible for reservation and various relaxations and concessions.

8.2 The Caste/Tribe/Community certificate issued by the following authorities in the prescribed form for SCs/STs and for OBCs will only be accepted as proof in support of a candidate's claim as belonging to the Scheduled Caste or the Scheduled Tribe or the Other Backward Class as given in **Annexure-I** and **Annexure-II**.

(i) District Magistrate/Additional District Magistrate/Collector /Deputy Commissioner/Additional Deputy Commissioner/ Deputy Collector/ 1st Class Stipendary Magistrate/Sub Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.

(ii) Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/Presidency Magistrate;

(iii) Revenue Officer not below the rank of Tehsildar; and

(iv) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

8.3 The appointing authorities should verify the caste status of a Scheduled Caste/ Scheduled Tribe / Other Backward Class candidate at the time of initial appointment and of an SC/ST officer at the time of promotion against reserved vacancy also. For this purpose, the caste and the community to which an SC/ST/OBC person belongs, his place of residence and the name of the State, should be pasted on the top of his service book, personal file or any other relevant document to facilitate such verification. It may be noted that a Scheduled Caste person, whose caste has been descheduled after his initial appointment as a Scheduled Caste, is no longer entitled to enjoy the benefit of reservation in promotions. The verification of caste-status at every important up-turn of employee's career is necessary so that the benefit of reservation and

other scheme of concessions etc. should go only to the rightful claimants and not those who become disentitled to them.

8.4 The Appointing Authorities should, in the offer of appointment to the candidates claiming to belong to Scheduled Castes/Scheduled Tribes/Other Backward Classes include a clause as follows:

> "The appointment is provisional and is subject to the Caste/Tribe/Community certificate being verified through the proper channels and if the verification reveals that the claim to belong to Scheduled Caste or Scheduled Tribe or Other Backward Class, as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificates."

8.5 An appointing authority may, if it considers necessary for any reason, verify the claim of a candidate through the District Magistrate of the place where the candidate and/or his family ordinarily resides. If after appointment in any particular case, the verification reveals that the candidate's claim was false his services may be terminated in accordance with the relevant rules/orders.

8.6 As no person professing a religion different from the Hinduism or Sikhism or Budhism can be deemed to be a member of Scheduled Castes, the appointing authorities should stipulate in the letter of appointment issued to Scheduled Caste candidates that they should inform about the change, if any, of their religion to their appointing/administrative authority immediately after such a change. The serving scheduled Caste employees should be instructed to intimate change, if any, in their religion immediately to their appointing/administrative authorities.

CHAPTER 8

1	Para 5(7) of MHA O.M. No.42/21/49-NGS	28.1.1952
2	DOPT OM No. 36012/22/93-Estt(Res)	15.11.1993
3	DOPT OM No.36033/4/97-Estt (Res)	25.7.2003
4	DOP&T O.M. No.36011/3/2005-Estt.(Res)	9.9.2005
5	DOPT OM No. 36011/3/2009-Estt(Res)	2.9.2009

Annexure-I to Chapter-8

FORM OF SCHEDULED CASTE/TRIBE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumari*_____ son/daughter* of _____ village/town* _____ in District/Division* _____ of the State/Union Territory* _____ belongs to the _____Caste/Tribe which is recognized as a Scheduled Caste/Scheduled Tribe* under:

*The Constitution (Scheduled Castes) Orders, 1950:

*The Constitution (Scheduled Tribes) Order, 1950;

*The Constitution (Scheduled Tribes) (Union Territories) Order, 1950;

*The Constitution (Scheduled Tribes) (Union Territories) Order, 1951:

{as amended by the Scheduled Castes and Scheduled Tribes List (Modification Order, 1956, the Bombay Recoganisation Act, 1960, the Punjab Recoganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North Eastern Areas (Recognisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976}

*The Constitution (Jammu and Kashmir) Scheduled Order, 1956;

*The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959 as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976;

*The Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962;

* The Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962;

*The Constitution (Pondicherry) Scheduled Castes Order, 1964;

* The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967;

* The Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

* The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;

* The Constitution (Nagaland) Scheduled Tribes Order, 1970.

* The Constitution (Sikkim) Scheduled Tribes Order, 1978.

2. Shri/Shrimati*/Kumari*_____ and/or* his/her* family ordinarily reside(s) in village/town* _____ of

_____ District/Division* of the State/Union Territory* of _____.

Signature _____

Designation _____

(with seal of office)

State/Union Territory

Place _____

Date _____

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* Please delete the words which are not applicable.

Note: The term "Ordinarily resides" used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

Annexure-II to Chapter-8

FORM OF CERTIFICATE TO BE PRODUCED BY OTHER BACKWARD CLASSES APPLYING FOR APPOINTMENT TO POSTS UNDER THE GOVERNMENT OF INDIA

This to certify that Shri/Smt./Kumari _____ son/daughter of _____ of village/town _____ in District/Division _____ in the State/Union Territory _____ belongs to the _____ community which is recognised as a backward class under the Government of India, Ministry of Welfare Resolution No.12011/68/93-BCC(C) dated 10th September, 1993 published in the Gazette of India Extraordinary Part I Section I dated 13th September, 1993*. Shri/Smt./Kumari _____ and/or his/her family ordinarily reside(s) in the _____District/Division of the _____State/Union Territory. This is also to certify that he/she does not belong to the persons/sections (Creamy Layer) mentioned in column 3 of the Schedule to the Government of India, Department of Personnel & Training OM No.36012/22/93-Estt(SCT) dated 8.9.1993*.

District Magistrate,
Deputy Commissioner etc.

Dated:

Seal

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* as amended from time to time.

NOTE: The term "Ordinarily " used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.