VOLUME 22

Allied Acts, Rules & Certificates: Supplement

Caste certificate rules · land & revenue amendments · ordinances · other State and Central Acts

22

COMPILED BY

Upendra Luha, OAS

odisharevenuelaws.com

Edition · November 2026

About this volume

This volume brings together the Acts and the Government of Odisha orders, circulars, notifications and resolutions on caste certificates and reservation, amendments to land and revenue laws, recent ordinances and other allied Acts and Rules that are published on odisharevenuelaws.com. Each document is reproduced as issued, in its original form. Use the Contents page or the PDF bookmarks to jump to any document. Page numbers at the foot of each page run continuously through the volume. This is a compilation for ready reference only; for official purposes, please rely on the notified text and the latest orders of the Government.

Contents

Part I – Caste Certificates & Reservation

Odisha SC, ST and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023 – Notification No. 618 dt 06.01.2024 **4**

Draft Caste Certificate Rules, 2023 – ST&SC Development Notification No. 8698 dt 04.05.2023 **60**

Draft Caste Certificate Rules, 2019 – ST&SC Development Notification No. 16197 dt 23.09.2019 **101**

Issue of Scheduled Caste and Scheduled Tribe Certificates – MHA Letter No. 35/1/72-R.U. dt 02.05.1975 **112**

Clarifications regarding Creamy Layer among OBCs – M&BCW Letter No. 32652 dt 03.10.2013 **147**

Part II – Land & Revenue Acts and Rules

Orissa Land Reforms (Amendment) Act, 2006 **155**

Orissa Government Land Settlement (Amendment) Act, 1973 (President's Act 22 of 1973) **158**

Orissa Irrigation (Amendment) Rules, 1994 – Revenue & Excise Notification dt 26.09.1994 **164**

Orissa District Revenue Service (Amendment) Rules, 1998 **178**

Part III – Recent Ordinances & Law Department Orders

Odisha State Tax on Professions, Trades, Callings and Employments (Repeal) Ordinance, 2026 **181**

Odisha Apartment (Ownership and Management) Ordinance, 2023 **183**

SOP for Timely Filing of Affidavits in Courts and Tribunals – Law Department Notification dt 10.06.2026 **212**

Part IV – Other State & Central Acts

Guardians and Wards Act, 1890 **220**

Census Act, 1948 (as amended in 1994) **235**

Orissa Offices of Profit (Removal of Disqualifications) Act, 1961 **258**

Orissa Legislative Assembly Members' Salary, Allowances and Pension Act, 1954 **267**

Orissa Fire-works and Loud Speakers (Regulation) Rules, 1965 **274**

Petroleum Rules, 2002 – MoPNG Notification G.S.R. 204(E) **276**

The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 114 CUTTACK, FRIDAY, JANUARY 12, 2024/PAUSA 22, 1945

SCHEDULED TRIBES AND SCHEDULED CASTES DEVELOPMENT MINORITIES & BACKWARD CLASSES WELFARE DEPARTMENT

NOTIFICATION

The 6th January 2024

No. 618─PCR Cell-16/2017-SSD─Whereas, the draft of the Odisha Scheduled Castes,Scheduld Tribes and Backward Classes(Regulation of Issuance and Verification of Caste Certificates) Rules, 2023 was published as required by section 18 of the Odisha Scheduled Castes, Scheduled Tribes and backward Classes (Regulation of Issuance and Verificationof Caste Certificates) Act, 2012 (Odisha Act 8 of 2014) in the Extra-ordinary issue of the Odisha Gazette No.1037 dated the 8th May, 2023 under the notification of the Government of Odisha in the Scheduled Tribes and Scheduled Castes Development Minorities and Backward Classes Welfare Department No.8698-PCR Cell-16/2017/SSD dated the 4th May, 2023 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of thirty days from the date of publication of the said notification in the Odisha Gazette:

And whereas, the objections and suggestions received in respect of the said draft rules within the specified period have been duly considered by the State Government;

Now, therefore, in exercise of the powers conferred by section 18 of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes(Regulation of Issuance and Verification of Caste Certificates) Act, 2012 and in supersession of the Odisha Caste Certificate (for Scheduled Castes and Scheduled Tribes) Rules, 1980 except as respects things done or omitted to be done before such supersession, the State Government do hereby make the following rules to carry out the purposes of the said Act, namely:-

1. **Short title and commencement**.—(1)These rules may be called the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023.
(2)They shall come into force on the date of their publication in the Odisha Gazette.

2. **Definitions.-**(1) In these rules, unless the context otherwise requires,—

(a)"Act" means the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes(Regulation of Issuance and Verification of Caste Certificates) Act, 2012 (Odisha Act 8 of 2014);

(b)“Aadhaar number” means a 12 digit Unique Identity Number issued to an individual under sub- section (3) of section 3 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies,Benefits and Services) Act,2016 (18 of 2016);

(c)"Appellate Authority" means the Authority as mentioned in rule 5;
(d)"Backward Classes" means any Socially and Educationally Backward Classes as Defined

in clause(e) of section 2 of the Odisha Reservation of Posts and Services (for Socially
and Educationally Backward Classes) Act, 2008 and includes Other Backward Classes declared by Government of India in relation to the State of Odisha;
(e)"Caste Certificate" means the certificate issued by the Competent Authority to an applicant indicating therein the Scheduled Caste, Scheduled Tribe or Backward Class, as the case may be, to which such applicant belongs;
(f)"Competent Authority" means an Officer or authority authorized by the Government, bynotification, to issue Caste Certificate, for such area or for such purposes as may bespecified in the said notification and shall include all the Competent Authorities alreadydesignated by the Government before the commencement of this Act, having jurisdictionover the area or place to which the applicant originally belongs, unless specified otherwise. Such Authorities are:
(1) District Magistrate or Collector;
(2) Additional District Magistrate;
(3)Sub-divisional Magistrate or Sub-divisional Officer;
(4) Executive Magistrate;
(5) Revenue Officer not below the rank of Tahasildar or Additional Tahasildar;

(g)“Creamy Layer” means members of Backward Class who are highlyadvanced socially as well as economically and educationally. The people falling in the Creamy Layer category (Described in Appendix A) are not eligible for reservations in the services and posts under Government of India or Government of Odisha and Government educational and professional benefit;

(h)“District Vigilance Cell” means the District Vigilance Cell constituted by the Government;
(i)“Driving Licence” means a licence issued under the Motor Vehicles Act,1988 (59 of 1988);
(j)“Form” means the Forms appended to these rules includes e-Form;
(k)“Family” means the purpose of this Rules will include the person who seeks benefit of
reservation, his or her parents and siblings below the age of 18 years as also his or her spouse and children below the age of 18 years;
(l) "Government" means the Government of Odisha;
(m)“Landless Person” means a person as defined in clause(a-1)of the section 3 of the Odisha Prevention of land Encroachment Act, 1972, (Odisha Act 6 of 1972);
(n)"Local Authority" means Gram Panchayat, Panchayat Samitis, ZillaParishad and alsoincludes a Municipality or Municipal Corporation or such other body legally entitled to function as local authority by the Government;
(o)“PAN Card” means Permanent Account Number issued under section 139-A of the Income Tax Act, 1961 (43 of 1961);

(p) "Public Sector Undertaking" means a Government Company as defined in section 2(45) of the Companies Act, 2013(18 of 2013) or any Corporation established by or under anyCentral or State Act;

(q)"reserved category" means category of persons either belonging to Scheduled Caste, Scheduled Tribe or Backward Class;

(r)"Revenue Division" means division constituted as mentioned in the section 2 of the Odisha Revenue Divisional Commissioners Act, 1957 and

(s)"Scheduled Castes" and "Scheduled Tribes" shall have the meanings, respectively, assigned to them in clause (24) and clause (25) of article 366 of the Constitution of India;

(t)"Scrutiny Committee" means the Committee or Committees constituted under sub-section (1) of section 6 for verification of the Caste Certificate and to perform other functions as entrusted to the Scrutiny Committee;

(u)"Socially and Educationally Backward Classes" means Backward Classes as defined Inclause (a) of section 2 of the Odisha State Commission for Backward Classes Act, 1993;

(v) "Voter Identity Card" means an identity card issued in favour of anyelector under rule 28 of the Registration of Electors Rules, 1960, made under the Representation ofPeople Act,1950(43 of 1950);

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them, respectively, in the Act.

3.Application for issue of Caste Certificate.—(1) Application for issuance of Caste Certificate may be made to the Competent Authority by any person belonging to reserved category such as Scheduld Caste, Scheduled Tribe, Socially and Educationally Backward Classes, Other Backward Classes (respectively herein after refer to as SC,ST,SEBC and OBC) in SC, ST, SEBC and OBC Form A, B, C and D respectively.

(2) The application shall be duly signed by the applicant or his or her parent or legal guardian and in case, applicant is a minor or person incapable of managing his or her own affairs and be accompanied by self-attested copy of one or more of the following documents, as may be required, in support of the claim and in case of online application, upload such documents electronically, namely:—

(a) Copy of the finally published Settlement Record of Rights of the lands preferably of the homestead land or any old Record of Rights issued prior to year 1950 or other revenue records or land documents standing in the names of grandparent or parent of the applicant specifying the name of the community therein;

(b) Land Pass-Book issued in favour of parent or grandparent of siblings;

(3)In addition to the documents mentioned in sub-rule (2), the application shall also accompany the following documents, namely:—

(a) Resident Certificate issued by the authority competent under law;

(b) Two recent Passport size colour photographs;

(c)Any document in support of the claim such as copy of Caste Certificate, if any, issued to his parents or siblings or paternal kins;

(d) Self-declaration by applicant or his or her parent or legal guardian as the case may be regarding his or her caste and sub-caste/tribe and sub-tribe and religion duly countersigned by the Sarpancha or Member of the Panchayat Samiti or Chairman of PanchayatSamiti or Member of ZillaParishad or President of ZillaParishad or Counsellor or Chair Person of Municipality or Corporator or

Mayor of Municipal Corporation or Local or such Other Bodies Legally entitled to function as local authority by the Government or District Welfare Officer, Additional District Welfare Officer or the Head of the Educational Institution, in case the applicant is a bonafide student of the concerned Institutionand this shall not be construed to be a "Caste Certificate" and the details of such self-declaration shall be subject to proper verification;

(e) Voter identity card or Aadhaar number or Driving License or PANCard or first page of Bank Pass Book having identity details or Birth Certificate from a authority competent under law;

(f)The applicant belonging to OBC or SEBC applying for caste certificate or as the case may be shall prodouce the following document or information as applicable to him or her in support of status of his or her parent or husband apart from the document mention in sub-rules (2) and (3);

(i) Holding in a constitutional post (Refer Appendix A);

(ii) Government Service (Central or State);

(iii) Scale of pay including classification;

(iv) Date of appointment to the post;

(v) Age at the time of promotion to Class-1 post;

(vi) Employment in International organization;

(vii) Death or permanent incapacitation;

(viii) Employment in public sector organization;

(ix) Armed Forces including Paramilitary Forces;

(x) Professional class (Other than items (ii), (vi), (viii) and (ix);

(xi) Occupation or Profession;

(xii) Agricultural land holding classifying irrigated and unirrigated;

(xiii)Annual farming income;

(xiv)Whether Taxpayer; and

(xv) Whether covered in wealth Tax Act.

(4)The applicant may apply for Caste Certificate even without any documentary proof insupport of the claim, if such documents are not available with him or her and no application shall be rejected merely on the ground of non-availability of the supporting documents.

(5) On receipt of the application, the Competent Authority shall provide an0acknowledgement of receipt with a number and date to the applicant which shall be used as reference number for all future purposes.

(6) The applicant may also make application through online web portal notified by the Government, from time to timeand in case of an application made online, the applicant shall get a system generated acknowledgement with a receipt number.

4. Disposal of application.-(1)The Competent Authority, on receipt of an application made to him under rule 3 and after satisfying himself about the genuineness of the claim and following the due process, shall, either issue a Caste Certificate to the applicant belonging to SC,ST, SEBC and OBC in Form E,F,G and H respectively or reject the claim within fifteen days of the date of receipt of the application, excluding the time taken for compliance of objections, if any. A reasoned order of the Competent authority shall be kept with the case recored, both in case of grant of certificate or rejection of the claim, for future references.

(2) The verification shall be made basing upon revenue records and other relevant documents furnished by the applicant and if required, supported through reliable field enquiries and the Caste Certificate shall not be denied to a deserving landless person if otherwise, through such inquiry, it is found that the applicant belongs to any reserved category and in such case, the applicant shall be given a date for

personal appearance by the Competent Authority for recording his or her statement. While verifying revenue recoreds, RoR issued at different time periods may be examined and compared and the one that has been recored earliest shall be taken as diterminant document.

(3) (i) In case of applicants belonging to ST and SC category applied for Caste Certificate who either do not have, or have not furnished, documentary evidence with the application or later on call in support of the claims, such applications shall be disposed of by conducting field enquiry by the Competent Authority.

(ii) In case of applicant belonging to OBC or SEBC category applied for caste Certificate, the Competent Authority shall check relevant documents as specified in clause (f) of sub-rule (3) of rule 3in the perspective of Creamy Layer criteria. If applicant is found to have Creamy Layer status as specified in Appendix A the application shall be outrightly rejected by the Competent Authority.

(4) (i) The field enquiry report shall be prepared in the shape of a memorandum by the officers who visited the field in the presence of at least two witnesses along with the applicant or his or her family members or representative and such report shall be clear, specific and speak about the findings pertaining to the claim of the applicant belonging to any reserved category.

Note: The witness may be a permanent resident/ native in that particular locality/village of the locality, preferably an aged person having sound/long societal knowledge about the locality and its culture and tradition.

(ii) The field enquiry officer shall prefer the procedure given in clause (b), (c),(d) and (e) of sub-rule (1)of rule 7 for proper verification of caste or community status of the applicant as per requirment.

(5) The Caste Certificate shall be handed over to the applicant or his or her duly authorized agent on due acknowledgement of receipt.

(6) When the application is filed electronically the Caste Certificate shall also be issued through electronic mode with digital signature of the Competent Authority.

(7) In case of failure to issue a Caste Certificate or to dispose of the application otherwise by passing appropriate orders within the stipulated time, the Competent Authority shall record in the order sheet of the case record, the reasons for such non-disposal of the application within the stipulated time.

(8) If by any means, a wrong Caste Certificate is issued by a competent authority and it is established with evidences, he may have the option to amend or cancel such Certificate with intimation to the State Level Scrutiny Committee.

5. Appeal.- Any person aggrieved by an order of rejection of application passed by a Competent Authority subordinate to that of Collector and District Magistrate may make an appeal before the Collector and District Magistrate concerned and to the Revenue Divisional Commissioner of the concerned Revenue Division where the Competent Authority is the Collector and District Magistrate, within a period of thirty days from the date of receipt of such order.

6. Powers and functions of Scrutiny Committee.-(1) The Scrutiny Committee as may be constituted under section 6 of the Act shall have the power for verification of Caste Certificates issued by the Competent Authorities working in the districts covered under the concerned Revenue Divisions, if any application is received by it.

(2) The Scrutiny Committee shall receive complaint petitions in Form I from the authorities of the Government, Central Government, Local Authority, Public Sector Undertakings, Educational Institutions, Cooperative Societies or any other Government aided institutions, aggrieved persons or any registered associations for

verification of the genuineness of a Caste Certificate issued by the Competent Authority.

(3) The Scrutiny Committee shall also have the power to verify suo-motuthe genuineness of a Caste Certificate issued by the Competent Authority.

(4) The person whose Caste Certificate has been subjected to verification shall not be debarred from availing the benefit nor shall discontinue to avail the benefit until such Caste Certificate is cancelled by the Scrutiny Committee.

(5) The Scrutiny Committee shall, while holding an enquiry under the Act, have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely:-

(i) Summoning and enforcing the attendance of any person from any part of the State andexamining him on oath;

(ii)Requiring the discovery and production of any document;

(iii)Receiving evidence on affidavits;

(iv)Requisitioning any public record or copy thereof from any Court or office;

(v)Issuing commissions for the examination of witnesses or documents; and

(vi)Any other matter which may be specified by the Government by notification in the official Gazette.

(6)The Scrutiny Committee may take the assistance of the District Vigilance Cells as may be constituted by the Government from time to time for each district to conduct enquiry in respect of the cases referred to them.

(7) The State level Scrutiny Committee shall pass its order after following the procedure given in rule 7.

(8) The State level Scrutiny Committee shall have power to review its own order due to procedural defects and proper implication or for analysis of evidences.

7. **Procedure for verification of the genuineness of the caste certificate .- (1)** Where the Scrutiny Committee, after receipt of the complaint, feels it appropriate to take assistance of the District Vigilance Cell and initiates the proceedings for verification of genuineness of a Caste Certificate issued by the Competent Authority, it shall proceed in the following manner, namely: -

(a) The Scrutiny Committee, shall forward the petition to the concerned District Vigilance Cell for conduct of inquiry into the case by its officer;

(b) The Inspector of Police of the concerned area, where the candidate whose social status is to be verified originally hails or usually resides, shall go to the local place of residence and original place from where the candidate hails and usually resides or in case of migration to the town or city, the place from which he or she originally hailed from and shall collect the information regarding ethnological traits, deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc.by the concerned castes or tribal communities;

(c) The Inspector of Police shall personally verify and collect all the facts of thesocial status claimed by the candidates or the parent or legal guardian, as the case may be,and examine the school records, birth registration, if any;

(d) The Inspector of Police shallalso examine the parent, legal guardian of the candidates in relations to their castes etc. or such other persons who have

knowledge of the social status of the candidate and then submit a report to the Scrutiny Committee together with all the particulars necessary;

(e) In particular, about the Scheduled Tribes, the Inspector of Police of the area concerned shall enquire relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc. by the concerned tribes or tribal communities;

(f) For conducting the enquiry, the Inspector of Police may take assistance of the local Tahasildar or Revenue Inspector and perusethe revenue records as may be necessary;

Note: While verifying revenue records, RoR issued at deffirent time period shall be examined and compared and the one that has been recored earliest shall be taken as determinant Document.

(g) The Inspector of Police (Inquiring Officer) shall submit the Checklist 1, Checklist 2 and Geneological Chart of the alleged person given at Appendix B with the enquiry reportbefore its submission to the competent authority.

(h) After the completion of the enquiry, the District Vigilance Cell shall take steps to prepare a report which shall be submitted to the Scrutiny Committee having a definite logical conclusion along with supporting documents within a period of two months from the date of receipt of the petition for enquiry.

(2) In case of failure to submit the enquiry report within the period stipulated in clause (h) of sub-rule (1), the officer-in-charge of the District Vigilance Cell or its concerned enquiring officer shall be summoned to appear before the Scrutiny Committee to explain the reasons of delay orally and also in writing and if the reasons are found satisfactory, the Scrutiny Committee may grant extension of time not exceeding one month and for unsatisfactory explanations and failure to submit report by the end of extended time period, the Scrutiny Committee shall record its adverse remarks on the conduct of the enquiring officer in his report and forward the same to the concerned Superintendent of Police for necessary disciplinary action against the officer concerned and ask for conduct of enquiry and submission of report within next two weeks by engaging another officer, if so required.

(3) While conducting enquiry, the concerned officer shall observe the principles of natural justice and shall issue notice to the person whose certificate is under verification and provide such person a reasonable opportunity to defend and to produce records, statements and witnesses in support of defence, as may be required, in all stages of enquiry.

(4) The Scrutiny Committee shall also intimate the complainant and the alleged person to attend and cooperate in the process of enquiry and their act of non-cooperation, if so found, shall be recorded in the proceedings of enquiry and will be taken into consideration by the Scrutiny Committee while passing the final order.

(5) After receipt of the enquiry report from the District Vigilance Cell, the Scrutiny Committee shall hold its meeting to scrutinize the report and in case it is not found to be satisfactory, the ScrutinyCommittee shall record its observations in its proceedings which shall be intimated to the District Vigilance Cell with the direction to conduct re-enquiry with reference to the observations of the Scrutiny Committee and to submit the report within a period of one month failing which the procedure as per sub-rule(2)shall be followed.

(6) The enquiry report from the District Vigilance Cell, if found satisfactory by the Scrutiny Committee, it shall proceed to the next stage of asking for show cause reply from the person whose certificate is under verification and the Member-Convener of the Scrutiny Committee shall send the notice along with the copy of the enquiry report and the copy of the complaint petition to such person asking for show cause reply, and if such person wants to avail the opportunity of personal hearing before the Scrutiny Committee, he or she shall appear in person or through his or her authorized representative within fifteen days from the date of receipt of such notice.

(7) The period stipulated under sub-rule (6) may be extended by the Scrutiny Committee for a further period of fifteen days upon receipt of written request from him or her on reasonable grounds.

(8) In case of failure of the person to submit show cause reply either by written statement or by personal appearance within the stipulated period, he or she shall be given the second and last chance to appear before the Scrutiny Committee on the scheduled date and time along with his or her show cause reply and for personal hearing, if he or she so desires.

(9) After receipt of the show cause reply from the person, opportunity of personal hearing may be offered to such person and notice shall also be issued tothe complainant and the witnesses on both the sides summoning them for their appearance before the Scrutiny Committee on the date and time to be fixed by the Scrutiny Committee.

(10) The concerned field officers like the Enquiring Officer or an officer of the District Vigilance Cell, the District Welfare Officer or the Additional District Welfare Officer, the Tahasildar or the Additional Tahasildar having knowledge of the facts and findings of the case may also be summoned to appear on the date of personal hearing to appraise the Scrutiny Committee about the case by submission of relevant records and their written statements.

(11) While conducting the personal hearing, the person whose certificate is under verification shall be offered anopportunity of hearing the depositions of the complainantand their witnesses first and an opportunity to cross examine them so that he or she can defend himself or herself by submission of his or her written statement of defence, production of relevant records and witnesses and observing the principles of natural justice andthe proceedings of the personal hearing shall be transparent providing such person full opportunity to defend himself or herself against the allegation and the Scrutiny Committee may also ask some leading questions to the complainantand the alleged person during the hearing to ascertain the truth.

(12) Except in extraordinary circumstances, the failure to submit the show cause reply by the stipulated time period and failure for appearance for personal hearing before theScrutiny Committee on the scheduled date and time by the alleged person shall not ordinarily be pardoned by the Scrutiny Committee without reasonable grounds to be communicated in writing by the alleged person to the Chairpersonor Member Convener of the Scrutiny Committee.

(13) To ensure that the notice for show cause reply and the notice for personal hearing issued by the Member Convener of the Scrutiny Committee is delivered to the alleged person in the address in which he or she is available at that time, it shall be sent by Registered Post or Speed Post or through reliable official channels and the records of dispatch and delivery shall be kept in the concerned case record.

(14) After conducting the personal hearing, the Scrutiny Committee shall issue proclamation through the concerned District Welfare Officer and Tahasildar in the locality of the alleged person inviting objections from persons and registered organizations within fifteen days from the date of issue of proclamation by beat of drum or any other mode and to accomplish the task, the Member Convener of the Scrutiny Committee shall send the copies of the allegation petition, the enquiry report of the District Vigilance Cell, the show cause reply of the alleged person and the statements of the alleged person, the complainant and the witnesses recorded during personal hearing to the concerned District Welfare OfficerorTahasildar translated into the local language.

(15) Any person or organization who wants to say anything in the case, shall intimate the Chairpersonof the ScrutinyCommittee in writing adducing evidences either through the concerned District Welfare Officer or the Tahasildar, as the case may be, or directly within the stipulated period of fifteen days after which no petitions shall be entertained.

(16) Within a week from the date of expiry of the period of fifteen days, the District Welfare Officer or Tahasildar, as the case may be, shall intimate the Member Convener of the Scrutiny Committee about the date of proclamation and the petitions received from any quarter.

