

GOVERNMENT OF KERALA

DOCUMENT-

Sch. Castes and Sch. Tribes Development (B)
Department

G.O. (Ms.) No. 10/86/SCST DD.

Dated, Trivandrum, 12-2-1986.

Abstract:—Classification of Communities—Issuance of Sch. Caste and Sch. Tribe certificates to persons who migrate from one State to another—Guidelines prescribed—Orders issued.

- Read:**—1. G. O. (Ms.) No. 63/79/DD dated 16-4-1979.
2. G. O. (Ms.) No. 87/79/DD dated 18-6-1979.
3. G. O. (Ms.) No. 18/83/HWD dated 19-7-1983.
4. Govt. letter No. 17780/E2/84/HWD dated 29-9-1984.
5. Letter No. BC. 12017/2/85-SC-ST&BCD. 1 dated 7-6-1985 from Government of India, Ministry of Home affairs.
6. Letter dated 2-1-1986 from Shri. K. K. Thomas, MLA.

ORDER

Government have received several complaints that persons belonging to the Sch. Castes of this State who have migrated to this State from Tamil Nadu centuries back and permanently settled in Peccumade, Udumbanchola and Devicolam taluks of Idukki District seeking livelihood as labourers in Plantations etc. are not able to get community certificates to the effect that they belong to the Sch. Castes. It has been represented that the revenue authorities are directing the settlers to obtain community certificate from Tamil Nadu and the settlers find this difficult as they have migrated to this State long back and now have no interest in Tamil Nadu.

(2) In their letter read as fifth paper above Government of India have issued the following guidelines for issuance of community certificate to migrants from one State to another:

1. A person who is temporarily away from permanent place of abode at the time of notification of the Presidential Order, 1950 applicable in this case, to earn a living or seek education, etc. can be regarded as a Scheduled Caste or a Scheduled Tribe, as the case may be if his caste/tribe has been specified in that Order in relation to this State but he cannot be treated as such in relation to the place of his temporary residence notwithstanding the fact that the name of his caste/tribe has been scheduled in respect of that area in any Presidential Orders. He will be deemed to be treated a migrant in relation to the later State to which he has migrated.
2. Further, if a man leaves his originating State and moves to some other State before issue of the Presidential Order, 1950 applicable in his case and settles there permanently by acquiring property whether movable or immovable, that State will be regarded his/her children's ordinary place of residence (i.e. Permanent abode) for the purpose of issue of the certificate to him. He/his children will be entitled to obtain a certificate from the competent authority of the later State provided the community to which he belonged in his originating State has been recognised and scheduled in the Presidential Order applicable in his case in the migrated State. He will not be eligible to obtain a certificate from his originating State to this effect.
3. Further, a person who has migrated temporarily for the sake of employment etc. after the issue of the Presidential Order as already clarified in the preceding paragraph, he will be required to obtain a certificate from the competent authority of the migrated State on basis of the genuine certificate issued to his father. Further, the person who has migrated from his originating State to the other State, he and his children will be entitled to enjoy benefits admissible to the Scheduled Castes and Scheduled Tribes from the State of origin and not from the migrated State.

(3) In supersession of all the orders issued so far regarding issuance of community certificate to migrants from one State to another, Government are pleased to prescribe the above guidelines for issuance of community certificate to migrants from one State to another. The Revenue authorities should verify properly the ordinary place of residence (i.e. permanent abode) and other particulars of all such persons so that the undeserving persons may not get the certificate and avail of the benefits. All doubtful cases should be referred to the Director of Sch. Castes Development, Director of Sch. Tribe Development for detailed enquiry in accordance with the procedure prescribed in G. O. read above as first paper.

(By order of the Governor)

NIVEDITA P. HARAN,
Deputy Secretary to Government.