

GOVERNMENT OF KERALA  
Abstract

SC/STDD – Caste determination – Prosecution proceedings against those who have secured bogus SC/ST certificates – Clarification issued- Cancelled.

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SCHEDULED CASTES & SCHEDULED TRIBES DEV. (G) DEPARTMENT  
GO (Rt) No.607/03/SCSTDD. Dated, Thiruvananthapuram, 25.7.2003.

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Read:- 1. The Kerala (Scheduled Castes and Scheduled Tribes) Regulation  
of Issue of Community Certificates Act, 1996.  
2. G.O. (Rt) No.304/00/SCSTDD dated 4.5.2000.

**ORDER**

The Kerala (Scheduled Castes & Scheduled Tribes) Regulation of Issue of Community Certificates Act, 1996, which came into force with effect from 1.12.96, inter alia, provides for strict procedure to deal with the practice of securing bogus Scheduled Caste/Scheduled Tribe certificates by members of other communities. Section 16(5) of the Act lays down that those who have secured bogus caste certificates shall on conviction be punishable with rigorous imprisonment for a term which shall not be less than six months but which may extend up to two years and with fine which shall not be less than one thousand rupees but which may extend up to five thousand rupees. With a view to limiting the prosecution proceedings to cases in which bogus caste certificates were secured after the coming into force of the Act, Government, vide the G.O. read above, ordered that Section 16(5) is not applicable to those who have obtained bogus caste certificates prior to the coming into force of the Act.


It has come to the notice of Government that the Government Order read above contravenes the statutory provisions of the Act, which does not make any such discrimination.

Government have considered the matter in detail and are pleased to cancel the G.O. read above with immediate effect.

By Order of the Governor,  
Dr. C.V. Ananda Bose,  
Principal Secretary to Government

To

All Heads of Departments.  
All District Collectors.  
Director, Scheduled Castes Development Department, Thiruvananthapuram.  
Director, Scheduled Tribes Dev. Department, Thiruvananthapuram.  
Director, KIRTADS, Kozhikode.  
Law Department.  
The Stock file/O/C.

Forwarded/By Order  
  
Section Officer