(17) In case the petitionerwants to be heard in person and to adduce evidences before the Scrutiny Committee he or she shall be allowed to do so either in person or through counsel.

(18) The date of hearing to be fixed by the Scrutiny Committee shall be duly intimated to such petitioner and the hearing shall be conducted transparently in presence of the alleged person and his or her counsel, if any, providing him or her opportunity to defend himself or herself and the proceedings of the hearing shall be recorded.

(19) After the hearing, if so required, the Scrutiny Committee may make further enquiries through the District Vigilance Cell and other concerned officers to gather evidences and ascertain the truth and thereafter the process of enquiry shall be concluded.

(20) After conclusion of the process of enquiry, the Chairperson of the Scrutiny Committee shall fix up a date for consideration of the facts and findings of the case and pass the final speaking order and if any new facts come to notice, the Scrutiny Committee shall decide to address the same in the manner as it may like and then pass the final order.

(21) The final order of the Scrutiny Committee shall be intimated for necessary action to the alleged person, the Collector and District Magistrate, Superintendent of Police, District Vigilance Cell,District Welfare Officer andTahasildar of the district, to the concerned authorities through whom the alleged person has availed the benefits of reservation including the appointing authority, the authority of the educational institution where he or she has taken admission, the authority under whom he or she is an elected peoples' representative or the authority under whom he or she has made land transactions, whichever is applicable with the direction to report compliance within a month.

(22) In case the Caste Certificate is found to be valid after verification by the Scrutiny Committee, a Validity Certificate shall be granted by the Scrutiny Committee in **Form J**.

8. Meeting of the Scrutiny Committee.-For holding the meetings of the Scrutiny Committee, the Member Convener shall issue notice to all the members along with the Agenda Note containing in brief the reason for such meeting and findings of the case(s) to be discussed at least a week before the scheduled date and time of the meeting and the place where the meeting will be held.

9. Interpretation.- If any question arises relating to interpretation of these rules, it shall be referred to the Government in ST and SC Development, Minority and Backward Classes Welfare Department for clarification or decision.

FORM A

(see rule 3(1))

APPLICATION FORM FOR ISSUANCE OF SCHEDULED CASTE CERTIFICATE IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation :_____ Applicant's Name:_____

Gender :_____ Marital Status :_____

Age :_____ Religoin :_____

Aadhaar No:_____

PARENT'S DETAILS

Father's Name:_____ Mother's Name:_____

CONTACT DETAILS

Mobile Number:_____ E-Mail:_____

PRESENT ADDRESS

District:_____ Subdivision:_____

Tahasil :_____ Village :_____

RI Circle:_____

Village Not In List

House No./Street Name:_____ Post Office :_____

Police Station:_____ Pin :_____

Submitter's Details

Is Submitter same As Applicant

Yes ☐

Other Details

Applicant

Photo (Image size should be greater than

20KB and less than 250 KB)

Permanent Address

Same As Present Address

District:_____ Subdivision:_____

Tahasil :_____ Village :_____

RI Circle:_____

Village Not In List
House No./Street Name:_____
Police Station:_____

Post Office :_____
Pin :_____

Land Record Details

Is RoR Produced:_____

District:_____ Subdivision:_____

Tahasil :_____ Village :_____

RI Circle:_____

Village Not In List
Recorded Tenant (Land Owner)

Khata No:_____

Relation of the Applicant with the Recorded Tenant
Regd. Sale Deed No :_____
Regd. Sale Deed Date:_____

Caste Details

Name of Scheduled Caste _____

Declaration

I do hereby declare that the information given by me in this application form is true to the best of my knowledge and I have not suppressed/ misrepresented any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and shall be liable for action under section 199, 200 and 420 of India Penal Code and other relevant laws/ rules in case of furnishing wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of furnishing wrong declaration and information.

Place _____ **Signature of the applicant**

Additional Details

Apply to the office

FORM B

(see rule 3(1))

APPLICATION FORM FOR ISSUANCE OF SCHEDULED TRIBE CERTIFICATE IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation :_____ Applicant's Name:_____

Gender :_____ Marital Status :_____

Age :_____ Religoin :_____

Aadhaar No:_____

PARENT'S DETAILS

Father's Name:_____ Mother's Name:_____

CONTACT DETAILS

Mobile Number:_____ E-Mail:_____

PRESENT ADDRESS

District:_____ Subdivision:_____

Tahasil :_____ Village :_____

RI Circle:_____

Village Not In List
House No./Street Name:_____
Police Station:_____

Post Office :_____
Pin :_____

Submitter's Details

Is Submitter same As Applicant

Other Details

Applicant
Photo (Image size should be greater than 20KB and less than 250 KB)

Browse.... No file selected.

Purpose

Permanent Address

Same As Present Address

District:_____ Subdivision:_____

Tahasil :_____ Village :_____

RI Circle:_____

Village Not In List
House No./Street Name:_____
Police Station:_____

Post Office :_____
Pin :_____

Land Record Details

Is RoR Produced:_____

District:_____

Subdivision:_____

Tahasil :_____

Village :_____

RI Circle:_____

Village Not In List
Recorded Tenant (Land Owner)

Khata No:_____

Relation of the Applicant with the Recorded Tenant
Regd. Sale Deed No :_____
Regd. Sale Deed Date:_____

Caste Details

Name of Scheduled Tribe _____

Declaration

I do hereby declare that the information given by me in this application form is true to the best of my knowledge and I have not suppressed/ misrepresented any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and shall be liable for action under section 199, 200 and 420 of India Penal Code and other relevant laws/ rules in case of furnishing wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of furnishing wrong declaration and information.

Place _____ **Signature of the applicant**

Additional Details
Apply to the office

FORM C

(see rule 3(1))

APPLICATION FORM FOR ISSUANCE OF CASTE CERTIFICATEFOR SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES (SEBC) IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation*

Applicant's Name

Gender*

Marital Status*

Husband's name

DOB

Age

Father's name

Mother's Name

Mobile Number

Identity Proof

Aadhaar/ Voter Identity Card /PAN/Passport/DL/ Any other Govt. recognised document

email ID(optional)

Religion

Hindu/ Muslim/Christian/ Sikh/Buddhist/Jain /Parsi/others

PERMANENT ADDRESS

District

Sub-Division

Tahasil

Village

RI Circle

Write name of the Village, if not in list

Click here

Houseno/Street no

Post Office

Police Station

Pin

LOCATION DETAILS OFPERMANENT ADDRESS

Select Area

Urban Rural

SUBMITTER SAME AS APPLICANT

Is submitter same as applicant

Yes No

OTHER DETAILS

Applicant's photo

(Image size should be greater than 20KB and less than 250KB)

Browse.....

Purpose

Same as Permanent Address *

District | Sub-Division | Tahasil

Village | RI Circle

Write name of the Village, if not in list

☐ Click here

Houseno/Street no | Post Office | Police Station

Pin Code

LOCATION DETAILS OF THE PRESENT ADDRESS

Select Area Urban ○ Rural ○

PARENTS' DETAILS

CREAMY LAYER EXCLUSION CRITERIA

(As specified in Description of the Categories underthe Schedule of the O.M.No.36012/22/93-Esst.(SCT), Dated the 8th September, 1993 of Ministry of Personnel, PG & Pensions (DoPT) of GoI)

I.CONSTITUTIONAL POSTS

If Parent/Parentsof the applicant holding/held any Constitutional Post Yes ○ No ○

Select (Father&Mothe) ForConstitutionalPost: Father ○ Mother ○ Both ○

Designation(Father) (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court& High Courts(d) Chairman & Members of UPSC & State PSC(s) ; Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please

Designation(Mother) (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court & High Courts(d) Chairman & Members of UPSC & State PSC(s); Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please

II. SERVICE CATEGORY

If Parent/Parents of the applicant holding/held any Central/State Government Services Yes ○ No ○

- **If holding or held Group-A/ Class-I or Group-B/Class-II post** Yes ○ No ○

A. (i) Whether either or both the Parent of the applicant holding or held any Central/State Govt. Postunder Group-A/Class-I through Direct Recruitment Yes ○ No ○

(ii) Parents, both of whom are /were Class-I/Group -A officers but one of them dies or suffers permanent incapacitation resulting in out of service Yes ○ No ○

(iii)) Parents, either of whom was a Class-I/Group-A officer anduch parent died or suffered permanent incapacitation resulting in out of serviceand before such death or such incapascitation had the benefit of employment in any International Organization like UN,IMF. World Bank, etc. for a period of not less than 5 years. Yes ○ No ○

(iv)Parents, both of whom were Class-I/Group-A officers, died or suffered permanent incapacitation resulting in out of service and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years. Yes ○ No ○

B.(i) Whether both the Parent of the applicant holding or held Central/State Govt. Post under Group-B/Class-II through Direct Recruitment Yes No ○ ○

(ii) Parents of whom only the husband was a Class II/Group-B officer and he got into Class-I/Group-A at the age of 40 or earlier. Yes ○ No ○

(iii) Parents, both of whom are Class II/Group-B officers and one of them died or suffered permanent incapacitationresulting in out of service and either one of them has had the benefit of employment in any International Organisiation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation Yes ○ No ○

(iv)Parents of whom the husband is a Class-I/Group-A officer (direct recruit or pre-forty promoted) and the wife was a Class-II/Group-B officer and the wife died or suffered permanent incapacitation resulting in out of service Yes ○ No ○

(v)Parents, of whom the wife is a Class-I/Group-A officer (Direct Recruit or pre-forty promoted) and the husband was a Class-II/Group-B officer and the husband died or suffered permanent incapacitation resulting in out of service Yes ○ No ○

C. Employment in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities, etc. and also to equivalent or comparable posts and positions under private employment, Pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutions.

(i)(Holding/Held executive level posts in Central Public Sector Enterprisesi.e. Board level executives and belowBoard level which are managerial level posts Yes ○ No ○

(ii) Holding/Held Junior Management Scale-I & above post inPublic Sector Banks,Public Financial Institutions, Public Sector Insurance Companies /Organizations,Universities etc. Yes No ○ ○

(iii)Equivalent Posts/Positions as mentioned above at (i) & (ii) under Private Employment. Yes ○ No ○

III. ARMED ORCES INCLUDING PARA MILITARY FORCES

(Persons holding civil posts are not included)

Parents, either or both, of whom holding/held Post/Rank of Colonel & above in Army and to equivalent Post/Rank in the Navy,Air Force & Para -Military Forces.

Select (Father &Mother forProfessional Class & those engaged in Trade & Industry: Father ○ Mother ○ Both ○

Designation/ Service category (Father)

Designation/ Service category (Mother)

IV.PROFESSIONALCLASS AND THOSE ENGAGED IN TRADE &INDUSTRY

Please indicate whether Parent(s) engaged in Professions as a Doctor, Lawyer, Charted Accountant, Income Tax Consultant, Financial or Management Consultant, Dental Surgeon, Engineer, Architect, Computer Specialist, Film artists & other Film professional, Author, Playwright, Sports Professional, Media Professional or any other vocations of like status. *(Criteria specified against **Category VI** will apply)*

Yes ○ No ○

Select (Father & Mother) for Professional Class: Father ○ Mother ○ Both ○

Drop Down:

1.Doctor 2.Lawyer 3. Charted Accountant 4.Income Tax Consultant 5.Financial or Management Consultant 6.Dental Surgeon 7. Engineer 8. Architect 9. Computer Specialist 10.Film artists & other Film Professional 11.Author 12.Playwright 13.Sports Professional 14.Media Professional 15. Any other vocations of like status (please specify)

Details of Occupation/Profession of Father of the applicant: Drop down

Details of Occupation/Profession of Mother of the applicant: Drop down

Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above forlastthree consecutive Financial Years: Yes ○ No ○

If yes, income for last three consecutive Financial Years

Select(Father & Mother For Professional Class

Year 1
Year 2
Year 3

(ii) Persons engaged in Trade, Business and Industry.*(Criteria specified against **Category VI** will apply)*

Yes ○ No ○

Father ○ Mother ○ Both ○

Details of engagement in Trade, Business & Industry of Father of the applicant

Details of engagement in Trade, Business & Industry of Mother of the applicant

Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above for lastthree consecutive Financial Years — Yes ○ No ○

If yes, income for last three consecutive Financial Years

Year 1
Year 2
Year 3

V. PROPERTY OWNERS

A. Ag**ricultural land holding of the family** (owned by Father, Mother & Minor Children) — Yes ○ No ○

(a). If owning, only irrigated land which is equal to or more than 85% of the Statutory Ceiling areas.

(Explanation:Statutory ceiling area is defined as: 10Standard Acres in respect of a family up to five members and additional 2 standard Acres for each additional member in excess of five members with maximum ceiling limit of 18 Standard Acres).

(b). If owning both irrigated and un-irrigated land. — Yes ○ No ○

(i) The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the un-irrigated portion). If this pre-condition of not less than 40% exists, then only the area of un-irrigated land will be taken into account. This will be done by converting un-irrigated land on the basis of the conversion formula existing,into the irrigated type. The irrigated area so computed from un-irrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 80% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur. — Yes ○ No ○

(ii) The rule of exclusion will not apply if the land holding of a family is exclusively un-irrigated.

Details of Land owned by the family

Sl No	District	Tahasil	Village	Khata No.	Total irrigated land (in Acres)	Total non-irrigated land (in Acres)	Total land(in Acres)
1	2	3	4	5	6	7	8 (6 + 7)
1							
2							
3							
4							
..... Cont...							
Grand Total							

B. PLANTATIONS

(i) Coffee, Tea, Rubber etc.

Persons having income from the plantation Yes ○ NO ○

Details of plantation (Father)
Location of Plantation
Area of plantation in Acres

Select (Father & Mother) for plantations

Father
Mother
Both

Details of plantation (Mother)
Location of Plantation
Area of plantation in Acres

Whether gross annual Income of the parent/parents out of thatis Rs.8.00Lakhs or above for last three consecutive Financial Years Yes ○ No ○

If yes, furnish details of the income

Year 1
Year 2
Year 3

(ii)Mango, Citrus, Apple plantations etc.

Yes ○ No ○

Deemed as Agricultural holding and hence criteria at '**A'**aboveunder this Category will apply.

C.Vacant land and/or building in urban areas or urban agglomerations:

Own(s) vacant land and buildings in Urban areas or Urban Agglomerations Yes ○ No ○

Select (Father & Mother) for vacant land and buildings in Urban areas or Urban Agglomerations

Father ○
Mother ○
Both ○

Location of Property (Father)

Details of Property

Manner of use of the Property(**Residential, Industrial, Commercial purpose& the like, two or more such purposes: to be specified)**

Drop down

Location of Property (Mother)

Details of Property

Manner of use of the Property **(Residential, Industrial, Commercial purpose & the like, two or more such Purposes: to be specified)**

Drop Down

Whether gross annual Income of the Parent/parents out of that is Rs.8.00Lakhs or above for last three consecutive Financial Years Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

Whether parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

N:B While calculating income, income from Salaries or Agricultural land shall not be clubbed together

VI. INCOME / WEALTH TEST

(a)

(i) Parent/parents having gross annual incomeofRs. 8.00 lakhs or abovefromthe**Sources other than Salaries or Agricultural land**Yes No ○ ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

Or

(ii) Whether parent/parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

(b)Persons in Categories I, II, III&VAwho are not disentitled to the benefit of reservation but have income from other sources of wealth

which will bring them within the income/ Wealth criteria mentioned in (a) above.

Explanation:*(i).Income from salaries or agricultural land shall not be clubbed together*

CASTE DETAILS

Caste	Please Select	Upload a copy of the landRecords containing the details of the Caste	
Resolution No.	Please Select		
Resolution Date	Please Select		
Serial Number of the Caste in the list o f SEBCs of the State of Odisha	Please Select		
If originally SC but converted to Christianity	Yes/No if yes drop down		
If SEBC Certificate issued earlier to self/ brother/sister/father, then pleaseuploadthe Certificate	Yes/ No If yes upload		

Self-Declaration

I do hereby declare that the information given by me in this application form is true to the bestof my knowledge and I have not suppressed / misrepresented any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and shall be liable for action under section 199, 200 and 420 of Indian Penal Code and other relevant laws/ rules in case of furnishing wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of furnishing wrong declaration and information.

Date:

Place:

☐ I Agree*

Signature of applicant (to be Uploaded)

Additional Details

Apply to the Office *

ENQUIRY/VERIFICATION REPORT OF REVENUE INSPECTOR FOR ISSUANCE OF SEBC CERTIFICATE

Date:

Conducted enquiry into the above case and it is revealed from the enquiry that:

I.PersonalDetails:

Name of the Applicant

Father's Name

Mother's Name.....

Husband's Name

(a) Presently residing at:

House No. /Street No: - ..... , Village:- ....., P.O. :- .....,

ULB/Town:- .....,R.I. Circle:-.....,Tahasil.....,P.S.:-

.....

Sub-Division:- .....,District:- ....., State-.....Pin Code .....

(b) Permanent/Nativity Details of the Applicant: - Urban Rural

House No. /Street No: - ....., Village:- ....., P.O. :- .....,

ULB/Town:- .....,R.I. Circle:-.....,Tahasil.....,P.S.:-

.....

Sub-Division:- .....,District:- ....., State-.....Pin Code .....

Date of Birth:-

Religion:-

II.CASTE DETAILS OF THE APPLICANT :-

Name of the Caste:

Serial Number of the Caste in the list of the SEBCs of the State of Odisha:-.

Resolution No: Date: of ST&SC Dev.,M&BC Welfare Department, Govt. of Odisha.

III. Whether coming under Creamy layer **Yes** **No**

(i)If 'No'(i.e. not coming under Creamy Layer), and eligible for issuance of SEBC Caste Certificate

(a)I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant .....caste which comes under the list of SEBCs of the State of Odisha, notified by the ST&SC Dev.,M&BC Welfare Department, Govt. of Odisha Resolu dated ..... and he/she is not coming under Creamy layer and eligible for issuance of SEBCscaste certificate.

(ii) If 'No'(i.e. not coming under Creamy Layer), but the caste does not come under list of SEBCs of the State of Odisha and hence not eligible for issuance of SEBC CasteCertificate

I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant belongs to [ ]n does not comes under the list of SEBCs of the State of Odisha, notified by the ST&SC Dev.,M&BC Welfare Department, Govt. of Odishaand he/she is not eligible for issuance of SEBCcaste certificate.

(iii)If 'Yes'(i.e. coming under Creamy Layer), the grounds/reasons for coming under Creamy Layer& not eligible for issuance of SEBC Caste Certificate

- Either or both of his/her Parent/Parents holding Constitutional Post.
- Either or both of his/her Parent/Parents are directly recruited and working/worked in Central/State Govt. and holding/held Group-A/Class-I post.
- Either or both of his/her parentsare directly recruited and working/worked in Central/State Govt. and holding/held Group-B/Class-II post.
- His/her Father appointed to Class-II/Group-B in Central/State Govt. and has been promoted to Group-A/Class-I Post at the age of 40 years or earlier.
- Either or both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-A/Class-I post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-B/Class-II post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Either or both of his/her Parent/Parents holding/held Executive level/Managerial level /Junior Management Scale-I and above posts in Central Public Sector Enterprises, Public Sector Undertakings, Banks, Public Financial Institutions, Public Sector Insurance Companies/ Organisations, Universities etc. and also holding equivalent or comparable posts and positions under Private Employment, **being treated equivalent to Group-A/ Class-I Post of the Govt..**
- Either or both of his/her Parent/Parents working/worked in Army and holding/held the Post/Rank of Colonel and above , or holding /held equivalent Post/Rank in the Navy, Air Force & Para-Military Forces.
- Gross annual Income of his/her Parent/Parents from **sources other than Salaries and Agricultural land** i.e. Profession, Trade, Business & Industry is more than statutory limit (Rs.8.00 Lakhs or above per annum) for the last three consecutive Financial Years.
- Agricultural land holdings/ Plantations of the family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Vacant Land and /or Buildings in Urban Areas or Urban Agglomerations owned by the Family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Gross annual income of the Parents is Rs.8.00 Lakh or above from **sources other than Salaries and Agricultural land** for the last three consecutive Financial Years.
- Parents possessing wealth and paying Wealth Tax above the exemption limit as prescribed in Wealth Tax Act for a period of last three consecutive FinancialYears.
- Others, if any, specify

Remarks of R.I. if any

Particulars/ Types of documents uploaded: Drop down

1. Field Inquiry Report
2. Copy of RoR
3. Others, if any(specify and to be uploaded)

Date:- ……

Name of the Revenue Inspector

Name of the R.I. Circle

FORM D

(see rule 3(1))

APPLICATION FORM FOR ISSUANCE OF CASTE CERTIFICATEFOR OTHERBACKWARD CLASSES (OBC) IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation*

Applicant's Name

Gender*

Marital Status*

Husband's name

DOB

Age

Father's name

Mother's Name

Mobile Number

Identity Proof

email ID(optional)

Religion

Hindu/ Muslim/Christian/ Sikh/Buddhist/Jain /Parsi/others

Aadhaar/ Voter Identity Card /PAN/Passport/DL/ Any other Govt. recognised document

PERMANENT ADDRESS

District

Sub-Division

Tahasil

Village

RI Circle

Write name of the Village, if not in list

☐ Click here

Houseno/Street no

Post Office

Police Station

Pin Code

LOCATION DETAILS OF PERMANENT ADDRESS

Select Area

Urban ○ Rural ○

SUBMITTER SAME AS APPLICANT

Is submitter same as applicant

Yes ○ No ○

OTHER DETAILS

Applicant's photo

(Image size should be greater than 20KB and less than 250KB)

Purpose

PRESENT ADDRESS

Same as Permanent Address *

District | Sub-Division | Tahasil

Village | RI Circle

Write name of the Village, if not in list

☐ Click here

Houseno/Street no | Post Office | Police Station

Pin Code

LOCATION DETAILS OF THE PRESENT ADDRESS

Select Area Urban ○ Rural ○

PARENTS' DETAILS

CREAMY LAYER EXCLUSION CRITERIA

(As specified in Description of the Categories underthe Schedule of the O.M.No.36012/22/93-Esst.(SCT), Dated the 8th September, 1993 of Ministry of Personnel, PG & Pensions (DoPT) of GoI)

I.CONSTITUTIONAL POSTS

IfParent/Parentsof the applicant holding/held any Constitutional Post Yes ○ No ○

Select (Father& Mother) forConstitutional Post Father ○ Mother ○ Both ○

Designation(Father) (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court& High Courts(d) Chairman & Members of UPSC & State PSC(s); Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please Specify)

gnation(Mother) (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court & High Courts(d) Chairman & Members of UPSC & State PSC(s) ; Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please Specify)

II. SERVICE CA

If Parent/Parents of holding/held any Ce Government Services

- **If holding or held Group-A/ Class-I or Group-B/Class-II post** Yes ○ No ○

A (i) Whether either or both the Parent of the applicant holding or held any Central/State Govt. Yes No ○ ○ Postunder Group-A/Class-I through Direct Recruitment

(ii) Parents, both of whom are /were Class-I/Group -A officers but one of them dies or suffers permanent incapacitation resulting in out of service Yes ○ No ○

(iii)) Parents, either of whom was a Class-I/Group-A officer and such parent died or suffered permanent incapacitation resulting in out of serviceand before such death or such incapacitation had the benefit of employment in any International Organization like UN, IMF. World Bank, etc. for a period of not less than 5 years. Yes ○ No ○

(iv)Parents, both of whom were Class-I/Group-A officers, died or suffered permanent incapacitation resulting in out of service and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organization like UN, IMF, World Bank, etc. for a period of not less than 5 years. Yes ○ No ○

B.(i) Whether both the Parent of the applicant holding or held Central/State Govt. Post under Group-B/Class-II through Direct Recruitment Yes ○ No ○

(ii) Parents of whom only the husband was a Class II/Group-B officer and he got into Class-I/Group-A at the age of 40 or earlier. Yes ○ No ○

(iii) Parents, both of whom are Class II/Group-B officers and one of them died or suffered permanent incapacitationresulting in out of service and either one of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation Yes ○ No ○

(iv)Parents of whom the husband is a Class-I/Group-A officer (direct recruit or pre-forty promoted) and the wife was a Class-II/Group-B officer and the wife died or suffered permanent incapacitation resulting in out of service Yes ○ No ○

(v)Parents, of whom the wife is a Class-I/Group-A officer(Direct Recruit or pre-forty promoted) and the husband was a Class-II/Group-B officer and the husband died or suffered permanent incapacitation resulting in out of service Yes ○ No ○

C. Employment in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities, etc. and also to equivalent or comparable posts and positions under private employment, Pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutions.

