

GOVERNMENT OF KERALA

Abstract

Harijan Welfare.—Classification of communities—Procedure to be followed in cases where the entry in the S.S.L.C. Book regarding community is not correct—Modified orders issued.

DEVELOPMENT (C) DEPARTMENT

G.O. (Ms.) No. 63/79/DD.

↓ 16th April, 1979.

- Read:—1. G. O. (Ms.) 640/64/RD., dated 24-9-1964.
2. G.O. (Ms.) 876/64/RD., dated 29-12-1964.
3. Govt. letter No. 11676/C4/79/DD., dated 20-2-1979.

ORDER

1. Instances have come to the notice of Government that some persons who really belong to the category of "Other Backward Classes" have styled themselves as Scheduled Castes or Scheduled Tribes and have managed to obtain Community Certificates as belonging to Scheduled Castes/Scheduled Tribes and thus grabbed the benefits earmarked exclusively for Scheduled Castes and Scheduled Tribes. This was made possible due to the irregular issue of false Community Certificates by the Tahsildars. It is further understood that on the basis of such false certificates, the community originally recorded in the S.S.L.C. Book as belonging to an "Other Backward Class" community has been corrected as one of the communities

belonging to Scheduled Castes/Scheduled Tribes. Subsequent anthropological investigation showed that the change of the name of the community and corrections effected in the S.S.L.C. Book were contrary to facts and quite unwarranted.

2. In the Government letter cited, it was stated that the intention of Government in issuing the two Government Orders cited was to allow only minor corrections in the spelling or pronunciation of the name of the community if it was found different from the spelling in the approved list of communities. It was further clarified that Government Orders did not envisage the substitution of a Backward Class community by an entirely different community coming under the category of Scheduled Castes/Scheduled Tribes. But it is found that some Tahsildars have exceeded their limited powers and have misused it on a large scale by issuing incorrect certificates changing the very community of some persons from "Other Backward Classes" community to Scheduled Castes/Scheduled Tribes, thus paving the way for ineligible persons to wrongfully enjoy the benefits earmarked for Scheduled Castes/Scheduled Tribes. This tendency has to be put a stop to.

3. After considering the matter in detail, Government are pleased to issue the following orders:

(1) The orders issued in the Government Orders read as 1st and 2nd papers above are hereby cancelled.

(2) Whenever requests for Community Certificate for the purpose of (i) changing the name of an "Other Backward Classes" community or a Forward Class community to a Scheduled Caste/Scheduled Tribe/Other Eligible Community or (ii) for changing the name of a Scheduled Caste to a Scheduled Tribe community or vice versa are received, the concerned Tahsildar or his superior officer, as the case may be, should forward such cases, with his enquiry report thereon, to the Director of Harijan Welfare in cases involving Scheduled Castes and to Director of Tribal Welfare in cases involving Scheduled Tribes. Thereupon the Director of Harijan Welfare or the Director of Tribal Welfare as the case may be, will arrange for anthropological investigation as to the communities of such applicants being conducted by the Special Officer, Tribal Research and Training Centre, Kozhikode and obtain report from him. The Director of Harijan Welfare/Director of Tribal Welfare will examine the report from the Tahsildar or his superior officer and that from the Special Officer, Tribal Research and Training Centre and arrive at a finding as to the actual community of the applicant and intimate the findings to the Tahsildar or higher officer concerned who forwarded the case to Director of Harijan Welfare and Director of Tribal Welfare as the case may be, for further necessary action and for intimation to the party concerned.

4. The Director of Public Instruction/Commissioner of Government Examinations will note that applications for change of names of communities in the S. S. L. C. Books from any "Other Backward Classes" or Forward Class Communities to the Scheduled Caste/Scheduled Tribe/Other Eligible Communities need be considered only if such applications are accompanied by the aforesaid findings of the Director of Harijan Welfare or Director of Tribal Welfare duly attested by the Tahsildar or higher officer as the case may be, in support of their claims.

5. The parties aggrieved by the findings of the Director of Harijan Welfare/Director of Tribal Welfare may appeal before Government within a period of one month of the receipt of the findings.

(By order of the Governor)
J. S. BADHAN,
Secretary.