(i)(Holding/Held executive level posts in Central Public Sector Enterprisesi.e. Board level executives and belowBoard level which are managerial level posts

Yes ○ No ○

(ii) Holding/Held Junior Management Scale-I & above post inPublic Sector Banks,Public Financial Institutions, Public Sector Insurance Companies /Organizations,Universities etc.

Yes ○ No ○

(iii)Equivalent Posts/Positions as mentioned above at (i) & (ii) under Private Employment.

Yes ○ No ○

III. ARMED FORCES INCLUDING PARA MILITARY FORCES

(Persons holding civil posts are not included)

Select Father ○ Mother ○ Both ○

forProfessional Class & thosBBe engaged in Trade & Industry

Parents, either or both, of whom holding/held Post/Rank of Colonel & above in Army and to equivalent Post/Rank in the Navy,Air Force & Para-Military Forces.

Yes ○ No ○

Designation/ Service category

Designation/ Service category (Mother)

(Father)

IV. PROFESSIONAL CLASS AND THOSE ENGAGED IN TRADE &INDUSTRY

(i). Please indicate whether Parent(s) engaged in Professions as a Doctor, Lawyer, Charted Accountant, Income TaxConsultant, Financial or Management VConsultant, Dental Surgeon, Engineer, Architect, Computer Specialist, Film artists& other Film professional, Author, Playwright, Sports Professional, Media Professional or any other vocations of like status.*(Criteria specified against **Category VI** will apply)*

Select (Father & Mother) for Professional Class

Father ○ Mother ○ Both ○

Drop Down:

1.Doctor2.Lawyer 3. Charted Accountant 4.Income Tax Consultant 5.Financial or Management Consultant 6.Dental Surgeon 7.Engineer 8.Architect 9. Computer Specialist 10.Film artists& other Film Professional 11.Author 12.Playwright 13.Sports Professional 14.Media Professional 15. Any other vocations of like status (please specify)

Details of Occupation/Profession of Mother of the applicant

Details of Occupation/Profession of Father of the applicant	Drop down	Drop down
Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above forlastthree consecutive Financial Years	Yes ○ No ○	
If yes, income for last three consecutive Financial Years	Drop down	
	Year 1	
	Year 2	
	Year 3	
(ii) Persons engaged in Trade, Business and Industry.*(Criteria specified against **Category VI** will apply)*	Yes ○ No ○	Select (Father & Mother) for Professional Class: Father ○ Mother ○ Both ○
Details of engagement in Trade, Business & Industry of Father of the applicant		Details of engagement in Trade, Business & Industry of Mother of the applicant
Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above for lastthree consecutive Financial Years	Yes ○ No ○	
If yes, income for last three consecutive Financial Years	Drop down	
	Year 1	
	Year 2	
	Year	

V. PROPERTY OWNERS

A. Agricultural land holding of the family (owned by Father, Mother & Minor Children)

Yes ○ No ○

(a). If owning, only irrigated land which is equal to or more than 85% of the Statutory Ceiling areas.

(Explanation:Statutory ceiling area is defined as: 10Standard Acres in respect of a family up to five members and additional 2Standard Acres for each additional member in excess of five members with maximum ceiling limit of 18 Standard Acres).

Yes ○ No ○

(b). If owning both irrigated and un-irrigated land.

(i) The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the un-irrigated portion). If this pre-condition of not less than 40% exists, then only the area of un-irrigated land will be taken into account. This will be done by converting un-irrigated land on the basis of the conversion formula existing,into the irrigated type.The irrigated area so computed from un-irrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 80% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur.

Yes ○ No ○

(ii) The rule of exclusion will not apply if the land holding of a family is exclusively un-irrigated.

Details of Land owned by the family

Sl No	District	Tahasil	Village	Khata No.	Total irrigated land (in Acres)	Total non-irrigated land (in Acres)	Total land(in Acres)
1	2	3	4	5	6	7	8 (6 + 7)
1							
2							
3							
4							
… Cont…							
Grand Total							

. PLANTATIONS

(i) Coffee, Tea, Rubber etc.

Persons having income from the plantation Yes ○ NO ○

Details of plantation (Father)

Location of Plantation

Area of plantation in Acres

Details of plantation (Mother)

Location of Plantation

Area of plantation in Acres

Whether gross annual Income of the parent/parents out of thatis Rs.8.00Lakhs or above for last three consecutive Financial Years

Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

(ii)Mango, Citrus, Apple plantations etc.
Deemed as Agricultural holding and hence criteria at '**A'**aboveunder this Category will apply.

Yes ○ No ○

C. Vacant land and/or building in urban areas or urban agglomerations:

Own(s) vacant land and buildings in Urban areas or Urban Agglomerations

Yes ○ No ○

Select (Father & Mother) for vacant land and buildings in Urban areas or Urban Agglomerations

Father ○

Mother ○

Location of Property (Father)

Details of Property

Manner of use of the Property(**Residential, Industrial, Commercial purpose& the like, two or more such purposes: to be specified)**

Drop Down

Location of Property (Mother)

Details of Property

Manner of use of the Property **(Residential, Industrial, Commercial purpose & the like, two or more such Purposes: to be specified)**

Drop Down

Whether gross annual Income of the Parent/parents out of that is Rs.8.00Lakhs or above for last three consecutive Financial Years
If yes, furnish details of the income

Yes ○ No ○

Year 1
Year 2
Year 3

Whether parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years
If yes, furnish details of the income

Yes ○ No ○

Year 1

Year 2

Year 3

N:B While calculating income, income from Salaries or Agricultural land shall not be clubbed together

VI. INCOME / WEALTH TEST

(a)

(i) Parent/parents having gross annual incomeofRs. 8.00 lakhs or abovefromthe**Sources other than Salaries or Agricultural land**Yes No

If yes, furnish details of the income

Year 1

Year 2

Year 3

Or

(ii) Whether parent/parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years Yes No

If yes, furnish details of the income

Year 1

Year 2

Year 3

(b)Persons in Categories I, II, III&VAwho are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income/ Wealth criteria mentioned in (a) above.

Explanation:*(i).Income from salaries or agricultural land shall not be clubbed together*

CASTE DETAILS

Caste	Please Select	Upload a copy of the landRecords containing the details of the Caste
Resolution No.	Please Select	
Resolution Date	Please Select	
Serial Number of the Caste in the Central list of OBCs for the State of Odisha	Please Select	
If originally SC but converted to Christianity	Yes/No if yes drop down	
If OBC Certificate issued earlier to self/ brother/sister/father, then pleaseuploadthe Certificate	Yes/ No If yes upload	

Self-Declaration

I do hereby declare that the information given by me in this application form is true to the bestof m knowledge and I have not suppressed / misrepresented any fact. That, I am solelyresponsible for the accuracy c the declaration and information furnished and shall be liable foraction under section 199, 200 and 420 of India Penal Code and other relevant laws/ rules incase of furnishing wrong declaration and information. Also, I am we aware of the fact that thecertificate shall be summarily cancelled and all the benefits availed by me shall b summarilywithdrawn in case of furnishing wrong declaration and information.

Date:

Place:

☐ I Agree*

Signature of applicant (to be Uploaded)

Additionai Detaiis

Apply to the Office

ENQUIRY/VERIFICATION REPORT OF REVENUE INSPECTOR FOR ISSUANCEOF OBCCERTIFICATE

Date:

Conducted enquiry into the above case and it is revealed from the enquiry that:

I.Personal Details:

Name of the Applicant

Father's Name

Mother's Name.....

Husband's Name

(c) Presently residing at:

House No. /Street No: - ..... , Village:- ....., P.O. :- ....., ULB/Town:- .....,R.I. Circle:-.....,Tahasil.....,P.S.:- .....

Sub-Division:- .....,District:- ....., State-.....Pin Code .....

(d) Permanent/Nativity Details of the Applicant: - Urban Rural

House No. /Street No: - ....., Village:- ....., P.O. :- ....., ULB/Town:-

.....,R.I. Circle:-.....,Tahasil.....,P.S.:-

.....

Sub-Division:- .....,District:- ....., State-.....Pin Code .....

Date of Birth:-

Religion:-

II.CASTE DETAILS OF THE APPLICANT :-

Name of the Caste:

Serial Number of the Caste in the Central list of the OBC for the State of Odisha:-

Resolution No: - . Date:-... istry of Social Justice & Empowerment, Govt. of India

III. Whether coming under Creamy layer Yes ○ No ○

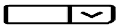
(i) If 'No'(i.e. not coming under Creamy Layer), and eligible for issuance of OBC Caste Certificate

(a)I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant belongs to.....caste which comes under Central list of OBCs for the State of Odisha, notified by the Ministry of Social Justice & Empowerment, Govt. of India vide Resolution No dated and he/she is not coming under Creamy layer and eligible for issuance of OBC caste certificate.

(ii) If 'No'(i.e. not coming under Creamy Layer), but the caste does not come under Central list of OBCs for the State of Odisha and hence not eligible for issuance of OBC CasteCertificate

I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found [ ] belongs to...caste, which does not come under Central list of OBCs for the State of Odisha, notified by the Ministry of Social Justice & Empowerment, Govt. of Indiaand he/she is not eligible for issuance of OBCcaste certificate.

(iii)If 'Yes'(i.e. coming under Creamy Layer), the grounds/reasons for coming under Creamy Layer& not eligible for issuance of OBC Caste Certificate



- Either or both of his/her Parent/Parents holding Constitutional Post.
- Either or both of his/her Parent/Parents are directly recruited and working/worked in Central/State Govt. and holding/held Group-A/Class-I post.
- Either or both of his/her parentsare directly recruited and working/worked in Central/State Govt. and holding/held Group-B/Class-II post.
- His/her Father appointed to Class-II/Group-B in Central/State Govt. and has been promoted to Group-A/Class-I Post at the age of 40 years or earlier.
- Either or both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-A/Class-I post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-B/Class-II post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Either or both of his/her Parent/Parents holding/held Executive level/Managerial level /Junior Management Scale-I and above posts in Central Public Sector Enterprises, Public Sector Undertakings, Banks, Public Financial Institutions, Public Sector Insurance Companies/ Organisations, Universities etc. and also holding equivalent or comparable posts and positions under Private Employment, **being treated equivalent to Group-A/ Class-I Post of the Govt..**
- Either or both of his/her Parent/Parents working/worked in Army and holding/held the Post/Rank of Colonel and above , or holding /held equivalent Post/Rank in the Navy, Air Force & Para-Military Forces.
- Gross annual Income of his/her Parent/Parents from **sources other than Salaries and Agricultural land** i.e. Profession, Trade, Business & Industry is more than statutory limit (Rs.8.00 Lakhs or above per annum) for the last three consecutive Financial Years.
- Agricultural land holdings/ Plantations of the family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Vacant Land and /or Buildings in Urban Areas or Urban Agglomerations owned by the Family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Gross annual income of the Parents is Rs.8.00 Lakh or above from **sources other than Salaries and Agricultural land** for the last three consecutive Financial Years.
  Parents possessing wealth and paying Wealth Tax above the exemption limit as prescribed in Wealth Tax Act for a period of last three consecutive FinancialYears.

- Others, if any, specify
  Remarks of R.I. if any

Particulars/ Types of documents uploaded: Drop down

4. Field Inquiry Report
5. Copy of RoR
6. Others, if any(specify and to be uploaded)

Date:- …… **Name of the Revenue Inspector**

Name of the R.I. Circle

FORM E

(see rule 4(1))

FORM FOR SCHEDULED CASTE CERTIFICATE

GOVERNMENT OF ODISHA

OFFICE OF THE ……

District ……..

Certificate Case No…….Date……

This is to certify that Sri/ Smt./Kumari. …… Son/Daughter of ……. of Village / Town ……, P.O ……, P.S ……., Tahasil ……. in the District of …… of the State of Odisha belongs to ……. Caste which is recognized as Scheduled Castes and Scheduled Tribes ……. under the Constitution (Scheduled Caste) Order, 1950.

2. Application in the case of Schedule Castes who have migrated from one State/ Union Territory Administration.

This Certificate is issued on the basis of the Schedule Caste Certificates issued to Sri/Smt……..Father/ Mother of …….. Sri/Smt./ Kumari…….. of Village/ Town …… in …….. District / Division ……. Of the State/ Union Territory ……. Who belongs to the……Caste. ……. Which is recognized as a Scheduled Castes in the State/ Union Territory…… issued by the ……(..name Prescribed authority) vide their No……..dated……..

3.Sri/Smt. /Kumari …… and/ or his/her family ordinarily reside(s) in the Village / Town ……., P.S ……, Tahasil …… of the …… District/ Division of the State/ Union Territoryof …….

Place:

Date:

Signature

Designation

(With Seal of Office)

FORM F

(see rule 4(1))

FORM FOR SCHEDULED TRIBE CERTIFICATE

GOVERNMENT OF ODISHA

OFFICE OF THE ……

District ……..

Certificate Case No…….Date……

This is to certify that Sri/ Smt./Kumari. …… Son/Daughter of ……. of Village / Town ……, P.O ……, P.S ……., Tahasil ……. in the District of …… of the State of Odisha belongs to ……. Tribe which is recognized as Scheduled Castes and Scheduled Tribes ……. under the Constitution (Scheduled Tribes) order 1950.

2. Application in the case of Scheduled Tribes persons who have migrated from one State/ Union Territory Administration.

This Certificate is issued on the basis of the Scheduled Tribes Certificates issued to Sri/Smt……..Father/ Mother of …….. Sri/Smt./ Kumari…….. of Village/ Town …… in …….. District / Division ……. Of the State/ Union Territory ……. Who belongs to the……Tribe. ……. Which is recognized as aScheduled Tribes in the State/ Union Territory…… issued by the ……(..name Prescribed authority) vide their No……..dated……..

3.Sri/Smt. /Kumari …… and/ or his/her family ordinarily reside(s) in the Village / Town ……., P.S ……, Tahasil …… of the …… District/ Division of the State/ Union Territoryof …….

Place:

Date:

Signature

Designation

(With Seal of Office)

FORM G
(see rule 4(1))

FORM OF CASTE CERTIFICATE FOR THE SOCIALLY EDUCATIONALLY BACKWARD CLASSES GOVERNMENT OF ODISHA

This is to certify that……..Son/Daughter of…….. of Village……..District/Division…….. in the State of Orissa belongs to the ……..community which if recognized as a Socially and Educationally Backward Class under the Government of Orissa, Department of Tribal Welfare Resolution No. 25455-Emp. (vii) M-23/93 Dated 10-09-93 published in the Orissa Gazette (Supplement) No. 40 Dated 1-10-93 *.Shri/ Smt. ……and/or his family ordinarily reside (s) in the …… District/ Division of the State.

This is to certify that he/she does not belong to the Persons/ Sections (Creamy Layer) mentioned in column 3 of the Schedule appended to the Government of Odisha Tribal Welfare Department Office Memorandum No. 4030/TW, Dated, Bhubaneswar, the Emp, (vii)-M-32/93 Date 29-1-94* and as specified in Description of the Categories underthe Schedule of the O.M.No.36012/22/93-Esst.(SCT), Dated the 8th September, 1993 of Ministry of Personnel, PG & Pensions (DoPT) of GoI.

Signature

Designation
(with Seal of Office)

---

*.As amended form time to time.

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

FORM H

(see rule 4(1))

FORM OF CASTE CERTIFICATEFOR OTHER BACKWARD CLASSES

GOVERNMENT OF ODISHA

OFFICE OF THE ……

District ……..

Certificate Case No…….Date……

This is to certify that Sri/ Smt./Kumari…… Son/Daughter of ……. of Village / Town ……., P.O ……., P.S ……., Tahasil ……. in the District/Division …… in the State/ Union Territory …… of Odisha belongs to the……. Community which is recognized as backward class under the Government of India, Ministry of Social Justice and Empowerment's Resolution No……dated……*. Sri/ Smt./Kumari ……and/ or his/her family ordinarily resides(s) in the ……District/ Division of the …… State/ Union Territory. This is also to certify that he/she does not belongs to the persons/ sections (Creamy Layer) mentioned in column 3 of the Schedule to the Government of India Department of Personnel and Training O.M No. 36012/22/93-Estt. (SCT) dated 08.09.1993**.

District Magistrate
Deputy Commissioner etc.

Date :

Seal

---

*The authority issuing the certificate may have to mention the details of Resolution of Government of India, in which the caste of the candidates as mentioned as OBC.

**.As amended form time to time.

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

FORM I
(see rule 6(2))

FORM OF COMPLAINT PETITION FOR VERIFICATION OF GENUINENESS OF THE CASTE CERTIFICATE

From

To

The Chairperson of the Scrutiny Committee

Sub: Verification of Caste Certificate of Sri/Smt./Miss ……

Sir,

In inviting a reference to the subject noted above,I am to state the following regarding the Caste Certificate of Sri/Smt./ Miss ……

1. That Sri/Smt./Miss……., is the son/daughter of …… ,Vill …….., P.O……., P.S ……., Tahasil ……..,Dist …….. and (in case of married woman) She is the wife of …….. Vill ……., P.O ……., Tahasil …….. P.S ……., Dist ……...
2. That though he/she belongs to …… caste / community / tribe as evident from …… records (copies of records enclosed)his/her Caste/Community has been mentioned as ……... in his/her Caste Certificates.
3. That, the Caste Certificate(s) have been issued by the Authority / Authorities as detailed below

Designation of the issuing Authority / Authorities (Tahsildar / Sub Collector / ADM / Collector)	Certificate No. & Date	The Address in which issued (Son / Daughter / Wife of…, Vill….., PO…., Tahsil….., PS……., Dist….)	Purpose for which issued as mentioned in the certificate (Education / Service)	Name of the caste / community / tribe & category (ST /SC / OBC/ SEBC) mentioned in the certificate	If the certificate is valid or cancelled
(i)	(ii)	(iii)	(iv)	(v)	(vi)

4. That, on the basis of the Caste Certificate he/she has availed reservation benefits as a ST/SC/OBC/SEBC candidate as detailed below:-
   (i) Educational benefits (details):
   (ii) In appointment to Public Service (details):
   (iii) In promotion in Public Service (details):
   (iv) In Election to Public Posts as Public Representatives (details):
   (v) Purchase of land from SC/ST (details):

   The copies of relevant documents are attached herewith

Taking into consideration the above facts, you are requested to make an enquiry for verification of the genuineness of the caste certificate produced by the applicant _____.

I / We assure you, we will cooperate with the process of enquiry as and when called for by the Scrutiny Committee in this case for which my / our contact details are furnished below: -

(a) Name / Designation of the Complainant
(b) Office / Organigation
(c) Contact Address
(d) Phone / Mobile No
(e) ID Proof (Copy of Voter Identity Card / Adhaarnumber/ PAN Card / Passport)

Yours faithfully,

(Name & designation of the Complainant)

FORM J
(see rule 7(22))
VALIDITY CERTIFICATE

No.FCC-……/……. Date…….

This is to certify that the Caste/ Tribe/Community Certificate issued to ……Son/Daughter of ……of Village / Town ……, P.O ……, P.S ……., Tahasil ……. in the District of …… of the State of Odisha by the Tahasildar/ Additional Tahasildar……. in the District of…….. as belonging to ……(ST/SC/SEBC/OBC) community vide Misc Case No. ……dt……..of ……Tahasil, after due enquiry vide SLSC (FCC) Case No. ……../…… is found to be valid one.

Place:

Date:

Member Convener, SLSC, ……..
O/O. the RDC,(CD/ND/SD),……...

(Seal)

By order of the Governor

R. R. SAHOO

Commissioner-*cum*-Secretary to Government

Appendix A
(see rule 4(3))

	Description of category	To whom rule of Creamy Layer(exclusion)will apply
1	2	3
I.	Constitutional posts	Son(s) daugher(s) of (a)President of India; (b)Vice President of India; (c) Judges of the Supreme Court and of the High Courts; (d) Chairman and Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller and Auditor General of India; (e)persons holding Constitutional positions of like nature.
II.	Service category A.Group-A/Class-I officers of the All India Central and State Services(Direct Recruits)	Son(s) daugher(s) of (a) Parents both of whom are Class-II officers. (b) parents of whom only the husband is a Class-II officer and he gets into Class-I at the age of 40 or earlier. (c) parents, either of whom are Class-I officers, but one of them dies or suffers permanent incapacitation. (d) parents, either of whom is a Class-I officer and such parent dies or suffers permanent incapacitation and before such death or such icapacitation has had the benefit of employment in any international Organisation like UN,IMF,World Bank, etc. for a period of not less that 5 years. (e) parents, both of whom are class- I officers die or suffer permanent incapacitation and before such death of such incapacitation of the both, either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank etc. for a period of not less than 5 years. Provided that the rule of exclusion shall not apply in the following cases: (a)Sons and daughters of parents either of whom of both of whom are Class-I officers and such parent (s) dies/die or suffer permanent incapacitation. (b)A lady belonging to OBC category has got married to a Class-I officer,and may herself like to apply for a job.

	B. Group-B/Class-OO officers of the central & State Services(Direct Recruitment)	Son(s) daugher(s) of (a) Parents both of whom are Class-II officers. (b) parents of whom only the husband is a Class-II officer and he gets into Class-I at the age of 40 or earlier. (c) parents, either of whom are Class-II officers, but one of them dies or suffers permanent incapacitataion and either one of them has had the benefit of employment in any International Organisation like UN,IMF,World Banketc. for a period of not less than 5 years. (d)parents of whom the husband is a Class-I officer(direct recruit or pre-forty promoted)and the wife is a Class-II officer and the wife dies; or suffers permanent incapacitation; and (e) parents, of whom the wife is a Class-I officer(direct recruit of pre-forty promoted) and the husband is a Class-II officer and the husband dies or suffers permanent incapacitation. Provided that the rule of exclusion shall not apply in the following cases; **Sons and daughter of** (a) Parents both of whom are Class-II officers and one of them dies or suffers permanent incapacitation (b)Parents, both of whom are Class-II officers and both of them die or suffer permanent incapacitation,even though either of them has had the benefit of employment in any International Organisation like UN,IMF,World Bank etc. for a period of not less than 5 years before their death or permanent incapacitation.
	C.Employees in Public Sector Undertaking etc.	(i) The criteria enumerated in A and B above in this Category will apply mutatis mutandi to officers holding equivalent or comparable posts in PSUs, Banks Insurance Organisation, Universities etc.and also to equivalent or comparable posts and positions under private employment, Pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutios. (ii) All the Executive Level Posts in Central Public Sector Enterprises (CPSEs) which are managerial level posts will be considered as "Creamy Layer" if the annual income of these Executives for a period of three consecutive years is 8 Lakh or above.The Executive whose annual income is less than 8 Lakh per annum will not fall under the "Creamy Layer" criteria.

III.	Armed forces including paramilitary forces (Persons holding civil posts are not included)	Sons and daughters of parents either or both of whom is or are in the rank of Colonel and above in the Army and to equivalent posts in the Navy and the Air Force and the Para Military Forces. Provided that:- (i) if the wife of an Armed Forces Officers is herself in the Armed Forces(i.e. the category under consideration) the rule of exclusion will apply only when she reached the rank of Colonel; (ii)the service ranks below Colonel of husband and wife shall not be clubbed together; (iii) If the wife an officer in the Armed Forces is in civil employment, this will not be taken into account for applying the rule of exclusion unless she falls in the service category under item No. II in which case the criteria and conditions enumerated therein will apply to her independently.
IV.	Professional class and those engaged in trade and industry (i) persons engaged in profession as a doctor,lawer, charted accountant,IncomeTax consultant, financial or management consultant, dental surgeon,engineer, architech, computer specialist, film artists and other film professional, author, playwright, sports person, sports professional, media professional or any other vacations of like status.	Criteria specifed against Category VI will apply:

	(ii)Persons engaged in trade, business and industry	Criteria specifed against Category VI will apply: Explanation:- (i) Where the husband is in some profession and the wife is in a Class-II or lower grade employment, the income /wealth test will apply only on the basis of the husband's income. (ii) If the wife is in any profession and the husband is in employment in a Class-II or lower rank post, then the income/wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed with it.
V.	Property owners A. Agricultural holdings	Sons and daughters of persons belonging to a family(father,mother and minor children)which owns. (a) only irrigated land which is equal to or more than 85% of the statutory area of (b) both irrigated and unirrigated land, as follows; (i) The rule of exclusion will apply where the pre condition exists that the irrigated area(having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land(this being calculated by excluding the unirrigated portion). If this pre-condition of not less than 40% exists, then only the area of unirrigated land on the basis of the conversion for formula existing into the irrigated type. The irrigated area so computed from unirrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 80% or more the statutory ceiling limit for irrigated land, than the rule of exclusion will apply and disentitlement will occur. (ii) The rule of exclusion will not apply if the land holding of a family is exclusively unirrigated.
	B.Plantations (i) Coffee, tea, rubber, etc. (ii) Mango , citrus,apply plantations etc.	Criteria of income/wealth specified in category VI belog will apply. Deemed as agricultural holding and hence criteria at A above under this Category will apply.

	C. Vacant land and/or buildings in urban agglomerations	Criteria specified in Category VI below will apply. Explanation: Building may be used for residential, industrial or commercial purpose and the like two of more such purposes.
VI.	Income/wealth test	Son(s) and daughter (s) of (a) Persons having gross annual income of Rs. 8 lakhs or above or possesion wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years or subject to change as per the Executive Instructions issued by the Goverment from time to time. (b) Persons in categories I,II,III and V A who are not disentitled to the benifit of reservation but have income from other sources of wealth which will being them within the income/ wealth criteria mentioned in (a) above. Explanation:- (i) Income from salaries or agricultural land shall not be clubbed; (ii)The income criteria in terms of rupee will be modified taking into account the change in its value every three years. If the situation, however, so demands, the interregnum may be less.

Explanation:-Where the expression "permanent incapacitation" occur in this Apendix,it shall mean incapacitation which results in putting on officer out of service.

APPENDIX B
(See rule 7 (1)(g))
CHECK LIST (1)
For Verification of Caste Certificates

I. IDENTITY	Person Concerned	Father	Mother	Data Source	Remarks
Name					
First Name					
Sur Name					
Second Name (if any)					

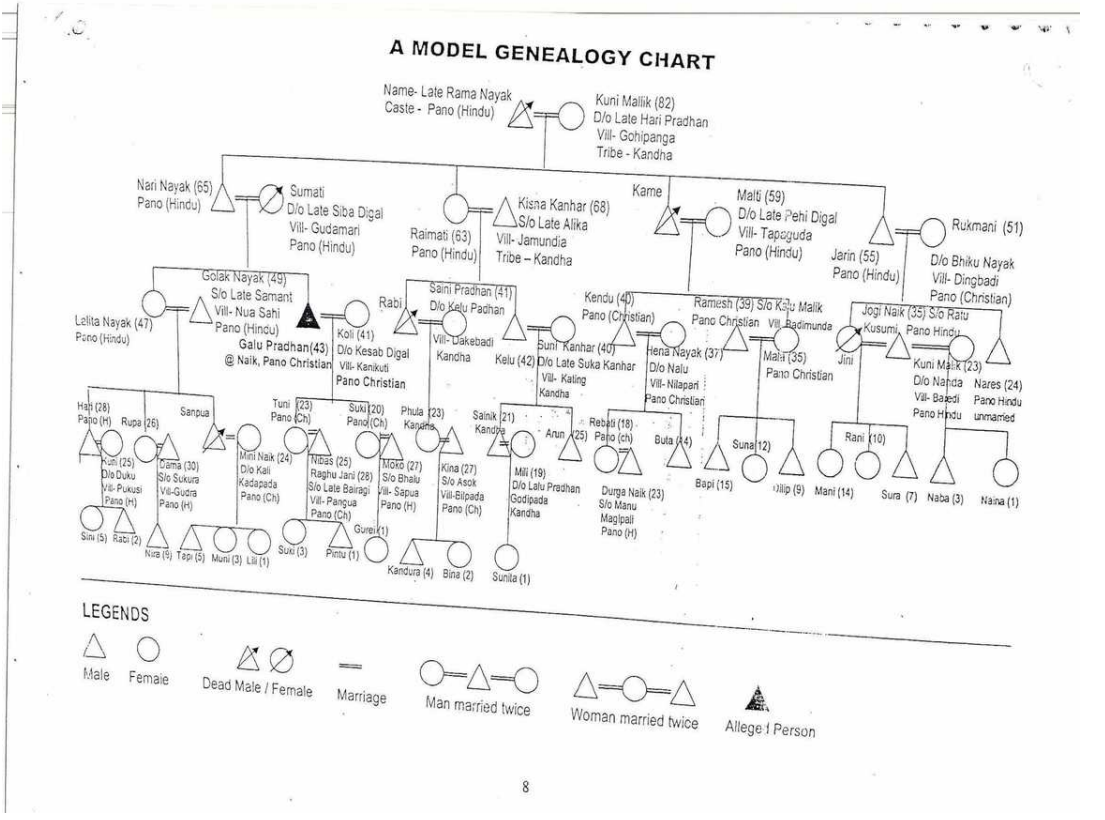
Residence Status (Address)					
Present					
Permanent					
If more than one Permanent Residence(Details & reason)					
If migration from some place(details &reason)					

Descent Status					
Whether naturally born of parents or by Adoption					
If adoption made by the decree of Court of Law					

Religion (Hindu/Boudhist/Sikh/Tribal/Christian/Any other(specify)					
As stated by person concerned					
As mentioned in relavant records					
As stated by other					
Marriage					

CUSTOMS Within/Outside(inter) community Within/ Outside own village Within/Outside own GotraMode of Acquisition of Spouse By negotiation/capture/trial elopement/ intrusion/service/exchange women / Any other (specify) Bride price (kaniamula)/Dowry Marrige Place and Rites Who conduct the rites History of MarrigeName,Address,community name and religion of the spouse					

Community Name					
As recorded in Land Records Caste certificate School/ College Records Birth Register Any other relevant Records					
As other identify the person concerned					
If any community is notified as ST/SC Orissa					


A MODEL GENEALOGY CHART
Name- Late Rama Nayak
Caste - Pano (Hindu)
Kuni Mallik (82)
D/o Late Hari Pradhan
Vill- Gohipanga
Tribe - Kandha
Nari Nayak (65)
Pano (Hindu)
Sumati
D/o Late Siba Digal
Vill- Gudamari
Pano (Hindu)
Raimati (63)
Pano (Hindu)
Kisna Kanhar (68)
S/o Late Alika
Vill- Jamundia
Tribe – Kandha
Kame
Malti (59)
D/o Late Pehi Digal
Vill- Tapaguda
Pano (Hindu)
Jarin (55)
Pano (Hindu)
Rukmani (51)
D/o Bhiku Nayak
Vill- Dingbadi
Pano (Christian)
Golak Nayak (49)
S/o Late Samant
Vill- Nua Sahi
Pano (Hindu)
Galu Pradhan(43)
@ Naik, Pano Christian
Lelita Nayak (47)
Pano (Hindu)
Koli (41)
D/o Kesab Digal
Vill- Kanikuti
Pano Christian
Rabi
Saini Pradhan (41)
D/o Kelu Padhan
Vill- Dakebadi
Kandha
Kelu (42)
Suni Kanhar (40)
D/o Late Suka Kanhar
Vill- Kating
Kandha
Kendu (40)
Pano (Christian)
Ramesh (39) S/o Kalu Malik
Pano Christian
Vill- Badimunda
Jogi Naik (35) S/o Ratu
Kusumi, Pano Hindu
Hena Nayak (37)
D/o Nalu
Vill- Nilapari
Pano Christian
Mala (35)
Pano Christian
Jini
Kuni Malik (23)
D/o Nanda
Vill- Baedi
Pano Hindu
Nares (24)
Pano Hindu
unmarried
Hari (28)
Pano (H)
Rupa (26)
Sanpua
Tuni (23)
Pano (Ch)
Suki (20)
Pano (Ch)
Phula (23)
Kandha
Salnik (21)
Kandha
Arun (25)
Rebati (18)
Pano (ch)
Buta (44)
Suna (12)
Rani (10)
Kuli (25)
D/o Duku
Vill- Pukusi
Pano (H)
Dama (30)
S/o Sukura
Vill-Gudra
Pano (H)
Mini Naik (24)
D/o Kali
Kadapada
Pano (Ch)
Nibas (25)
Raghu Jani (28)
S/o Late Bairagi
Vill- Pangua
Pano (Ch)
Moko (27)
S/o Bhalu
Vill- Sapua
Pano (H)
Kina (27)
S/o Asok
Vill-Bilpada
Pano (Ch)
Mili (19)
D/o Latu Pradhan
Godipada
Kandha
Durga Naik (23)
S/o Manu
Maglpali
Pano (H)
Bapi (15)
Dilip (9)
Mani (14)
Sura (7)
Naba (3)
Naina (1)
Sini (5)
Rabi (2)
Nira (5)
Tapi (5)
Muni (3)
Lili (1)
Suki (3)
Pintu (1)
Gurei (1)
Kandura (4)
Bina (2)
Sunita (1)
LEGENDS
Male
Female
Dead Male / Female
Marriage
Man married twice
Woman married twice
Alleged Person

8

CHECK LIST (2)

II. ETHNOLOGICAL TRAITS

Language/Dialect	Data	Data Source	Remarks
Mother tongue			
Proficency in Oriya and other language			
Dress and its Speciality (Traditional, Ceremonial, ordinary)(both of men and women)			
Ornaments- and its Speciality (used by men and women)			
Pratice of tattooing, if any and its Speciality (both men and women)			

SETTLEMENT PATTERN

If live in multi-caste Villages, -Mixed with other communites -In separate wards or hamlets -Their wards are within or hamlets -Their wards are within main village or physically detached any away from it			
BIRTH CUSTOMS			
Birth Pollution (No of Days) Associated Rituals Name giving ceremony Puberty Rites			
MARRIAGE CUSTOMS			
Common type			
Uncommon types			
Monogamy/Polygamy			
Divorce			
Remarriage			
Residence of children after divorce/remarriage			
DEATH CUSTOMS			
Mode of disposal of dead Burial/cremation,etc,			

Observance of death pollution and Rites No of day Customary Rites Priest and Other service providers like Barber and Washerman			
Annual Sradhaor any such rites/rituals observed in honourof the dead			
Any secondary ritual conducted in later years and monument constructed/ erected in honour of the dead			

OCCUPATION			
Traditional (community specific) Primary Secondary			
Present. Primary Secondary			
Ownership of land and Assertion of customary right on the land and forests of their habitat			
Type of domesticated animal and birds reared by the community member.			
Food routine diet, ceremonial food, veg items non-veg. items Food taboos			
Drink Types of drinks (alcohol) if taken by men / women liquor prepared at home and/or purchased specify			
SOCIO-POLITICAL LIFE			
Traditional Community Council (Jati Sabha) Composition, Office Bearers, jurisdiction,power and function, Status in the past and present			
Traditional Regional Communication Council (JatiMahasabha) Compositions, Office Bearers, Jurisdiction,power and functions, Status in the past and present			

RELIGIOUS LIFE			
Pantheon Supreme deity Deities of nature Ghosts and Spirits (Specify name)			
Household deities name of the deities, where installed, who worship: (male/female)in which occasion			
Village Deities Name of the deities, where installed, who worshoip:in which occasion			
Deities worshipped at the community level: Name of the deities where is installed, who worships:in which occasion			
Animal sacrifice: (If animal sacrifice is part of the worshipmention the type of animals sacrificed, occasions of sacrifice, who sacrifices)			
Religious functionaries (Their designation, functions Remuneration received for service)			
Festivals: Important community specific festivals, Deities worshipped, Otherwise festive activities			
Change in religion History			

INTER-COMMUNITY RELATIONSHIP/SOCIAL INEQUALITIES			
Social distance			
Whether the community treated as physically untouchable by higher castes/ communities communities who treat them as untouchables communities who do not treat them as untouchables			
Exchange of water Communities who accept The communities who do not accept			
Acceptance of katcha (uncooked) food The communities who accept The communities who do not accept			

Acceptance of pucca(cooked)food communities who accept communities who do not accect			
House entry Communities who allow The communites who do not allow			
Inter dining communities who allow The communities who do not allowed			
Sharing of Common resource with Communities			
Water Sources (Allowed/not allowed/how manage)			
Bathing ghat of pond/river. (Allowed/not allowed/how manage			
Entry to village temple (Allowed/not allowed)			
Entry to tea stall (Allowed/not allowed)			
Sharing common platform in the village meeting (Allowed/not allowed)			
Sharing common crematorialCommonly with other communities Separate crematoria			
Participation with Other communities in village			
Village festival and function (Allowed/not allowed/how to participate			
Village feasts and meeting Allowed/not allowed/ how to participate where they sit With other higher or lower caste or separately at a distance.			
Entitlement for availing traditional service			
Service of Brahmans Priests Get/do not get/How manage			
Services of Barber (Barik) Get/do not get/How manage			
Services of Washermen (Dhoba) Get/do not get /How to manage			
Service of milkman/Cowherd(Gouda) Get/do not get/ How to manage			

POSITION IN CASTE HIERARCHY				
In descending order	As stated by the community concerned	As stated by the members of other neighbouring communities		
Any other important information not covered above with regard to determination of the ethnic (social)status of the community				

CONCLUSION

Printed and published by the Director, Directorate of Printing, Stationery and Publication, Odisha, Cuttack-10
Ex. Gaz. 2324-173+100

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1037, CUTTACK, MONDAY, MAY 8, 2023 / BAISAKHA 18, 1945

SCHEDULED TRIBES AND SCHEDULED CASTES DEVELOPMENT MINORITIES & BACKWARD CLASSES WELFARE DEPARTMENT

NOTIFICATION

The 4th May, 2023

No.8698─PCR Cell-16/2017/SSD.─ The following draft of certain rules, which the State Government proposes to make in exercise of the powers conferred by Section 18 of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Act, 2012 (Odisha Act 8 of 2014) is hereby published in supersession of the Orissa Caste Certificate (for Scheduled Castes and Scheduled Tribes) Rule,1980 except as respects things done or omitted to be done before such supersession as required by the said section for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration on or before expiry of a period of thirty days from the date of publication of this notification in the *Odisha Gazette*;

Any objection and suggestion which may be received from any person with respect to the said draft before the expiry of the period so specified shall be considered by the State Government.

Draft

1. **Short title and commencement**.—(1)These rules may be called the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023.

(2)They shall come into force on the date of their publication in the *Odisha Gazette*.

2 .**Definitions:-**(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Act, 2012 (Odisha Act 8 of 2014);

(b) "Aadhaar number" means a 12 digit Unique Identity Number issued to an individual under sub-section (3) of section 3 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies,Benefits and Services) Act,2016 (18 of 2016);

(c)"District Vigilance Cell" means the District Vigilance Cell constituted by the Government;

(d)"Driving Licence" means a licence issued under the Motor Vehicles Act,1988 (59 of 1988);

(e) "Form" means the Forms appended to these rules includes e-Form;

(f)"PAN" means Permanent Account Number issued under section 139-A of the Income Tax Act, 1961 (43 of 1961);

(g)"Voter Identity Card" means an identity card issued in favour of any elector under rule 28 of the Registration of Electors Rules, 1960, made under the Representation of People Act,1950(43 of 1950).

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them, respectively, in the Act.

3. Applicability- A caste certificate issued by the competent authority under these rules shall be accepted by the appointing authorities in relation to a service or post in an establishment.

4. Application for issue of caste certificate.—(1) Application for issuance of Caste Certificate may be made to the Competent Authority by any person belonging to reserved category like SC,ST, SEBC and OBC in Form A, B, C and D respectively.

(2) The application must be duly signed by the applicant or his parents or legal guardian in case the applicant is a minor or person incapable of managing his/ her own affairs and be accompanied by self-attested copy of one or more of the following documents, as may be required, in support of the claim and in case of online application, upload such

documents electronically, and in case of online applications, upload such documents electronically, namely:—

(a) Copy of the finally published Settlement Record of Rights or Consolidation Record of Rights of the lands preferably of the homestead land or any old Record of Rights issued prior to the year 1950 standing in the names of grandparents or parents of the applicant specifying the name of the community therein;

(b) Land Pass-Book issued in favour of parents or grandparents of siblings.

(3)In addition to the documents mentioned in sub-rule (2), the application shall also accompany the following documents, namely:—

(a) Resident Certificate issued by the competent authority;

(b) Two recent Passport size colour photographs;

(c)Any document in support of the claim such as copy of Caste Certificates if any, issued to his parents or siblings or paternal kins;

(d) Self-declaration by applicant or his or her parent or parents regarding his caste and sub-caste/tribe and sub-tribe and religion duly countersigned by the Sarpanchas, Members of the Panchayat Samitis, Chairpersons of Panchayat Samitis or Local Bodies, District Welfare Officers, Additional District Welfare Officers or the Head of the Educational Institution, in case the applicant is a *bonafide* student of the concerned Institution; and

(e) Voter identity card or Aadhaar number or Driving License or PAN Card or first page of Bank Pass Book having identity details or Birth Certificate from a competent authority.

(4)The applicant may apply for Caste Certificate even without any documentary proof in support of the claim if such documents are not available with the applicant and no application shall be rejected merely on the ground of non-availability of the supporting documents.

(5) On receipt of the application, the Competent Authority shall provide an acknowledgement of receipt with a number and date to the applicant which shall be used as reference number for all future purposes.

(6)The applicant may also make application through online web portal notified by the Government, from time to time and in case of an application made online, the applicant shall get a system generated acknowledgement with a receipt number.

5. Disposal of application- (1) The Competent Authority, on receipt of an application made to him under rule 4 and after satisfying himself about the genuineness of the claim and following the due process, shall, either issue a Caste Certificate in respect of SC,ST, SEBC and OBC in Form E,F,G and H respectively or reject the claim within fifteen days of the date of receipt of the application, excluding the time taken for compliance of objections, if any.

(2)The verification shall be made basing upon revenue records and other relevant documents furnished by the applicant and if required, supported through reliable field enquiries and the Caste Certificate shall not be denied to a deserving landless person if otherwise, through such inquiry, it is found that the applicant belongs to any reserved category and in such case, the applicant shall be given a date for personal appearance by the Competent Authority for recording his statement.

(3)In case of applicants who either do not have, or have not furnished, documentary evidence with the application or later on call in support of the claims, such applications shall be disposed of by conducting field enquiry by the Competent Authority.

(4)The field enquiry report shall be prepared in the shape of a memorandum by the officers who visited the field in the presence of at least two witnesses along with the applicant or his family members or representative and such report shall be clear, specific and speak about the findings pertaining to the claim of the applicant belonging to any reserved category.

(5) The Competent Authority shall dispose of the matter within fifteen days of receipt of the application, excluding the time taken for compliances of the objections, if any, and a reasoned order of the Competent Authority shall be kept with the case record, both in case of grant of certificate or rejection of the claim, for future references.

(6) The Caste Certificate shall be handed over to the applicant or his duly authorized agent on due acknowledgement of receipt.

(7) When the application is filed electronically the Caste Certificate shall also be issued through electronic mode with digital signature of the Competent Authority.

(8)In case of failure to issue a caste certificate or to dispose of the application otherwise by passing appropriate orders within the stipulated time, the Competent Authority shall

record in the order sheet of the case record, the reasons for such non-disposal of the application within the stipulated time.

6. Appeal - Any person aggrieved by an order of rejection of application passed by a Competent Authority subordinate to that of Collector and District Magistrate may make an appeal before the Collector and District Magistrate concerned and to the concerned Revenue Divisional Commissioner where the Competent Authority is the Collector and District Magistrate, within a period of thirty days from the date of receipt of such order.

7. Powers and functions of Scrutiny Committee.—(1) The Scrutiny Committee as may be constituted under section 6 of the Act shall have the power for verification of Caste Certificates issued by the Competent Authorities working in the districts covered under the concerned Revenue Divisions, if any application is received by it.

(2)The Scrutiny Committee shall receive complaint petitions in Form -I from the authorities of the Government, Central Government, Local Bodies, Public Sector Undertakings, Educational Institutions, Cooperative Societies or any other Government aided institutions, aggrieved persons or any registered associations for verification of the genuineness of a Caste Certificate issued by the Competent Authority.

(3)The Scrutiny Committee shall also have the power to verify *suomoto* the genuineness of a Caste Certificate issued by the Competent Authority:

(4) The person whose Caste Certificate has been subjected to verification shall not be debarred from availing the benefit nor shall discontinue to avail the benefit until such Caste Certificate is cancelled by the Scrutiny Committee.

(5)The Scrutiny Committee shall, while holding an enquiry under the Act, have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908).

(6)The Scrutiny Committee may take the assistance of the District Vigilance Cells as may be constituted by the Government from time to time for each district to conduct enquiry in respect of the cases referred to them.

8. **Procedure for verification of the genuineness of the caste certificate –** (1) Where the Scrutiny Committee, after receipt of the complaint, feels it appropriate to take assistance of the District Vigilance Cell and initiates the proceedings for verification of genuineness of a Caste Certificate issued by the Competent Authority, it shall proceed in the following manner, namely: -

(a) the Scrutiny Committee, shall forward the petition to the concerned District Vigilance Cell for conduct of inquiry in to the case by its officer;

(b)the Inspector of Police of the concerned area, where the candidate whose social status is to be verified originally hails or usually resides, shall go to the local place of residence and original place from where the candidate hails and usually resides or in case of migration to the town or city, the place from which he originally hailed from and shall collect the information regarding ethnological traits, deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc. by the concerned castes or tribal communities;

(c)the Inspector of Police shall personally verify and collect all the facts of the social status claimed by the candidates or the parent or guardian, as the case may be, and examine the school records, birth registration, if any;

(d)the Inspector of Police shall also examine the parent, guardian of the candidates in relations to their castes etc. or such other persons who have knowledge of the social status of the candidate and then submit a report to the Scrutiny Committee together with all the particulars necessary;

(e)in particular, about the Scheduled Tribes, the Inspector of Police of the area concerned shall enquire relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc. by the concerned tribes or tribal communities;

(f)for conducting the enquiry, the Inspector of Police may take assistance of the local Tahasildar or Revenue Inspector and peruse the revenue records as may be necessary; and

(g) after the completion of the enquiry, the District Vigilance Cell shall take steps to prepare a report which shall be submitted to the Scrutiny Committee having a definite logical conclusion along with supporting documents within a period of two months from the date of receipt of the petition for enquiry.

(2) In case of failure to submit the enquiry report within the period stipulated in sub-rule (1), the officer-in-charge of the District Vigilance Cell or its concerned enquiring officer shall be summoned to appear before the Scrutiny Committee to explain the reasons of delay orally and also in writing and if the reasons are found satisfactory,

the Scrutiny Committee may grant extension of time not exceeding one month and for unsatisfactory explanations and failure to submit report by the end of extended time period, the Scrutiny Committee shall record its adverse remarks on the conduct of the enquiring officer in his report and forward the same to the concerned Superintendent of Police for necessary disciplinary action against the officer concerned and ask for conduct of enquiry and submission of report within next two weeks by engaging another officer, if so required.

(3) While conducting enquiry, the concerned officer shall observe the principles of natural justice and shall issue notice to the person whose certificate is under verification and provide such person a reasonable opportunity to defend and to produce records, statements and witnesses in support of defence, as may be required, in all stages of enquiry.

(4) The Scrutiny Committee shall also intimate the complainant and the alleged person to attend and cooperate in the process of enquiry and their act of non-cooperation, if so found, shall be recorded in the proceedings of enquiry and will be taken into consideration by the Scrutiny Committee while passing the final order.

(5) After receipt of the enquiry report from the District Vigilance Cell, the Scrutiny Committee shall hold its meeting to scrutinize the report and in case it is not found to be satisfactory, the Scrutiny Committee shall record its observations in its proceedings which shall be intimated to the District Vigilance Cell with the direction to conduct re-enquiry with reference to the observations of the Scrutiny Committee and to submit the report within a period of one month failing which the procedure as per sub-rule(2)shall be followed.

(6)The enquiry report from the District Vigilance Cell, if found satisfactory by the Scrutiny Committee, it shall proceed to the next stage of asking for show cause reply from the person whose certificate is under verification and the Member- Convener of the Scrutiny Committee shall send the notice along with the copy of the enquiry report and the copy of the complaint petition to such person asking for show cause reply, and if such person wants to avail the opportunity of personal hearing before the Scrutiny Committee, he shall appear in person or through his authorized representative within fifteen days from the date of receipt of such notice.

(7)The period stipulated under sub-rule (6) may be extended by the Scrutiny Committee for a further period of fifteen days upon receipt of written request from him on reasonable grounds.

(8) In case of failure of the person to submit show cause reply either by written statement or by personal appearance within the stipulated period, he shall be given the second and last chance to appear before the Scrutiny Committee on the scheduled date and time along with his show cause reply and for personal hearing, if he so desires.

(9) After receipt of the show cause reply from the person, opportunity of personal hearing may be offered to such person and notice shall also be issued tothe complainant and the witnesses on both the sides summoning them for their appearance before the Scrutiny Committee on the date and time to be fixed by the Scrutiny Committee.

(10) The concerned field officers like the Enquiring Officer or an officer of the District Vigilance Cell, the District Welfare Officer or the Additional District Welfare Officer, the Tahasildar or the Additional Tahasildar having knowledge of the facts and findings of the case may also be summoned to appear on the date of personal hearing to appraise the Scrutiny Committee about the case by submission of relevant records and their written statements.

(11) While conducting the personal hearing, the person whose certificate is under verification shall be offere danopportunity of hearing the depositions of the complainantand their witnesses first and an opportunity to cross examine them so that he can defend himself by submission of his written statement of defence, production of relevant records and witnesses and observing the principles of natural justiceand the proceedings of the personal hearing shall be transparent providing such person full opportunity to defend himself against the allegation and the Scrutiny Committee may also ask some leading questions to the complainant and the alleged person during the hearing to ascertain the truth.

(12) Except in extraordinary circumstances, the failure to submit the show cause reply by the stipulated time period and failure for appearance for personal hearing before the Scrutiny Committee on the scheduled date and time by the alleged person shall not ordinarily be pardoned by the Scrutiny Committee without reasonable grounds to be communicated in writing by the alleged person to the Chairpersonor Member Convener of the Scrutiny Committee.

(13) To ensure that the notice for show cause reply and the notice for personal hearing issued by the Member Convener of the Scrutiny Committee is delivered to the alleged person in the address in which he is available at that time, it shall be sent by Registered Post or Speed Post or through reliable official channels and the records of dispatch and delivery shall be kept in the concerned case record.

(14) After conducting the personal hearing, the Scrutiny Committee shall issue proclamation through the concerned District Welfare Officer and Tahasildar in the locality of the alleged person inviting objections from persons and registered organizations within fifteen days from the date of issue of proclamation by beat of drum or any other mode and to accomplish the task, the Member Convener of the Scrutiny Committee shall send the copies of the allegation petition, the enquiry report of the District Vigilance Cell, the show cause reply of the alleged person and the statements of the alleged person, the complainant and the witnesses recorded during personal hearing to the concerned District Welfare Officer or Tahasildar translated into the local language.

(15) Any person or organization who wants to say anything in the case, shall intimate the Chairperson of the Scrutiny Committee in writing adducing evidences either through the concerned District Welfare Officer or the Tahasildar, as the case may be, or directly within the stipulated period of fifteen days after which no petitions shall be entertained.

(16) Within a week from the date of expiry of the period of fifteen days, the District Welfare Officer or Tahasildar, as the case may be, shall intimate the Member Convener of the Scrutiny Committee about the date of proclamation and the petitions received from any quarter.

(17) In case the petitioner wants to be heard in person and to adduce evidences before the Scrutiny Committee he shall be allowed to do so either in person or through counsel.

(18) The date of hearing to be fixed by the Scrutiny Committee shall be duly intimated to such petitioner and the hearing shall be conducted transparently in presence of the alleged person and his counsel, if any, providing him the opportunity to defend himself and the proceedings of the hearing shall be recorded.

(19) After the hearing, if so required, the Scrutiny Committee may make further enquiries through the District Vigilance Cell and other concerned officers to gather evidences and ascertain the truth and thereafter the process of enquiry shall be concluded.

(20) After conclusion of the process of enquiry, the Chairperson of the Scrutiny Committee shall fix up a date for consideration of the facts and findings of the case and pass the final speaking order and if any new facts come to notice, the Scrutiny Committee shall decide to address the same in the manner as it may like and then pass the final order.

(21) The final order of the Scrutiny Committee shall be intimated for necessary action to the alleged person, the Collector and District Magistrate, Superintendent of Police, District Vigilance Cell, District Welfare Officer and Tahasildar of the district, to the concerned authorities through whom the alleged person has availed the benefits of reservation including the appointing authority, the authority of the educational institution where he has taken admission, the authority under whom he is an elected people's representative or the authority under whom he has made land transactions, whichever is applicable with the direction to report compliance within a month.

(22) In case the Caste Certificate is found to be valid after verification by the Scrutiny Committee, a Validity Certificate shall be granted by the Scrutiny Committee in Form J.

9. Meeting of the Scrutiny Committee.—For holding the meetings of the Scrutiny Committee, the Member Convener shall issue notice to all the members along with the Agenda Note containing in brief the reason for such meeting and findings of the case(s) to be discussed at least a week before the scheduled date and time of the meeting and the place where the meeting will be held.

10. Interpretation:- If any question arises relating to interpretation of these rules, it shall be referred to the Government in ST&SC&M & BCW Development Department for clarification /decision.

FORM A

(rule 4 of the Odisha Scheduled Castes, Scheduled Tribes and Backward classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

APPLICATION FORM FOR ISSUANCE OF SCHEDULED CASTE CERTIFICATE IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation :_____ Applicant's Name:_____

Gender :_____ Marital Status :_____

Age :_____ Religoin :_____

Aadhaar No:_____

PARENT'S DETAILS

Father's Name:_____ Mother's Name:_____

CONTACT DETAILS

Mobile Number:_____ E-Mail:_____

PRESENT ADDRESS

District:_____ Sub-division:_____

Tehsil :_____ Village :_____

RI Circle:_____

Village Not In List
House No./Street Name:_____
Police Station:_____

Post Office :_____
Pin :_____

Land Record Details

Is RoR Produced:_____

District:_____ Sub-division:_____

Tehsil :_____ Village :_____

RI Circle:_____

Village Not In List
Recorded Tenant (Land Owner)

Khata No:_____

Relation of the Applicant with the Recorded Tenant
Regd. Sale Deed No :_____
Regd. Sale Deed Date:_____

Caste Details

Name of Scheduled Caste _____

Declaration

I do hereby declare that the information given by me in this application form is true to the best of my knowledge and I have not suppressed/ misrepresented any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and shall be liable for action under section 199, 200 and 420 of India Penal Code and other relevant laws/ rules in case of furnishing wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of furnishing wrong declaration and information.

Place _____

FORM B

(rule 4 of the Odisha Scheduled Castes, Scheduled Tribes and Backward classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

APPLICATION FORM FOR ISSUANCE OF SCHEDULED TRIBE CERTIFICATE IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation :_____ Applicant's Name:_____

Gender :_____ Marital Status :_____

Age :_____ Religoin :_____

Aadhaar No:_____

PARENT'S DETAILS

Father's Name:_____ Mother's Name:_____

CONTACT DETAILS

Mobile Number:_____ E-Mail:_____

PRESENT ADDRESS

District:_____ Sub-division:_____

Tehsil :_____ Village :_____

RI Circle:_____

Village Not In List

House No./Street Name:_____

Police Station:_____

Post Office :_____

Pin :_____

Submitter's Details

Is Submitter same As Applicant

Other Details

Applicant
Photo (Image size should be greater than 20KB and less than 250 KB)

Browse.... No file selected.

Purpose

Permanent Address

Same As Present Address

District:_____ Sub-division:_____

Tehsil :_____ Village :_____

RI Circle:_____

Village Not In List
House No./Street Name:_____
Police Station:_____

Post Office :_____
Pin :_____

Land Record Details

Is RoR Produced:_____

District:_____ Sub-division:_____

Tehsil :_____ Village :_____

RI Circle:_____

Village Not In List
Recorded Tenant (Land Owner)

Khata No:_____

Relation of the Applicant with the Recorded Tenant
Regd. Sale Deed No :_____
Regd. Sale Deed Date:_____

Caste Details

Name of Scheduled Tribe _____

Declaration

I do hereby declare that the information given by me in this application form is true to the best of my knowledge and I have not suppressed/ misrepresented any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and shall be liable for action under section 199, 200 and 420 of India Penal Code and other relevant laws/ rules in case of furnishing wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of furnishing wrong declaration and information.

Place _____

FORM- C

(rule 4 of the Odisha Scheduled Castes, Scheduled Tribes and Backward classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

APPLICATION FORM FOR ISSUANCE OF CASTE CERTIFICATEFOR SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES (SEBC) IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation*

Applicant's Name

Gender*

Marital Status*

Husband's name

DOB

Age

Father's name

Mother's Name

Mobile Number

Identity Proof

Aadhaar/ Voter Identity Card /PAN/Passport/DL/ Any other Govt. recognised document

email ID(optional)

Religion

Hindu/ Muslim/Christian/ Sikh/Buddhist/Jain /Parsi/others

PERMANENT ADDRESS

District

Sub-Division

Tahasil

Village

RI Circle

Write name of the Village, if not in list

Click here

House no/Street no

Post Office

Police Station

Pin Code

LOCATION DETAILS OF PERMANENT ADDRESS

Select Area

Urban Rural

SUBMITTER SAME AS APPLICANT

Is submitter same as applicant

Yes No

OTHER DETAILS

Applicant's photo

(Image size should be greater than 20KB and less than 250KB)

Browse.....

Purpose

Same as Permanent Address *

District | Sub-Division | Tahasil

Village | RI Circle

Write name of the Village, if not in list

Click here

House no/Street no | Post Office | Police Station

Pin Code

LOCATION DETAILS OF THE PRESENT ADDRESS

Select Area Urban Rural

PARENTS' DETAILS

CREAMY LAYER EXCLUSION CRITERIA

(As specified in Description of the Categories under the Schedule of the O.M.No.36012/22/93-Esst.(SCT), Dated the 8th September, 1993 of Ministry of Personnel, PG & Pensions (DoPT) of GoI)

I.CONSTITUTIONAL POSTS

If Parent/Parents of the applicant holding/held any Constitutional Post Yes No

Select (Father&Mothe\ ) ForConstitutionalPost Father Mother Both

Designation(Father): (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court& High Courts(d) Chairman & Members of UPSC & State PSC(s) ; Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please Specify)

Designation(Mother): (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court & High Courts(d) Chairman & Members of UPSC & State PSC(s); Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please Specify)

II. SERVICE CATEGORY

If Parent/Parents of the applicant holding/held any Central/State Government Services Yes No

- **If holding or held Group-A/ Class-I or Group-B/Class-II post** Yes No

A. (i) Whether either or both the Parent of the applicant holding or held any Central/State Govt. Postunder Group-A/Class-I through Direct Recruitment Yes No

(ii) Parents, both of whom are /were Class-I/Group -A officers but one of them dies or suffers permanent incapacitation resulting in out of service Yes No

(iii)) Parents, either of whom was a Class-I/Group-A officer anduch parent died or suffered permanent incapacitation resulting in out of serviceand before such death or such incapascitation had the benefit of employment in any International Organization like UN,IMF. World Bank, etc. for a period of not less than 5 years. Yes No

(iv)Parents, both of whom were Class-I/Group-A officers, died or suffered permanent incapacitation resulting in out of service and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years. Yes No

B.(i) Whether both the Parent of the applicant holding or held Central/State Govt. Post under Group-B/Class-II through Direct Recruitment Yes No

(ii) Parents of whom only the husband was a Class II/Group-B officer and he got into Class-I/Group-A at the age of 40 or earlier. Yes No

(iii) Parents, both of whom are Class II/Group-B officers and one of them died or suffered permanent incapacitationresulting in out of service and either one of them has had the benefit of employment in any International Organisiation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation Yes No

(iv)Parents of whom the husband is a Class-I/Group-A officer (direct recruit or pre-forty promoted) and the wife was a Class-II/Group-B officer and the wife died or suffered permanent incapacitation resulting in out of service Yes No

(v)Parents, of whom the wife is a Class-I/Group-A officer (Direct Recruit or pre-forty promoted) and the husband was a Class-II/Group-B officer and the husband died or suffered permanent incapacitation resulting in out of service Yes No

C. Employment in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities, etc. and also to equivalent or comparable posts and positions under private employment, Pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutions.

(i)(Holding/Held executive level posts in Central Public Sector Enterprisesi.e. Board level executives and belowBoard level which are managerial level posts Yes No

(ii) Holding/Held Junior Management Scale-I & above post inPublic Sector Banks,Public Financial Institutions, Public Sector Insurance Companies /Organizations,Universities etc. Yes No

(iii)Equivalent Posts/Positions as mentioned above at (i) & (ii) under Private Employment.

Yes ○ No ○

III. ARMED ORCES INCLUDING PARA MILITARY FORCES

(Persons holding civil posts are not included)

Parents, either or both, of whom holding/held Post/Rank of Colonel & above in Army and to equivalent Post/Rank in the Navy,Air Force & Para -Military Forces.

Select (Father & Mother for Professional Class & those engaged in Trade & Industry

Father ○ Mother ○ Both ○

Designation/ Service category (Father)

Designation/ Service category (Mother)

IV. PROFESSIONAL CLASS AND THOSE ENGAGED IN TRADE & INDUSTRY

Please indicate whether Parent(s) engaged in Professions as a Doctor, Lawyer, Charted Accountant, Income Tax Consultant, Financial or Management Consultant, Dental Surgeon, Engineer, Architect, Computer Specialist, Film artists & other Film professional, Author, Playwright, Sports Professional, Media Professional or any other vocations of like status. *(Criteria specified against **Category VI** will apply)*

Yes ○ No ○

Select (Father & Mother) for Professional Class

Father ○ Mother ○ Both ○

Drop Down:

1.Doctor 2.Lawyer 3. Charted Accountant 4.Income Tax Consultant 5.Financial or Management Consultant 6.Dental Surgeon 7. Engineer 8. Architect 9. Computer Specialist 10.Film artists & other Film Professional 11.Author 12.Playwright 13.Sports Professional 14.Media Professional 15. Any other vocations of like status (please specify)

Details of Occupation/Profession of Father of the applicant

Drop down

Details of Occupation/Profession of Mother of the applicant

Drop down

Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above forlastthree consecutive Financial Years

Yes ○ No ○

If yes, income for last three consecutive Financial Years

Year 1

Year 2

Year 3

Select(Father & Mother For Professional Class

(ii) Persons engaged in Trade, Business and Industry.*(Criteria specified against **Category VI** will apply)*

Yes ○ No ○

Father ○ Mother ○ Both ○

Details of engagement in Trade, Business & Industry of Father of the applicant

Details of engagement in Trade, Business & Industry of Mother of the applicant

Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above for

Yes ○ No ○

lastthree consecutive Financial Years

If yes, income for last three consecutive Financial Years

Year 1
Year 2
Year 3

V. PROPERTY OWNERS

A. Ag**ricultural land holding of the family** (owned by Father, Mother & Minor Children)

Yes ○ No ○

(a). If owning, only irrigated land which is equal to or more than 85% of the Statutory Ceiling areas.

(Explanation:Statutory ceiling area is defined as: 10Standard Acres in respect of a family up to five members and additional 2 standard Acres for each additional member in excess of five members with maximum ceiling limit of 18 Standard Acres).

(b). If owning both irrigated and un-irrigated land.

Yes ○ No ○

(i) The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the un-irrigated portion). If this pre-condition of not less than 40% exists, then only the area of un-irrigated land will be taken into account. This will be done by converting un-irrigated land on the basis of the conversion formula existing,into the irrigated type. The irrigated area so computed from un-irrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 80% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur.

Yes ○ No ○

(ii) The rule of exclusion will not apply if the land holding of a family is exclusively un-irrigated.

Details of Land owned by the family

Sl No	District	Tahasil	Village	Khata No.	Total irrigated land (in Acres)	Total non-irrigated land (in Acres)	Total land(in Acres)
1	2	3	4	5	6	7	8 (6 + 7)
1							
2							
3							
4							
..... Cont...							
Grand Total							

B. PLANTATIONS

Select (Father & Mother) for plantations

(i) Coffee, Tea, Rubber etc.

Persons having income from the plantation Yes NO

Father Mother Both

Details of plantation (Father)
Location of Plantation
Area of plantation in Acres

Details of plantation (Mother)
Location of Plantation
Area of plantation in Acres

Whether gross annual Income of the parent/parents out of thatis Rs.8.00Lakhs or above for last three consecutive Financial Years

Yes No

If yes, furnish details of the income

Year 1

Year 2

Year 3

(ii)Mango, Citrus, Apple plantations etc.

Yes No

Deemed as Agricultural holding and hence criteria at '**A'**aboveunder this Category will apply.

C. Vacant land and/or building in urban areas or urban agglomerations:

Own(s) vacant land and buildings in Urban areas or Urban Agglomerations

Yes No

Select (Father & Mother) for vacant land and buildings in Urban areas or Urban Agglomerations

Father
Mother
Both

Location of Property (Father)

Details of Property

Manner of use of the Property(**Residential, Industrial, Commercial purpose& the like, two or more such purposes: to be specified)**

Drop down

Location of Property (Mother)

Details of Property

Manner of use of the Property **(Residential, Industrial, Commercial purpose & the like, two or more such Purposes: to be specified)**

Drop Down

Whether gross annual Income of the Parent/parents out of that is Rs.8.00Lakhs or above for last three consecutive Financial Years Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

Whether parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

N:B While calculating income, income from Salaries or Agricultural land shall not be clubbed together

VI. INCOME / WEALTH TEST

(a)

(i) Parent/parents having gross annual incomeofRs. 8.00 lakhs or abovefromthe**Sources other than Salaries or Agricultural land**Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

Or

(ii) Whether parent/parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

(b)Persons in Categories I, II, III&VAwho are not disentitled to the benefit of reservation but have income from other sources of wealth

which will bring them within the income/ Wealth criteria mentioned in (a) above.

Explanation:*(i).Income from salaries or agricultural land shall not be clubbed together*

CASTE DETAILS

Cast — Please Select

Upload a copy of the landRecords containing the details of the Caste

Resolution No. — Please Select

Resolution Date — Please Select

Serial Number of the Caste in the list o f SEBCs of the State of Odisha — Please Select

If originally SC but converted to Christianity — Yes/No if yes drop down

If SEBC Certificate issued earlier to self/ brother/sister/father, then pleaseuploadthe Certificate — Yes/ No If yes upload

Self-Declaration

I do hereby declare that the information given by me in this application form is true to the bestof my knowledge and I have not suppressed / misrepresented any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and shall be liable for action under section 199, 200 and 420 of Indian Penal Code and other relevant laws/ rules in case of furnishing wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of furnishing wrong declaration and information.

Date:

Place:

☐ I Agree*

Signature of applicant (to be Uploaded)

Additional Details

Apply to the Office *

ENQUIRY/VERIFICATION REPORT OF REVENUE INSPECTOR FOR ISSUANCE OF SEBC CERTIFICATE

Date:

Conducted enquiry into the above case and it is revealed from the enquiry that:

I.PersonalDetails:

Name of the Applicant

Father's Name

Mother's Name……

Husband's Name

(a) Presently residing at:

House No. /Street No: - …… , Village:- ……,, P.O. :- ……, ULB/Town:-

……,R.I. Circle:-……..,Tahasil……,P.S.:- ……

Sub-Division:- ……,District:- ……, State-……Pin Code ……..

(b) Permanent/Nativity Details of the Applicant: - Urban Rural

House No. /Street No: - ……, Village:- ……,, P.O. :- ……, ULB/Town:-

……,R.I. Circle:-……..,Tahasil……,P.S.:- ……

Sub-Division:- ……,District:- ……, State-……Pin Code ……..

Date of Birth:-

Religion:-

II.CASTE DETAILS OF THE APPLICANT :-

Name of the Caste:

Serial Number of the Caste in the list of the SEBCs of the State of Odisha:-

Resolution No: Date: of ST&SC Dev.,M&BC Welfare Department, Govt. of Odisha.

III. Whether coming under Creamy layer Yes ○ No ○

(i)If 'No'(i.e. not coming under Creamy Layer), and eligible for issuance of SEBC Caste Certificate

(a)I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant……caste which comes under the list of SEBCs of the State of Odisha, notified by the ST&SC Dev.,M&BC Welfare Department, Govt. of Odishavide No……. …… and he/she is not coming under Creamy layer and eligible for issuance of SEBCscaste certificate.

(ii) If 'No'(i.e. not coming under Creamy Layer), but the caste does not come under list of SEBCs of the State of Odisha and hence not eligible for issuance of SEBC CasteCertificate

I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant belongs to, n does not comes under the list of SEBCs of the State of Odisha, notified by the ST&SC Dev.,M&BC Welfare Department, Govt. of Odishaand he/she is not eligible for issuance of SEBCcaste certificate.

(iii)If 'Yes'(i.e. coming under Creamy Layer), the grounds/reasons for coming under Creamy Layer& not eligible for issuance of SEBC Caste Certificate



- Either or both of his/her Parent/Parents holding Constitutional Post.
- Either or both of his/her Parent/Parents are directly recruited and working/worked in Central/State Govt. and holding/held Group-A/Class-I post.
- Either or both of his/her parentsare directly recruited and working/worked in Central/State Govt. and holding/held Group-B/Class-II post.
- His/her Father appointed to Class-II/Group-B in Central/State Govt. and has been promoted to Group-A/Class-I Post at the age of 40 years or earlier.
- Either or both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-A/Class-I post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-B/Class-II post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Either or both of his/her Parent/Parents holding/held Executive level/Managerial level /Junior Management Scale-I and above posts in Central Public Sector Enterprises, Public Sector Undertakings, Banks, Public Financial Institutions, Public Sector Insurance Companies/ Organisations, Universities etc. and also holding equivalent or comparable posts and positions under Private Employment, **being treated equivalent to Group-A/ Class-I Post of the Govt..**
- Either or both of his/her Parent/Parents working/worked in Army and holding/held the Post/Rank of Colonel and above , or holding /held equivalent Post/Rank in the Navy, Air Force & Para-Military Forces.
- Gross annual Income of his/her Parent/Parents from **sources other than Salaries and Agricultural land** i.e. Profession, Trade, Business & Industry is more than statutory limit (Rs.8.00 Lakhs or above per annum) for the last three consecutive Financial Years.
- Agricultural land holdings/ Plantations of the family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Vacant Land and /or Buildings in Urban Areas or Urban Agglomerations owned by the Family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Gross annual income of the Parents is Rs.8.00 Lakh or above from **sources other than Salaries and Agricultural land** for the last three consecutive Financial Years.
- Parents possessing wealth and paying Wealth Tax above the exemption limit as prescribed in Wealth Tax Act for a period of last three consecutive FinancialYears.
- Others, if any, specify

Remarks of R.I. if any

Particulars/ Types of documents uploaded: Drop down

1. Field Inquiry Report
2. Copy of RoR
3. Others, if any(specify and to be uploaded)

Date:- …… **Name of the Revenue Inspector**

Name of the R.I. Circle

FORM –D

(rule 4 of the Odisha Scheduled Castes, Scheduled Tribes and Backward classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

APPLICATION FORM FOR ISSUANCE OF CASTE CERTIFICATE FOR OTHER BACKWARD CLASSES (OBC) IN THE STATE OF ODISHA

PERSONAL DETAILS

Salutation*

Applicant's Name

Gender*

Marital Status*

Husband's name

DOB

Age

Father's name

Mother's Name

Mobile Number

Identity Proof

email ID(optional)

Religion

Hindu/ Muslim/Christian/ Sikh/Buddhist/Jain /Parsi/others

Aadhaar/ Voter Identity Card /PAN/Passport/DL/ Any other Govt. recognised document

PERMANENT ADDRESS

District

Sub-Division

Tahasil

Village

RI Circle

Write name of the Village, if not in list

Click here

Houseno/Street no

Post Office

Police Station

Pin Code

LOCATION DETAILS OF PERMANENT ADDRESS

Select Area

Urban Rural

SUBMITTER SAME AS APPLICANT

Is submitter same as applicant

Yes No

OTHER DETAILS

Applicant's photo
(Image size should be greater than 20KB and less than 250KB)

Purpose

PRESENT ADDRESS

Same as Permanent Address *

District | Sub-Division | Tahasil

Village | RI Circle

Write name of the Village, if not in list
☐ Click here

Houseno/Street no | Post Office | Police Station

Pin Code

LOCATION DETAILS OF THE PRESENT ADDRESS

Select Area — Urban ○ Rural ○

PARENTS' DETAILS

CREAMY LAYER EXCLUSION CRITERIA

(As specified in Description of the Categories underthe Schedule of the O.M.No.36012/22/93-Esst.(SCT), Dated the 8th September, 1993 of Ministry of Personnel, PG & Pensions (DoPT) of GoI)

I.CONSTITUTIONAL POSTS

IfParent/Parentsof the applicant holding/held any Constitutional Post — Yes ○ No ○

Select (Father& Mother) forConstitutional Post — Father ○ Mother ○ Both ○

Designation(Father) — (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court& High Courts(d) Chairman & Members of UPSC & State PSC(s); Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please Specify)

gnation(Mother) — (a) President of India (b) Vice-President of India (c)Judges of the Supreme Court & High Courts(d) Chairman & Members of UPSC & State PSC(s) ; Chief Election Commissioner, Comptroller & Auditor General of India (e) Persons holding Constitutional positions of like nature (Please Specify)

II. SERVICE CATEGORY

If Parent/Parents of the applicant holding/held any Central/State Government Services Yes ○ No ○

- **If holding or held Group-A/ Class-I or Group-B/Class-II post** Yes ○ No ○

A (i) Whether either or both the Parent of the applicant holding or held any Central/State Govt. Yes ○ No ○ Postunder Group-A/Class-I through Direct Recruitment

(ii) Parents, both of whom are /were Class-I/Group -A officers but one of them dies or suffers permanent incapacitation resulting in out of service Yes ○ No ○

(iii)) Parents, either of whom was a Class-I/Group-A officer and such parent died or suffered permanent incapacitation resulting in out of service and before such death or such incapacitation had the benefit of employment in any International Organization like UN, IMF. World Bank, etc. for a period of not less than 5 years. Yes ○ No ○

(iv)Parents, both of whom were Class-I/Group-A officers, died or suffered permanent incapacitation resulting in out of service and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organization like UN, IMF, World Bank, etc. for a period of not less than 5 years. Yes ○ No ○

B.(i) Whether both the Parent of the applicant holding or held Central/State Govt. Post under Group-B/Class-II through Direct Recruitment Yes ○ No ○

(ii) Parents of whom only the husband was a Class II/Group-B officer and he got into Class-I/Group-A at the age of 40 or earlier. Yes ○ No ○

(iii) Parents, both of whom are Class II/Group-B officers and one of them died or suffered permanent incapacitation resulting in out of service and either one of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation Yes ○ No ○

(iv)Parents of whom the husband is a Class-I/Group-A officer (direct recruit or pre-forty promoted) and the wife was a Class-II/Group-B officer and the wife died or suffered permanent incapacitation resulting in out of service Yes ○ No ○

(v)Parents, of whom the wife is a Class-I/Group-A officer(Direct Recruit or pre-forty promoted) and the husband was a Class-II/Group-B officer and the husband died or suffered permanent incapacitation resulting in out of service Yes ○ No ○

C. Employment in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, Banks, Insurance

Organisations, Universities, etc. and also to equivalent or comparable posts and positions under private employment, Pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these Institutions.

(i)(Holding/Held executive level posts in Central Public Sector Enterprisesi.e. Board level executives and belowBoard level which are managerial level posts

Yes ○ No ○

(ii) Holding/Held Junior Management Scale-I & above post inPublic Sector Banks,Public Financial Institutions, Public Sector Insurance Companies /Organizations,Universities etc.

Yes ○ No ○

(iii)Equivalent Posts/Positions as mentioned above at (i) & (ii) under Private Employment.

Yes ○ No ○

III. ARMED FORCES INCLUDING PARA MILITARY FORCES

(Persons holding civil posts are not included)

Select Father ○ Mother ○ Both ○

forProfessional Class & thosBBe engaged in Trade & Industry

Parents, either or both, of whom holding/held Post/Rank of Colonel & above in Army and to equivalent Post/Rank in the Navy,Air Force & Para-Military Forces.

Yes ○ No ○

Designation/ Service category

(Father

Designation/ Service category (Mother)

IV. PROFESSIONAL CLASS AND THOSE ENGAGED IN TRADE & INDUSTRY

(i). Please indicate whether Parent(s) engaged in Professions as a Doctor, Lawyer, Charted Accountant, Income TaxConsultant, Financial or Management VConsultant, Dental Surgeon, Engineer, Architect, Computer Specialist, Film artists& other Film professional, Author, Playwright, Sports Professional, Media Professional or any other vocations of like status.*(Criteria specified against* ***Category VI*** *will apply)*

Select (Father & Mother) for Professional Class

Father ○ Mother ○ Both ○

Drop Down:

1.Doctor2.Lawyer 3. Charted Accountant 4.Income Tax Consultant 5.Financial or Management Consultant 6.Dental Surgeon 7.Engineer 8.Architect 9. Computer Specialist 10.Film artists& other Film Professional 11.Author 12.Playwright 13.Sports Professional 14.Media Professional 15. Any other vocations of like status (please specify)

Details of Occupation/Profession of Mother of the applicant

Details of Occupation/Profession of Father of the applicant

Drop down

Drop down

Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above forlastthree consecutive Financial Years

Yes ○ No ○

If yes, income for last three consecutive Financial Years

Drop down

Year 1

Year 2

Year 3

(ii) Persons engaged in Trade, Business and Industry.*(Criteria specified against* ***Category VI*** *will apply)*

Yes ○ No ○

Select (Father & Mother) for Professional Class

Father ○
Mother ○
Both ○

Details of engagement in Trade, Business & Industry of Mother of the applicant

Details of engagement in Trade, Business & Industry of Father of the applicant

Whether gross annual Income of the parent/parents out of that is Rs.8.00Lakhs or above for lastthree consecutive Financial Years

Yes ○ No ○

If yes, income for last three consecutive Financial Years

Drop down

Year 1

Year 2

Year 3

V. PROPERTY OWNERS

A. Ag**ricultural land holding of the family** (owned by Father, Mother & Minor Children)

Yes ○ No ○

(a). If owning, only irrigated land which is equal to or more than 85% of the Statutory Ceiling areas.

(Explanation:Statutory ceiling area is defined as: 10Standard Acres in respect of a family up to five members and additional 2Standard Acres for each additional member in excess of five members with maximum ceiling limit of 18 Standard Acres).

Yes ○ No ○

(b). If owning both irrigated and un-irrigated land.

(i) The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the un-irrigated portion). If this pre-condition of not less than 40% exists, then only the area of un-irrigated land will be taken into account. This will be done by converting un-irrigated land on the basis of the conversion formula existing,into the irrigated type.The irrigated area so computed from un-irrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 80% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disentitlement will occur.

Yes ○ No ○

(ii) The rule of exclusion will not apply if the land holding of a family is exclusively un-irrigated.

Details of Land owned by the family

Sl No	District	Tahasil	Village	Khata No.	Total irrigated land (in Acres)	Total non-irrigated land (in Acres)	Total land(in Acres)
1	2	3	4	5	6	7	8 (6 + 7)
1							
2							
3							
4							
… Cont…							
Grand Total							

PLANTATIONS

(i) Coffee, Tea, Rubber etc.

Persons having income from the plantation Yes ○ NO ○

Select (Father & Mother)

Details of plantation (Father)

Location of Plantation

Area of plantation in Acres

Details of plantation (Mother)

Location of Plantation

Area of plantation in Acres

Whether gross annual Income of the parent/parents out of thatis Rs.8.00Lakhs or above for last three consecutive Financial Years

Yes ○ No ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

(ii)Mango, Citrus, Apple plantations etc.

Deemed as Agricultural holding and hence criteria at '**A'**aboveunder this Category will apply.

Yes ○ No ○

C. Vacant land and/or building in urban areas or urban agglomerations:

Own (s) vacant land and buildings in Urban areas or Urban Agglomerations

Yes ○ No ○

Select (Father & Mother) for vacant land and buildings in Urban areas or Urban Agglomerations

Father ○

Mother ○

Both ○

Location of Property

(Father)

Details of Property

Manner of use of the Property(**Residential, Industrial, Commercial purpose& the like, two or more such purposes:**

to be specified)

Drop Down

Location of Property
(Mother)

Details of Property

Manner of use of the Property
(Residential, Industrial,

Commercial purpose & the like, two or more such Purposes: to be specified)

Drop Down

Whether gross annual Income of the Parent/parents out of that is Rs.8.00Lakhs or above for last three consecutive Financial Years
If yes, furnish details of the income

Yes ○ No ○

Year 1
Year 2
Year 3

Whether parents possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for last three consecutive years
If yes, furnish details of the income

Yes ○ No ○

Year 1

Year 2

Year 3

N:B While calculating income, income from Salaries or Agricultural land shall not be clubbed together

VI. INCOME / WEALTH TEST

(a)
(i) Parent/parents having gross annual incomeofRs. 8.00 lakhs or abovefromthe**Sources other than Salaries or Agricultural land**Yes No ○ ○

If yes, furnish details of the income

Year 1

Year 2

Year 3

Or

(ii) Whether parent/parents possessing wealth above

the exemption limit as prescribed in the
Wealth Tax Act for last three consecutive years Yes ○ No ○
If yes, furnish details of the income

Year 1

Year 2

Year 3

(b)Persons in Categories I, II, III&VAwho are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income/ Wealth criteria mentioned in (a) above.

Explanation:*(i).Income from salaries or agricultural land shall not be clubbed together*

CASTE DETAILS

Caste	Please Select	Upload a copy of the landRecords containing the details of the Caste
Resolution No.	Please Select	
Resolution Date	Please Select	
Serial Number of the Caste in the Central list of OBCs for the State of Odisha	Please Select	
If originally SC but converted to Christianity	Yes/No if yes drop down	
If OBC Certificate issued earlier to self/ brother/sister/father, then pleaseuploadthe Certificate	Yes/ No If yes upload	

Self-Declaration

I do hereby declare that the information given by me in this application form is true to the bestof my knowledge and I have not suppressed / misrepresented any fact. That, I am solelyresponsible for the accuracy of the declaration and information furnished and shall be liable foraction under section 199, 200 and 420 of Indian Penal Code and other relevant laws/ rules incase of furnishing wrong declaration and information. Also, I am well aware of the fact that thecertificate shall be summarily cancelled and all the benefits availed by me shall be summarilywithdrawn in case of furnishing wrong declaration and information.

Date:

Place:

☐ I Agree*

Signature of applicant (to be Uploaded)

Additional Details

Apply to the Office *

ENQUIRY/VERIFICATION REPORT OF REVENUE INSPECTOR FOR ISSUANCEOF OBC CERTIFICATE

Date:

Conducted enquiry into the above case and it is revealed from the enquiry that:

I.Personal Details:

Name of the Applicant

Father's Name

Mother's Name……

Husband's Name

(c) Presently residing at:

House No. /Street No: - …… , Village:- ……,, P.O. :- ……., ULB/Town:-

……,R.I. Circle:-……..,Tahasil……,P.S.:- ……

Sub-Division:- ……,District:- ……, State-……Pin Code ……..

(d) Permanent/Nativity Details of the Applicant: - Urban Rural

House No. /Street No: - ……, Village:- ……,, P.O. :- ……., ULB/Town:-

……,R.I. Circle:-……..,Tahasil……,P.S.:- ……

Sub-Division:- ……,District:- ……, State-……Pin Code ……..

Date of Birth:-

Religion:-

II.CASTE DETAILS OF THE APPLICANT :-

Name of the Caste:

Serial Number of the Caste in the Central list of the OBC for the State of Odisha:-

Resolution No: -. Date:-..istry of Social Justice & Empowerment, Govt. of India

III. Whether coming under Creamy layer Yes ○ No ○

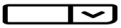
(i) If 'No'(i.e. not coming under Creamy Layer), and eligible for issuance of OBC Caste Certificate

(a)I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant belongs to……caste which comes under Central list of OBCs for the State of Odisha, notified by the Ministry of Social Justice & Empowerment, Govt. of India vide Resolution No dated and he/she is not coming under Creamy layer and eligible for issuance of OBC caste certificate.

(ii) If 'No'(i.e. not coming under Creamy Layer), but the caste does not come under Central list of OBCs for the State of Odisha and hence not eligible for issuance of OBC CasteCertificate

I have verified details of the information submitted by the applicant. On the basis of the enquiry and verification of records/documents, it is found that the applicant belongs to.. [ ] not come under Central list of OBCs for the State of Odisha, notified by the Ministry of Social Justice & Empowerment, Govt. of Indiaand he/she is not eligible for issuance of OBCcaste certificate.

(iii)If 'Yes'(i.e. coming under Creamy Layer), the grounds/reasons for coming under Creamy Layer& not eligible for issuance of OBC Caste Certificate



- Either or both of his/her Parent/Parents holding Constitutional Post.
- Either or both of his/her Parent/Parents are directly recruited and working/worked in Central/State Govt. and holding/held Group-A/Class-I post.
- Either or both of his/her parentsare directly recruited and working/worked in Central/State Govt. and holding/held Group-B/Class-II post.
- His/her Father appointed to Class-II/Group-B in Central/State Govt. and has been promoted to Group-A/Class-I Post at the age of 40 years or earlier.
- Either or both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-A/Class-I post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Both of his/her Parent/Parentsworking/worked in Central/State Govt. and holding/held Group-B/Class-II post and has/had the benefit of Employment in any International Organisations like UN, IMF, World Bank etc. for a period of not less than 5 years.
- Either or both of his/her Parent/Parents holding/held Executive level/Managerial level /Junior Management Scale-I and above posts in Central Public Sector Enterprises, Public Sector Undertakings, Banks, Public Financial Institutions, Public Sector Insurance Companies/ Organisations, Universities etc. and also holding equivalent or comparable posts and positions under Private Employment, **being treated equivalent to Group-A/ Class-I Post of the Govt..**
- Either or both of his/her Parent/Parents working/worked in Army and holding/held the Post/Rank of Colonel and above , or holding /held equivalent Post/Rank in the Navy, Air Force & Para-Military Forces.
- Gross annual Income of his/her Parent/Parents from **sources other than Salaries and Agricultural land** i.e. Profession, Trade, Business & Industry is more than statutory limit (Rs.8.00 Lakhs or above per annum) for the last three consecutive Financial Years.
- Agricultural land holdings/ Plantations of the family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Vacant Land and /or Buildings in Urban Areas or Urban Agglomerations owned by the Family (Father, Mother & Minor Children) is coming under the Creamy Layer Category as per Category-V of the Schedule of O.M. No. 36012/22/93-Estt. (SCT) dated 08.09.1993 of Govt. of India
- Gross annual income of the Parents is Rs.8.00 Lakh or above from **sources other than Salaries and Agricultural land** for the last three consecutive Financial Years.
  Parents possessing wealth and paying Wealth Tax above the exemption limit as prescribed in Wealth Tax Act for a period of last three consecutive FinancialYears.
- Others, if any, specify
  Remarks of R.I. if any

Particulars/ Types of documents uploaded: Drop down

4. Field Inquiry Report
5. Copy of RoR
6. Others, if any(specify and to be uploaded)

Date:- …… **Name of the Revenue Inspector**

Name of the R.I. Circle

FORM-E

(rule 4 of the Odisha Scheduled Castesand Scheduled Tribes Backward classes (Regulation of Issuance and Verification of Caste Certificates)Rules, 2023)

FORM FOR SCHEDULED CASTE CERTIFICATE
GOVERNMENT OF ODISHA

OFFICE OF THE ……
District ……..

Certificate Case No…….Date……

This is to certify that Sri/ Smt./Kumari. …… Son/Daughter of ……. of Village / Town ……, P.O ……, P.S ……., Tahasil ……. in the District of …… of the State of Odisha belongs to ……. Caste which is recognized as Scheduled Castes and Scheduled Tribes ……. under the Constitution (Scheduled Caste) Order, 1950.

2. Application in the case of Schedule Castes who have migrated from one State/ Union Territory Administration.

This Certificate is issued on the basis of the Schedule Caste Certificates issued to Sri/Smt……..Father/ Mother of …….. Sri/Smt./ Kumari…….. of Village/ Town …… in …….. District / Division ……. Of the State/ Union Territory ……. Who belongs to the……Caste. ……. Which is recognized as a Scheduled Castes in the State/ Union Territory…… issued by the ……(..name Prescribed authority) vide their No……..dated……..

3.Sri/Smt. /Kumari …… and/ or his/her family ordinarily reside(s) in the Village / Town ……., P.S ……, Tahasil …… of the …… District/ Division of the State/ Union Territoryof …….

Place:
Date:

Signature
Designation
(With Seal of Office)

FORM-F

(rule 4 of the Odisha Scheduled Castesand Scheduled Tribes Backward classes (Regulation of Issuance and Verification of Caste Certificates)Rules, 2023)

FORM FOR SCHEDULED TRIBE CERTIFICATE

GOVERNMENT OF ODISHA

OFFICE OF THE ……

District ……..

Certificate Case No…….Date……

This is to certify that Sri/ Smt./Kumari. …… Son/Daughter of ……. of Village / Town ……, P.O ……, P.S ……., Tahasil ……. in the District of …… of the State of Odisha belongs to ……. Tribe which is recognized as Scheduled Castes and Scheduled Tribes ……. under the Constitution (Scheduled Tribes) order 1950.

2. Application in the case of Scheduled Tribes persons who have migrated from one State/ Union Territory Administration.

This Certificate is issued on the basis of the Scheduled Tribes Certificates issued to Sri/Smt……..Father/ Mother of …….. Sri/Smt./ Kumari…….. of Village/ Town …… in …….. District / Division …… Of the State/ Union Territory …… Who belongs to the……Tribe. ……. Which is recognized as aScheduled Tribes in the State/ Union Territory…… issued by the ……(..name Prescribed authority) vide their No……..dated……..

3.Sri/Smt. /Kumari …… and/ or his/her family ordinarily reside(s) in the Village / Town ……., P.S ……, Tahasil …… of the …… District/ Division of the State/ Union Territoryof …….

Place:

Date:

Signature

Designation

(With Seal of Office)

FORM-G

FORM OF CASTE CERTIFICATE FOR THE SOCIALLY EDUCATIONALLY BACKWARD CLASSES GOVERNMENT OF ODISHA

This is to certify that……..Son/Daughter of…….. of Village……..District/Division…….. in the State of Orissa belongs to the ……community which if recognized as a Socially and Educationally Backward Class under the Government of Orissa, Department of Tribal Welfare Resolution No. 25455-Emp. (vii) M-23/93 Dated 10-09-93 published in the Orissa Gazette (Supplement) No. 40 Dated 1-10-93 *.Shri/ Smt. ……and/or his family ordinarily reside (s) in the …… District/ Division of the State.

This is to certify that he/she does not belong to the Persons/ Sections (Creamy Layer) mentioned in column 3 of the Schedule appended to the Government of Odisha Tribal Welfare Department Office Memorandum No. 4030/TW, Dated, Bhubaneswar, the Emp, (vii)-M-32/93 Date 29-1-94* and as specified in Description of the Categories underthe Schedule of the O.M.No.36012/22/93-Esst.(SCT), Dated the 8th September, 1993 of Ministry of Personnel, PG & Pensions (DoPT) of GoI.

Signature
Designation
(with Seal of Office)

---

*.As amended form time to time.

Note:- The term “Ordinarily “ used here will have the same meaning as in Section 20 of the Representation of the People Act, 1950.

FORM-H

(rule 4 of the Odisha Scheduled Castes, scheduled Tribes and Backward classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

FORM OF CASTE CERTIFICATE FOR OTHER BACKWARD CLASSES

GOVERNMENT OF ODISHA

OFFICE OF THE ……

District ……..

Certificate Case No……..Date……

This is to certify that Sri/ Smt./Kumari…… Son/Daughter of ……. of Village / Town ……, P.O ……, P.S …….., Tahasil ……. in the District/Division …… in the State/ Union Territory …… of Odisha belongs to the……. Community which is recognized as backward class under the Government of India, Ministry of Social Justice and Empowerment's Resolution No……dated……*. Sri/ Smt./Kumari …….and/ or his/her family ordinarily resides(s) in the ……District/ Division of the …… State/ Union Territory. This is also to certify that he/she does not belongs to the persons/ sections (Creamy Layer) mentioned in column 3 of the Schedule to the Government of India Department of Personnel and Training O.M No. 36012/22/93-Estt. (SCT) dated 08.09.1993**.

District Magistrate
Deputy Commissioner etc.

Date :
Seal

---

*The Authority issuing the certificate may have to mention the details of Resolution of Government of India, in which the caste of the candidates as mentioned as OBC.

**.As amended form time to time.

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

FORM-I

(rule 7(2)of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

FORM OF PETITION FOR VERIFICATION OF GENUINENESS OF THE CASTE CERTIFICATE

From

To

The Chairperson of the Scrutiny Committee

Sub: Verification of Caste Certificate of Sri/Smt./Miss ……

Sir,

In inviting a reference to the subject noted above,I am to state the following regarding the Caste Certificate of Sri/Smt./ Miss ……

1. That Sri/Smt./Miss……., is the son/daughter of …… ,Vill ……..., P.O……., P.S ……., Tahasil ……..,Dist …….. and (in case of married woman) She is the wife of …….. Vill ……, P.O ……., Tahasil …….. P.S ……., Dist ……...
2. That though he/she belongs to …… caste / community / tribe as evident from …… records (copies of records enclosed)his/her Caste/Community has been mentioned as ……... in his/her Caste Certificates.
3. That, the Caste Certificate(s) have been issued by the Authority / Authorities as detailed below

Designation of the issuing Authority / Authorities (Tahsildar / Sub Collector / ADM / Collector)	Certificate No. & Date	The Address in which issued (Son / Daughter / Wife of…, Vill….., PO…., Tahsil….., PS……., Dist….)	Purpose for which issued as mentioned in the certificate (Education / Service)	Name of the caste / community / tribe & category (ST /SC / OBC/ SEBC) mentioned in the certificate	If the certificate is valid or cancelled
(i)	(ii)	(iii)	(iv)	(v)	(vi)

4. That, on the basis of the Caste Certificate he/she has availed reservation benefits as a ST/SC/OBC/SEBC candidate as detailed below:-
   (i) Educational benefits (details):
   (ii) In appointment to Public Service (details):
   (iii) In promotion in Public Service (details):

(iv) In Election to Public Posts as Public Representatives (details):

(v) Purchase of land from SC/ST (details):

The copies of relevant documents are attached herewith

Taking into consideration the above facts, you are requested to make an enquiry for verification of the genuineness of the caste certificate produced by the applicant _____.

I / We assure you, we will cooperate with the process of enquiry as and when called for by the Scrutiny Committee in this case for which my / our contact details are furnished below: -

(a) Name / Designation of the Complainant

(b) Office / Organigation

(c) Contact Address

(d) Phone / Mobile No

(e) ID Proof (Copy of Voter Identity Card / Adhaar number/ PAN Card / Passport)

Yours faithfully,

(Name & designation of the Complainant)

FORM-J

(rule 8(22) of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2023)

VALIDITY CERTIFICATE

No.FCC-……/……. Date…….

This is to certify that the Caste/ Tribe/Community Certificate issued to ……Son/Daughter of ……of Village / Town ……, P.O ……, P.S ……., Tahasil ……. in the District of …… of the State of Odisha by the Tahasildar/ Additional Tahasildar……. in the District of…….. as belonging to ……(ST/SC/SEBC/OBC) community vide Misc Case No. ……dt……..of ……Tahasil, after due enquiry vide SLSC (FCC) Case No. ……../…… is found to be valid one.

Place:

Date:

Member Convener, SLSC, ……..
O/O. the RDC,(CD/ND/SD),……...

(Seal)

By Order of the Governor

ROOPA ROSHAN SAHOO

Commissioner-*cum*-Secretary to Government

Printed and Published by the Director, Printing, Stationery and Publication, Odisha, Cuttack-10
OGP/SBP Ex.Gaz.322-183+100

The Odisha Gazette

PUBLISHED BY AUTHORITY

No. 35 CUTTACK, FRIDAY, OCTOBER 4, 2019/ASWINA 12, 1941

SEPARATE PAGING IS GIVEN TO THIS PART IN ORDER THAT IT MAY BE FILED AS A SEPARATE COMPILATION

PART III-A

Regulations, Orders, Notifications, Rules, etc. issued by the Governor, Heads of Departments and High Court

---

SCHEDULED TRIBES & SCHEDULED CASTES DEVELOPMENT DEPARTMENT

NOTIFICATION

The 23rd September 2019

No. 16197—STSCD-PCRC-CASE 1-0005/2019-SSD.—The following draft of certain rules, which the State Government proposes to make in exercise of the powers conferred by Section 18 of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Act, 2012 (Odisha Act 8 of 2014) is hereby published as required by the said section for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration on or before expiry of a period of thirty days from the date of publication of this notification in the *Odisha Gazette;*

Any objection and suggestion which may be received from any person with respect to the said draft before the expiry of the period so specified shall be considered by the State Government :

DRAFT

1. Short title and commencement.—(1) These rules may be called the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2019.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions.—(1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Act, 2012 (Odisha Act 8 of 2014);

(b) "Aadhaar number" means a 12 digit Unique Identity Number issued under sub- section (3) of Section 3 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act,2016 (18 of 2016);

(c) "Appointing Authority" means the Authority empowered to make appointment to a service or a post in an establishment;

(d) "District Vigilance Cell" means the District Vigilance Cell constituted by the Government;

(e) "Driving Licence" means a licence issued under the Motor Vehicles Act, 1988 (59 of 1988);

(f) "Form" means the Forms appended to these rules;

(g) "PAN" means Permanent Account Number issued under Section 139-A of the Income Tax Act, 1961 (43 of 1961);

(h) "State" means the State of Odisha; and

(i) "Voter Identity Card" means an identity card issued in favour of any elector under Rule 28 of the Registration of Electors Rules, 1960, made under the Representation of People Act,1950(43 of 1950).

(2) Words and expressions used and not defined shall have the same meaning as assigned to them, respectively, in the Act.

3. Application for issue of Caste Certificate.—(1) Application for issuance of Caste Certificate may be made to the Competent Authority by any person belonging to reserved category in Form A.

(2) The application must be duly signed by the applicant or his parents or legal guardian in case the applicant is a minor and be accompanied by self-attested copy of one or more of the following documents, as may be required, in support of the claim, namely:-

(a) Copy of the finally published Settlement Record of Rights or Consolidation Record of Rights of the lands preferably of the homestead land or any old Record of Rights issued prior to the year 1950 standing in names of grandparents or parents of the applicant specifying the name of the community therein;

(b) Land Pass-Book issued in favour of parents or grandparents of siblings.

(3) In addition to the documents mentioned in sub-rule (2), the application shall also accompany the following documents, namely :—

(a) Income Certificate and Resident Certificate issued by the competent authority;

(b) Two recent Passport Size colour photographs;

(c) Any document in support of the claim such as copy of Caste Certificates, if any, issued to his parents or siblings or paternal kins;

(d) Self-declaration by applicant or his or her parent or parents regarding his caste, sub-caste and religion duly countersigned by the Sarpanchas, Members of the Panchayat Samitis, Chairpersons of Panchayat Samitis or Local Bodies, District Welfare Officers, Additional District Welfare Officers or the Head of the Educational Institution, in case the applicant is a *bona fide* student of the concerned Institution;

(e) Voter Identity Card or Aadhaar number or Driving License or PAN Card or first page of Bank Pass Book having identity details or Birth Certificate from a competent authority.

(4) The applicant may apply for Caste Certificate even without any documentary proof in support of the claim if such documents are not available with the applicant and no application shall be rejected merely on the ground of non-availability of the supporting documents.

(5) On receipt of the application, the Competent Authority shall provide an acknowledgement of receipt with a number and date to the applicant which shall be used as reference number for all future purposes.

(6) The applicant may also make application through online web portal notified by Government, from time to time, by paying the prescribed user charges and in case of an application made online, the applicant shall get a system generated acknowledgement with a receipt number.

4. Disposal of application.— (1) The Competent Authority, on receipt of an application made to him under Rule 3 and after satisfying himself about the genuineness of the claim and following the due process, shall, either issue a Caste Certificate in Form B or reject the claim within thirty days of the date of receipt of the application, excluding the time taken for compliance of objections, if any.

(2) The verification shall be made basing upon revenue records and other relevant documents furnished by the applicant and if required, supported through reliable field enquiries and the Caste Certificate shall not be denied to a deserving landless person if otherwise, through such inquiry, it is found that the applicant belongs to any reserved category and in such case, the applicant shall be given a date for personal appearance by the Competent Authority for recording his statement.

(3) In case of applicants who either do not have, or have not furnished, documentary evidence with the application or later on call in support of the claims, such applications shall be disposed of by conducting field enquiry by the Competent Authority.

(4) The field enquiry report shall be prepared in the shape of a memorandum by the officers who visited the field in the presence of at least two witnesses along with the applicant or his family members or representative and such report shall be clear, specific and speak about the findings pertaining to the claim of the applicant belonging to any reserved category.

(5) The Competent Authority shall dispose of the matter within thirty days of receipt of the application, excluding the time taken for compliances of the objections, if any, and a reasoned order of the Competent Authority shall be kept with the case record, both in case of grant of certificate or rejection of the claim, for future references.

(6) In case of failure to issue a Caste Certificate or to dispose of the application otherwise by passing appropriate orders within the stipulated time, the Competent Authority shall record in the order sheet of the case record, the reasons for such non- disposal of the application within the stipulated time.

5. Appeal.—Any person aggrieved by an order of rejection of application passed by a Competent Authority subordinate to that of Collector and District Magistrate may make an appeal before the Collector and District Magistrate concerned and to the concerned Revenue Divisional Commissioner where the Competent Authority is the Collector and District Magistrate, within a period of thirty days from the date of receipt of such order.

6. Powers and functions of Scrutiny Committee.—(1) The Scrutiny Committee as may be constituted under Section 6 of the Act shall have the power for verification of Caste Certificates issued by the Competent Authorities working in the districts covered under the concerned Revenue Divisions, if any application is received by it.

(2) The Scrutiny Committee shall receive complaint petitions in Form C from the authorities of the Government, Central Government, Local Bodies, Public Sector Undertakings, Educational Institutions, Co-operative Societies or any other Government aided institutions, aggrieved persons or any registered associations for verification of the genuineness of a Caste Certificate issued by the Competent Authority.

(3) The Scrutiny Committee shall also have the power to verify *suo motu* the genuineness of a Caste Certificate issued by the Competent Authority.

(4) The person whose Caste Certificate has been subjected to verification shall not be debarred from availing the benefit nor shall discontinue to avail the benefit until such Caste Certificate is cancelled by the Scrutiny Committee.

(5) The Scrutiny Committee shall, while holding an enquiry under the Act, have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908).

(6) The Scrutiny Committee may take the assistance of the District Vigilance Cells as may be constituted by the Government from time to time for each district to conduct enquiry in respect of the cases referred to them.

7. Procedure for verification of the genuineness of the Caste Certificate.—(1) Where the Scrutiny Committee, after receipt of the complaint, feels it appropriate to take assistance of the District Vigilance Cell and initiates the proceedings for verification of genuineness of a Caste Certificate issued by the Competent Authority, it shall proceed in the following manner, namely :—

(a) the Scrutiny Committee, shall forward the petition to the concerned District Vigilance Cell for conduct of inquiry into the case by its officer;

(b) the Inspector of Police of the concerned area, where the candidate whose social status is to be verified originally hails or usually resides, shall go to the local place of residence and original place from where the candidate hails and usually resides or in case of migration to the town or city, the place from which he originally hailed from and shall collect the information regarding ethnological traits , deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc. by the concerned castes or tribal communities;

(c) the Inspector of Police shall personally verify and collect all the facts of the social status claimed by the candidates or the parent or guardian, as the case may be, and examine the school records, birth registration, if any;

(d) the Inspector of Police shall also examine the parent, guardian of the candidates in relations to their castes etc. or such other persons who have knowledge of the social status of the candidate and then submit a report to the Scrutiny Committee together with all the particulars necessary;

(e) in particular, about the Scheduled Tribes, the Inspector of Police of the area concerned shall enquire relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc. by the concerned tribes or tribal communities;

(f) for conducting the enquiry, the Inspector of Police may take assistance of the local Tahasildar or Revenue Inspector and peruse the revenue records as may be necessary; and

(g) after the completion of the enquiry, the District Vigilance Cell shall take steps to prepare a report which shall be submitted to the Scrutiny Committee having a definite logical conclusion along with supporting documents within a period of two months from the date of receipt of the petition for enquiry.

(2) In case of failure to submit the enquiry report within the period stipulated in sub-rule (1), the officer-in-charge of the District Vigilance Cell or its concerned enquiring officer shall be summoned to appear before the Scrutiny Committee to explain the reasons of delay orally and also in writing and if the reasons are found satisfactory, the Scrutiny Committee may grant extension of time not exceeding one month and for unsatisfactory explanations and failure to submit report by the end of extended time period, the Scrutiny Committee shall record its adverse remarks on the conduct of the enquiring officer in his report and forward the same to the concerned Superintendent of Police for necessary disciplinary action against the officer concerned and ask for conduct of enquiry and submission of report within next two weeks by engaging another officer, if so required.

(3) While conducting enquiry, the concerned officer shall observe the principles of natural justice and shall issue notice to the person whose certificate is under verification and provide such person a reasonable opportunity to defend and to produce records, statements and witnesses in support of defence, as may be required, in all stages of enquiry.

(4) The Scrutiny Committee shall also intimate the complainant and the alleged person to attend and co-operate in the process of enquiry and their act of non-co-operation, if so found, shall be recorded in the proceedings of enquiry and will be taken into consideration by the Scrutiny Committee while passing the final order.

(5) After receipt of the enquiry report from the District Vigilance Cell, the Scrutiny Committee shall hold its meeting to scrutinize the report and in case it is not found to be satisfactory, the Scrutiny Committee shall record its observations in its proceedings which shall be intimated to the District Vigilance Cell with the direction to conduct re-enquiry with reference to the observations of the Scrutiny Committee and to submit the report within a period of one month failing which the procedure as per sub-rule (2) shall be followed.

(6) The enquiry report from the District Vigilance Cell, if found satisfactory by the Scrutiny Committee, it shall proceed to the next stage of asking for show cause reply from the person whose certificate is under verification and the Member-Convener of the Scrutiny Committee shall send the notice along with the copy of the enquiry report and the copy of the complaint petition to such person asking for show cause reply, and if such person wants to avail the opportunity of personal hearing before the Scrutiny Committee, he shall appear in person or through his authorized representative within fifteen days from the date of receipt of such notice.

(7) The period stipulated under sub-rule (6) may be extended by the Scrutiny Committee for a further period of fifteen days upon receipt of written request from him on reasonable grounds.

(8) In case of failure of the person to submit show cause reply either by written statement or by personal appearance within the stipulated period, he shall be given the second and last chance to appear before the Scrutiny Committee on the scheduled date and time along with his show cause reply and for personal hearing, if he so desires.

(9) After receipt of the show cause reply from the person, opportunity of personal hearing may be offered to such person and notice shall also be issued to the complainant and the witnesses on both the sides summoning them for their appearance before the Scrutiny Committee on the date and time to be fixed by the Scrutiny Committee.

(10) The concerned field officers like the Enquiring Officer or an officer of the District Vigilance Cell, the District Welfare Officer or the Additional District Welfare Officer, the Tahasildar or the Additional Tahasildar having knowledge of the facts and findings of the case may also be summoned to appear on the date of personal hearing to appraise the Scrutiny Committee about the case by submission of relevant records and their written statements.

(11) While conducting the personal hearing, the person whose certificate is under verification shall be offered an opportunity of hearing the depositions of the complainant and their witnesses first and an opportunity to cross-examine them so that he can defend himself by submission of his written statement of defence, production of relevant records and witnesses and observing the principles of natural justice and the proceedings of the personal hearing shall be transparent providing such person full opportunity to defend himself against the allegation and the Scrutiny Committee may also ask some leading questions to the complainant and the alleged person during the hearing to ascertain the truth.

(12) Except in extraordinary circumstances, the failure to submit the show cause reply by the stipulated time period and failure for appearance for personal hearing before the Scrutiny Committee on the scheduled date and time by the alleged person shall not ordinarily be pardoned by the Scrutiny Committee without reasonable grounds to be communicated in writing by the alleged person to the Chairperson or Member-Convener of the Scrutiny Committee.

(13) To ensure that the notice for show cause reply and the notice for personal hearing issued by the Member-Convener of the Scrutiny Committee is delivered to the alleged person in the address in which he is available at that time, it shall be sent by Registered Post or Speed Post or through reliable official channels and the records of dispatch and delivery shall be kept in the concerned case record.

(14) After conducting the personal hearing, the Scrutiny Committee shall issue proclamation through the concerned District Welfare Officer and Tahasildar in the locality of the alleged person inviting objections from persons and registered organizations within fifteen days from the date of issue of proclamation by beat of drum or any other mode and to accomplish the task, the Member Convener of the Scrutiny Committee shall send the copies of the allegation petition, the enquiry report of the District Vigilance Cell, the show cause reply of the alleged person and the statements of the alleged person, the complainant and the witnesses recorded during personal hearing to the concerned District Welfare Officer or Tahasildar translated into the local language.

(15) Any person or organization who wants to say anything in the case, shall intimate the Chairperson of the Scrutiny Committee in writing adducing evidences either through the concerned District Welfare Officer or the Tahasildar, as the case may be, or directly within the stipulated period of fifteen days after which no petitions shall be entertained.

(16) Within a week from the date of expiry of the period of fifteen days, the District Welfare Officer or Tahasildar, as the case may be, shall intimate the Member-Convener of the Scrutiny Committee about the date of proclamation and the petitions received from any quarter.

(17) In case the petitioner wants to be heard in person and to adduce evidences before the Scrutiny Committee he shall be allowed to do so either in person or through counsel.

(18) The date of hearing to be fixed by the Scrutiny Committee shall be duly intimated to such petitioner and the hearing shall be conducted transparently in presence of the alleged person and his counsel, if any, providing him the opportunity to defend himself and the proceedings of the hearing shall be recorded.

(19) After the hearing, if so required, the Scrutiny Committee may make further enquiries through the District Vigilance Cell and other concerned officers to gather evidences and ascertain the truth and thereafter the process of enquiry shall be concluded.

(20) After conclusion of the process of enquiry, the Chairperson of the Scrutiny Committee shall fix up a date for consideration of the facts and findings of the case and pass the final speaking order and if any new facts come to notice, the Scrutiny Committee shall decide to address the same in the manner as it may like and then pass the final order.

(21) The final order of the Scrutiny Committee shall be intimated for necessary action to the alleged person, the Collector and District Magistrate, Superintendent of Police, District Vigilance Cell, District Welfare Officer and Tahasildar of the district, to the concerned authorities through whom the alleged person has availed the benefits of reservation including the appointing authority, the authority of the educational institution where he has taken admission, the authority under whom he is an elected people's representative or the authority under whom he has made land transactions, whichever is applicable with the direction to report compliance within a month.

(22) In case the Caste Certificate is found to be valid after verification by the Scrutiny Committee, a Validity Certificate shall be granted by the Scrutiny Committee in Form D.

8. Meeting of the Scrutiny Committee.— For holding the meetings of the Scrutiny Committee, the Member-Convener shall issue notice to all the members along with the Agenda Note containing in brief the reason for such meeting and findings of the case(s) to be discussed at least a week before the scheduled date and time of the meeting and the place where the meeting will be held.

FORM—A

[*See* Rule 3 of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2019]

APPLICATION FORM FOR OBTAINING ST OR SC OR SEBC OR OBC CERTIFICATE

To

The.....(Name of the Competent Authority)....., Dist....., Odisha.

Sir,

A certificate as per the provisions of Rule 4 of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificate) Rules, 2019 may please be issued. The detailed particulars about myself in support of my claim are furnished below, namely :—

1. Name.....
2. Parent's Name :
   (a) Father.....
   (b) Mother.....
3. Permanent Address:
   Vill/Town.....
   P.O. .....
   P.S. .....
   Tahasil .....
   Dist. .....
   State Odisha

4. Present Address :

Vill/Town.....

P.O. .....

P.S. .....

Tahasil.....

Dist. .....

State Odisha

5. Date of Birth.....
6. Sex.....
7. Nationality.....
8. Religion.....
9. Caste / Tribe/Community to which the applicant belongs.....
10. Name of the Sub-Caste / Sub-Tribe.....
11. In case the parents of the applicant have obtained a certificate, the name of the Caste or Tribe or Community may be mentioned and the number of such certificate and year of issue may be mentioned.
12. List of documents submitted

(a)

(b)

(c)

(d)

(e)

(f)

DECLARATION

I, Shri/Smt./Ku .....Son/ Daughter of Shri/Smt. .....of Village ....., P.O. ....., P.S....., Dist.....in the State of Odisha do hereby declare that the information or documents furnished above are true to the best of my knowledge and belief. I do hereby undertake that if subsequently in future, any information or document is found to be false, I shall be liable to be punished as per law and the benefits availed by me shall be recovered from me by the Government.

Place :

Date :

Signature of the Applicant

Address :

FORM-B

[*See* Rule 4 of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2019]

FORM OF CASTE CERTIFICATE

GOVERNMENT OF ODISHA

OFFICE OF THE.....

District.....

Certificate Case No.....

Date.....

This is to certify that....., Son/Daughter of .....of Village/Town..... ....., P.O. ....., P.S. ...., Tahasil .....in the district of .....of the State of Odisha belongs to..... Caste/Tribe/Community which is recognized as.....under the Constitution (Scheduled Castes) Order, 1950 or the Constitution (Scheduled Tribes) Order, 1950 as amended, from time to time or notified as SEBC by the Odisha State Commission for Backward Classes Act, 1993 or Other Backward Classes declared by Government of India in relation to the State of Odisha.

Shri/Smt. /Miss.....and his/her family ordinarily reside(s) in the Village/Town ....., P.S....., Tahasil..... of the.....District of the State of Odisha.

Place:

Date:

Signature of the Competent Authority

Designation

(Seal)

FORM-C

[See Rule 6(2) of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2019]

FORM OF PETITION FOR VERIFICATION OF GENUINENESS OF THE CASTE CERTIFICATE

From

To

The Chairperson of the Scrutiny Committee

Subject : Verification of Caste Certificate of Shri/Smt./Miss.....

Sir,

In inviting a reference to the subject noted above,I am to state the following regarding the Caste Certificate of Shri/Smt./Miss.....

1. That Shri/Smt./Miss.....is the son/daughter of ....., Vill. ....., P.O....., P.S....., Tahasil....., Dist .....and (in case of married woman) She is the wife of..... Vill....., P.O....., Tahasil....., P.S....., Dist. .....

2. That though he/she belongs to.....Caste / Community / Tribe as evident from.....records (copies of records enclosed) his/her Caste/Community has been mentioned as.....in his/her Caste Certificates.

3. That, the Caste Certificate(s) have been issued by the Authority/Authorities as detailed below :—

Designation of the issuing Authority/ Authorities (Tahasildar/ Sub-Collector/ ADM/ Collector)	Certificate No.& Date	The Address in which issued (Son/ Daughter/ Wife of. .. .., Vill ....., P.O. ....., Tahasil.. ....., P.S. ....., Dist. .....)	Purpose for which issued as mentioned in the certificate (Education / Service)	Name of the Caste/ Community/ Tribe & Category (ST/ SC/OBC/ SEBC) mentioned in the certificate	If the certificate is valid or cancelled
(i)	(ii)	(iii)	(iv)	(v)	(vi)

4. That, on the basis of the Caste Certificate he/she has availed reservation benefits as a ST/ SC/OBC/SEBC candidate as detailed below :—

   (i) Educational benefits (details) :

   (ii) In appointment to Public Service (details) :

(iii) In promotion in Public Service (details):

(iv) In Election to Public Posts as Public Representatives (details) :

(v) Purchase of land from SC/ST (details) :

The copies of relevant documents are attached herewith.

Taking into consideration the above facts, you are requested to make an enquiry for verification of the genuineness of the Caste Certificate produced by the applicant.....

I / We assure you, we will co-operate with the process of enquiry as and when called for by the Scrutiny Committee in this case for which my/our contact details are furnished below : —

(a) Name / Designation of the Complainant

(b) Office / Organigation

(c) Contact Address

(d) Phone / Mobile No.

(e) ID Proof (Copy of Voter Identity Card / Aadhaar Number/PAN Card / Passport)

Yours faithfully,

(Name & designation of the Complainant)

FORM-D

[*See* Rule 7(22) of the Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Rules, 2019]

VALIDITY CERTIFICATE

No.FCC...../..... Date.....

This is to certify that the Caste/Tribe/Community Certificate issued to..... ....., Son/Daughter of.....of Village/Town....., P.O....., P.S....., Tahasil .....in the district of ..... of the State of Odisha by the Tahasildar/ Additional Tahasildar.....in the district of.....as belonging to .....(ST/SC/OBC/SEBC) Community vide Misc. Case No..... . dt.....of.....Tahasil, after due enquiry vide SLSC (FCC) Case No...../.....is found to be valid one.

Place :

Date :

Member-Convener, SLSC .....

O/o the RDC, (CD/ND/SD).....

(Seal)

By order of the Governor

[ILLEGIBLE]

Principal Secretary to Government

No. 35/1/72-R.U. (SCT.V)
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi-110001, *Dated, the 2nd May 1975*
12 Vaisakha, 1897

To

The Chief Secretaries of all State Governments and Union Territory Administration.

Subject: Issue of Scheduled Castes and Scheduled Tribes Certificate

Sir,

I am directed to state that complaints are often received that Scheduled Caste and Scheduled Tribe certificates are given to persons who do not in fact belong to a Scheduled Caste or Scheduled Tribe. It is necessary, therefore, that the Certificate issuing authorities should make a proper verification before they actually issue such a certificate.

2. In this connection a set of points which should be taken into account are enclosed for the guidance of those empowered to issue Scheduled Caste and Scheduled Tribe certificates. It is requested that these instructions may be circulated amongst them.

Yours faithfully,

Sd/-
(O. K. MOORTHY)
Director General, BCW.

No. 35/1/72-R.U. (SCT.V), *Dated New Delhi, the 2nd May 1975/12 Vaisakha, 1975*

Copy forwarded for necessary action to:-

1. All Ministries/Departments of the Govt.of India.
2. All attached and subordinate offices of M.H.A
3. The Union Public Service Commission, Dholpur House, New Delhi-110011.
4. The Dept. of Personnel and Administrative Reforms, Estt. (SCT) Section, New Delhi.
5. The Commissioner for Scheduled Castes and Scheduled Tribes, Ramakrishnapuram, New Delhi.

Sd/-
(O. K. MOORTHY)
Director General, BCW

Enclosure to circular letter No. No. 35/1/72-R.U.(SCT.V), *Dated, the April l 975/ Vaisakha,1897*

Issue of Scheduled Caste and Tribe Certificate—Points to be observed.

1. *General:* (Applicable in all cases)

Where a person claims to belong to a Scheduled Caste or a Scheduled Tribe by birth it should be verified: --

(i) that the person and his parents actually belong to the community claimed;

(ii) that this community is included in the Presidential Orders specifying the Scheduled Castes and Scheduled Tribes in relation to the concerned State

(iii) that the person belongs to that State and to the area within that State in respect of which the community has been scheduled;

(iv) if the person claims to be a Scheduled Castes, he should profess either the Hindu or the Sikh religion;

(v) if the person claims to be a Scheduled Tribe, he may profess any religion.

2. *Cases of migration;*

(i) Where a person migrates from the portion of the State in respect of which his community is scheduled to another part of the same State in respect of which his community is not scheduled, he will continue to be deemed to be a member of the Scheduled Caste or the Scheduled Tribe, as the case may be, in relation to that State;

(ii) Where a person migrates from one State to another, he can claim to belong to a Scheduled Caste or a Scheduled Tribe only in relation to the State to which he originally belonged and not in respect of the State to which he has migrated.

3. *Claims through marriage:*

The guiding principle is that no person who was not a Scheduled Caste or a Scheduled Tribe by birth will be deemed to be a member of a Scheduled Caste or a Scheduled Tribe merely because he or she had married a person belonging to a Scheduled Caste or a Scheduled Tribe.

Similarly a person who is a member of a Scheduled Caste or a Scheduled Tribe would continue to be a member of that Scheduled Caste or Scheduled Tribe as the case may be, even after his or her marriage with a person who does not belong to a Scheduled Caste or a Scheduled Tribe.

4. *Cases of conversion and re-conversion*:

(i) Where a Scheduled Caste person gets converted to a religion other than Hinduism or Sikhism and then reconverts himself back to Hinduism or Sikhism, he will be deemed to have reverted to his original Scheduled Caste, if he is accepted by the members of that particular caste as one among them.

(ii) In the case of a descendent of a Scheduled Caste convert, the mere fact of conversion to Hinduism or Sikhism will not be sufficient to entitle him to be regarded as a member of the Scheduled Caste to which his forefathers belonged. It will have to be established that

such a convert has been accepted by members of the caste claimed as one among themselves and has thus become a member of that caste.

5. *Cases of adoption:*

Great care has to be exercised in dealing with cases where a person claims to be a Scheduled Caste on the ground that he has been adopted by a Scheduled Caste person. The validity of the adoption has to be clearly established before any caste certificate can be given. It is for the party to prove his claim by cogent and reliable evidence.

(i) The requirements of valid adoption are given in section 6 to 11 of the Hindu Adoption and Maintenance Act, 1956 (relevant extracts of which are attached). The actual giving and taking of the child in adoption is a mandatory requirement and thereafter the adopted child is deemed to be the child of his adoptive father or mother for all purposes and the child severs all ties with the family of his or her birth. Ordinarily, no child who has attained the age of 15 years or who is married can be given in adoption unless there is a custom or usage applicable to the parties.

(ii) In deciding whether an adoption is valid, the certificate issuing authority should satisfy himself that all the requirements of Law have been complied with. He should also take into account the behaviour of the child after adoption whether he physically lives with and is supported by his adoptive parents and receives no financial help from his original parents. In case these conditions are not satisfied, the certificate should be refused.

(iii) Where the case relates to an adoption of a married person or of a person of the age of 15 years and above, the certificate shall be required to be given by the District Magistrate who shall, after making due enquiries as to the validity of the adoption and as to whether such adoption is permitted by a custom or usage applicable to the parties, make an endorsement to that effect on the certificate. Such custom or usage should have been continuously and uniformally observed for a long time and obtained the force of law among the Hindus of that particular area, or that community, group or family provided that the custom or usage is certain and not unreasonable or apposed to public policy and in the case of custom or usage in respect of a particular family, that the custom or usage has not been discontinued. In addition it should be verified that all other conditions for a valid adoption, including the physical transfer of the adopted, person to the family of the adoptive parents and that he has severed all ties with the original parents are fulfilled.

Extracts from 'The Hindu Adoptions and Maintenance Act, 1956'

(78 of 1956)

CHAPTER II—Adoption

Requisites of a valid adoption

6. No adoption shall be valid unless—

(i) The person adopting has the capacity, and also the right, to take in adoption;
(ii) The person giving in adoption has the capacity to do so;
(iii) The person adopted is capable of being taken in adoption; and
(iv) The adoption is made in compliance with the other conditions mentioned in this chapter.

Capacity of a male Hindu to take in adoption

7. Any male Hindu who is of sound mind and is not a minor has the capacity to take a son or a daughter in adoption.

Provided that, if he has a wife living, he shall not adopt except with the consent of his wife unless the wife has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.

EXPLANATION: If a person has more than one wife living at the time of adoption, the consent of all the wives is necessary unless the consent of any one of them is unnecessary for any of the reasons specified in the preceding proviso.

Capacity of a female Hindu to take in adoption

8. Any female Hindu—

(a) who is of sound mind,

(b) who is not a minor, and

(c) who is not married or if married, whose marriage has been dissolved or whose husband id dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, has the capacity to take a son or daughter in adoption.

Persons capable of giving in adoption

9 (1) No person except the father or mother or the guardian of a child shall have the capacity to give the child in adoption.

(2) Subject to the provisions of sub-section (3) and sub-section (4), the father, if alive, shall alone have the right to give in adoption, but such right shall not be exercised save with the consent of the mother unless the mother has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.

(3) The mother may give the child in adoption if the father is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of a competent jurisdiction to be of unsound mind.

(4) Where both the father and mother are dead or have completely and finally renounced the world or have abandoned the child or have been declared by a court of competent jurisdiction to be of unsound mind or where the parentage of the child is not known, the guardian of the child may give the child in adoption with the previous permission of the court to any person including the guardian himself.

(5) Before granting permission to a guardian under sub-section (4), the court shall be satisfied that the adoption will be for the welfare of the child, due consideration being for this purpose given to the wishes of the child having regard to the age and understanding of the child and that the applicant for permission has not received or agreed to receive and that no person had made or given or agreed to make or give to the applicant any payment or reward in consideration of the adoption except such as the court may sanction.

Explanation—For the purposes of this section—

(i) the expression "father" and "mother" do not include an adoptive father and an adoptive mother.

(ia) "guardian" means a person having the care of the person of a child or both his person and property and includes—

(a) a guardian appointed by the will of the child's father or mother, and

(b) a guardian appointed or declared by a court;

(ii) "court" means the city civil court or a district court within the local limits of whose jurisdiction the child to be adopted ordinarily resides.

Persons who may be adopted.

10. No person shall be capable of being taken in adoption unless the following conditions are fulfilled, namely: --

(i) he or she is a Hindu;

(ii) he or she has not already been adopted;

(iii) he or she has not been married, unless there is a custom or usage applicable to the parties which permits persons who are married being taken in adoption;

(iv) he or she has not completed the age of fifteen years, unless there is a custom or usage applicable to the parties which permits persons who have completed the age of fifteen years being taken in adoption.

Other complied Conditions for a valid adoption

11. In every adoption, the following conditions must be complied with: --

(i) if the adoption is of a son, the adoptive father or mother by whom the adoption is made must not have a Hindu son, son's son or son's son's son (whether by legitimate blood relationship or by adoption) living at the time of adoption;

(ii) if the adoption is of a daughter, the adoptive father or mother by whom the adoption is made must not have a Hindu daughter or son's daughter (whether by legitimate blood relationship or by adoption) living at the time of adoption:

(iii) if the adoption is by a male and the person to be adopted is a female, the adoptive father is at least twenty-one years older than the person to be adopted;

(iv) if the adoption is by a female and the person to be adopted is a male, the adoptive mother is at least twenty-one years older than the person to be adopted.

(v) The same child may not be adopted simultaneously by two or more persons;

(vi) The child to be adopted must be actually given and taken in adoption by the parents or guardian concerned or under their authority with intent to transfer the child from the family of its birth or in the case of an abandoned child or a child whose parentage is not known, from the place or family where it has been brought up to the family of its adoption:

Provided that the performance of *datta homam* shall not be essential to the validity of an adoption.

****

No. BC, 12025/2/76- SCT.I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi-110 001. *Dated, New Delhi, the 22nd March 1977*

To

The Chief Secretaries of All State Governments/Union Territory Administrations.

Subject:-- *Issue of Scheduled Caste and Scheduled Tribe certificates— Clarifications regarding*.

Sir,

I am directed to say that many instances have come to the notice of this Ministry wherein certificates of belonging to a particular Scheduled Caste/Tribe have not been issued strictly in accordance with the principles governing the issue of such certificates. This is presumably due to inadequate appreciation of the legal position regarding the concept of the term "residence" on the part of the authorities empowered to issue such certificates.

2. As required under Articles 341 and 342 of the Constitution, the President has, with respect to every State and Union Territory and where it is State after consultation with the Governor of the concerned State, issued orders notifying various Castes and Tribes as Scheduled Castes and Scheduled Tribes in relation to that State or Union Territory from time to time. The inter-state area restrictions have been deliberately imposed so that the people belonging to the specific community residing in a specific area, which has been assessed to qualify for the Scheduled Caste or Scheduled Tribe status, only benefit from the facilities provided for them. Since the people belonging to the same caste but living in different State/Union Territories may not necessarily suffer from the same disabilities, it is possible that two persons belonging to the same caste but residing in different States /U.Ts may not both be treated to belong to Scheduled Caste/Tribe or *vice-versa*. Thus the residence of a particular person in a particular locality assumes a special significance. This residence has not to be understood in the literal or ordinary sense of the word. On the other hand it connotes the permanent residence of a person on the date of the notification of the Presidential Order scheduling his caste/tribe in relation to that locality. Thus a person who is temporarily away from his permanent place of abode at the time of the notification of the Presidential Order applicable in his case, say, for example, to earn a living or seek education, etc., can also 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 his State/UT. 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 Order.

3. It is to ensure the veracity of this permanent residence of a person and that of the caste/tribe to which he claims to belong that the Government of India has made a special provision in the proforma prescribed for the issue of such certificate. In order that the certificates are issued to the deserving persons it is necessary that proper verification based primarily on revenue records and if need be, through reliable enquiries, is made before such certificates are issued. As it is only the Revenue Authorities who, besides having access to relevant revenue records are in a position to make reliable enquiries, Government of India insists upon the production of certificates from such authorities only. In order to be competent to issue such certificates, therefore, the authority mentioned in the Government of India (Department of Personnel and Administrative Reforms) letter No. 13/2/74-Est (SCT), dated the 5th August, 1975, (copy enclosed) should be the one concerned with the locality in which the person applying for the certificate and his place of permanent abode at the time of the notification of the relevant Presidential Order. Thus, the Revenue Authority of one District would not be competent to issue such a certificate in respect of persons belonging to another district. Nor can such an authority of one State/UT issue such certificates in respect of persons whose place of permanent residence at the time of the notification of a particular Presidential Order, has been in a different State/Union Territory. In the case of persons born after the date of notification of the relevant

Presidential Order, the place of residence for the purpose of acquiring Scheduled Caste or Scheduled Tribes status, is the place of permanent abode of their parents at the time of the notification of the Presidential Order under which they claim to belong to such a Caste/Tribe.

4. It is understood that some State Governments/Union Territory Administrations have empowered all their Gazetted Officers to issue such certificates and even Revenue Authorities issue certificates on the basis of the certificates issued by Gazetted Officers, M.P.s and M.L.A.s etc. If such a practice if followed, there is a clear danger of wrong certificates being issued, because in the absence of proper means of verification such authorities can hardly assure the intrinsic correctness of the facts stated in such certificates. In order to check the issuance of false certificates, the question of verification assumes all the more importance.

5. All the State Governments/Union Territory Administrations are, therefore, requested to streamline their respective procedures for issuing such certificates so as to conform to the above instructions as well as to those issued from time to time. Where Revenue Authorities have been empowered to issue certificates on the basis of a certificate issued by an M.P., M.L.A, Gazetted Officer, etc., they would do so only after having made proper verifications and after having satisfied themselves of the correctness of such certificates.

Yours faithfully,

Sd/-
(O.R. SRINIVASAN)
Under Secretary to the Government of India
Tel: 381843

No.BC.12025/2/76-SCT.I March 1977
Phalguna, 1898

Copy to:-

1. The Department of Personnel and Administrative Reforms, Government of India, with reference to their U.O.No.D.2014/76-Est.(SCT), dated the 8th July 1976. They are requested to make necessary amendments to the brochure on the reservation for Scheduled Castes and Scheduled Tribes by incorporating, where necessary, the position stated in the foregoing paragraphs.
2. Director, Institute of Sectt. Training and Management, West Block No.1, Wing No.6, Ramakrishnapuram, New Delhi-110022 with reference to his letter No.12/4/76-ARRNG, darted the 21st February, 1976.
3. Secretary, Union Public Service Commission, New Delhi.
4. All Ministries/Departments of the Govt. of India.
5. All Zonal Directors/Deputy Directors.
6. Commissioner for Scheduled Castes and Scheduled Tribes, Ramakrishnapuram, New Delhi.

Sd/-
(O.R. SRINIVASAN)
Under Secretary to the Government of India
Tel: 381843

Copy

Letter No. 13/2/74-Est. (SCT)

Govt. of India/Bharat Sarkar
Cabinet Secretariat/Mantrimandal Sachivalay,
Deptt. of Personnel and Administrative Reforms
(Karmik Aur Prasashanik Sudhar Vibhag,

New Delhi-110 001, the 5th August, 1975

To

The Chief Secretaries of all State Governments and Union Territory Administrations.

Subject: - *Verification of claims of candidates belonging to Scheduled Castes and Scheduled Tribes—Form of caste certificate—amendments to.*

Sir,

I am directed to say that candidates belonging to Scheduled Castes and Scheduled Tribes seeking employment to posts/services under the Central Government are required to produce a certificate in the prescribed form from one of the prescribed authorities in support of their claim. A list of the prescribed authorities in this regard is enclosed for information. The form of caste certificate has now been slightly revised. The revised form of caste certificate is enclosed. I am to request that the revised form of caste certificate may please be brought to the notice of the authorities under the State Government who are empowered to issue such certificates.

Yours faithfully,

Sd/-
(J.S. Ahluwalia)
Under Secretary to the Govt. of India

No. 13/2/74-Est. (SCT) Dated, *the 5th August 1975*

Copy forwarded to U.P.S.C. for information with reference to their letter No. 26/43/74-EI (B), dated 28-1-1975.

List of authorities empowered to issue certificates of verification.

1. District Magistrate/Additional District Magistrate/ Collector/ Deputy Commissioner/ Additional Deputy Commission/Deputy Collector/1st Class Stipendary Magistrate/City Magistrate/*Sub-Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner.
   (*not below the rank of 1st Class Stipendary Magistrate)
2. Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
3. Revenue Officers not below the rank of Tehsildar.
4. Sub-Divisional Officer of the area where the candidate and/or his family normally resides.
5. Administrator/Secretary to Administrators/Development Officer (Lakshadweep Islands)

***

Form of certificate to be produced by a candidate belonging to a Scheduled Caste or Scheduled Tribe in support of his claim.

Form of Caste certificate

This is to certify that Shri/Shrimati*/Kumari*…… son/daughter* of……..Village/town…… . In District/Division*……of the State/Union Territory*……..belonging to the……..Caste/Tribe* which is recognised as Scheduled Caste* /Scheduled Tribe* under:-

The Constitution (Scheduled Castes) Order, 1950;

The Constitution (Scheduled Tribes) Order, 1950;

The Constitution (Scheduled Castes) (Union Territories) Order, 1951; [as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970 and the North Eastern Areas (Reorganisation) Act, 1971]

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

The Constitution (Andaman and Nicobar Islands) Scheduled Tribes *Order, 1959;

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

The Constitution (Dadra and Nagar Haveli) Sch. 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 Caste *Order, 1968;

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

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

2. Shri/Shrimati/Kumari*…….and his/her* family ordinarily reside(s) in village/town…….…… of……. District/Division* of the State/Union Territory* of…….

Signature…….
Designation……
(With seal of Office)

Place……..State/Union Territory*
Date……

*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.

No. 39/37/73-SCT. I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi-11001, the 21 May, 1977/31Baisak, 1899

To

The Chief Secretaries of all the State Governments &Union Territory Administrations.

Subject: --Caste status of the offspring of inter-caste married couples.

Sir,

I am directed to say that enquiries about the caste status of the offsprings of the inter caste married couples have been sought from this Ministry by various State Governments/Union Territory Administrations from time to time. Accordingly, this question has been receiving the attention of this Ministry for quite some time. A set of legal views on the caste status of such offsprings was already brought out vide this Ministry's letter of even number dated the 4th March 1975. The matter has, however, been further examined and the comprehensive legal position about the status of the offsprings born to couples where one or both of the spouses is/are member(s) of Scheduled Castes and or Scheduled Tribes, is given in the enclosed Annexures (A to D).

2. It is requested that these instructions may be circulated among all the authorities empowered to issue Scheduled Caste and Scheduled Tribes certificates.

Yours faithfully

Sd/-
(O.R. Srinivasan)
Under Secretary to Government of India

No. 39/37/73-SCT. I, Dated, the 21 May, 1977/31Baisak, 1899

Copy to:-

1. All Ministries/Deptts. of the Govt.of India.
2. All attached and subordinate offices of M.H.A
3. The Union Public Service Commission, Dholpur House, New Delhi-110011.
4. The Subordinate Services Commission, R.K. Puram, New Delhi-110022.

Sd/-
(O.R. SRINIVASAN)
Under Secretary to the Government of India
Tel: 381843

ANNEXURE-A

Legal views on the status of the offspring of a couple where one of the spouses is a member of a Scheduled Caste.

The general position of Law as to that effect of marriage between parties who are Hindus and one of whom belongs to the Scheduled Castes in that under the ancient Hindu law, generally, inter-caste marriage was looked down upon by the propounders and commentators. Some of the authorities, however, reluctantly permitted marriage between a male caste Hindu with a Shudra female and included it in the list of Anuloma marriages although it was stated that in the wedding with a Shudra wife, the ceremony should be performed without Mantras. The children born out of such marriage by a caste Hindu with a woman of an inferior caste had neither the caste of the father nor the status of his Savarn Aurasas-meaning the son born of a caste Hindu wife. They were termed as Anulomaja and belonged to an intermediate caste higher than that of their mother and lower than that of their father. Yajnavalkya omits the son of Brahmin by a Shudra wife from the list of sons mentioned by Manu. Pratiloma marriages, i. e. marriages between a woman of a superior caste with a man of an inferior caste, were altogether forbidden and no rites were prescribed for them in Grihya Sutra and persons entering into such marriages were degraded from the caste.

2. After the passing of various statutory enactments relating to Hindu law, such as, the Hindu Marriages Act, 1955, the Hindu Succession Act, 1956 and the Hindu Minority and Guardianship Act, 1956 customary ban on inter caste marriages in either way, has been lifted by the statutory enactments. Under the Hindu Marriage Act, any two Hindus of different sex, irrespective of their caste may enter into a valid marriage unless such marriage is prohibited by the Statute itself. According to the above three Statutes, all children either legitimate, or illegitimate, one of whose parents is a Hindu, a Buddist, a Jain or a Sikh by religion and who are brought up as members of the tribe, community, group or family to which their parents belong or belonged, are to be treated as Hindus. In view of the above, the off-springs of marriage between the caste Hindu and a member of the Scheduled Caste community, are Hindus and like the off-spring of marriage in the same caste, are entitled to succeed to the properties of their parents. But the status of his or her parent belonging to the higher caste or a question arises as to whether such a child will acquire the property that of the parent belonging to the Scheduled Caste. On this point we have not come across any direct case law. But we feel that the ratio of the decision in *Wilson Read vs. C. S. Booth* reported in AIR 1958 Assam 128 would apply to such cases. It is stated at p.182, —

> "The test which will determine the membership of the individual will not be the purity of blood, but his own conduct in following the customs and the way of life of the tribe; the way in which he was treated by the community and the practice amongst the tribal people in the matter of dealing with the tribal people in the matter of dealing with the persons whose mother was a Khasi and father was a European."

Similarly, in the case of *Muthusamy Mudaliar v Masilamam Mudaliar*, reported in ILR 33, Madras, 342, the Court held—

> "It is not uncommon process for a class or tribe outside the pale of caste to another pale and if other communities recognised their claim, they are treated as of that class or castes. The process of adoption into the Hindu hierarchy through caste is common both in the North and in the South India. As we have already pointed out, in the past there have been cases where people who judge from the purity of blood could not be Khasis, were taken into their fold or the orthodoxy did not stand in the way of their assimilation into the Khasi community."

3. The Supreme Court in V.V. Giri v D. S. Dora reported in AIR 1959 SC 1318 (1327) held, --

"….The caste-status of a person in the context would necessarily have to be determined in the light of the recognition received by him from the members of the caste into which he seeks an entry. There is no evidence on this point at all. Besides the evidence produced by the appellant merely shows some acts by respondent 1 which no doubt were intended to assert a higher status; but unilateral acts of this character cannot be easily taken to prove that the claim for the higher status which the said acts purport to make is established. That is the view which the High Court has taken and in our opinion the High Court is absolutely right."

In view of the above observations by superior Courts, it can safely be concluded that the crucial test to determine is to whether a child born out of such a wedlock has been accepted by the Scheduled Caste community as a member of their community and has been brought up in that surrounding and in that community or not. The nexus between the child and the community or class or caste is a real test irrespective of the fact whether the accommodating class or caste or community is Scheduled Caste community or a caste Hindu community. Even if the mother of the child is a member of the Scheduled Caste community, it is possible that the child is accepted by the community of his father and brought up in the surroundings of his father's relations. In that case, such a child cannot be treated as a member of the Scheduled Caste community and cannot get any benefit as such. Similarly, when the mother belongs to a higher caste and the father is a Scheduled Caste, the father may remain away from the Scheduled Caste Community and the child may be brought up in a different surrounding under the influence of his mother's relations and her community members. In such cases also, the child cannot be said to be a member of the Scheduled Caste community. In the alternative, where the child irrespective of the fact whether the father or the mother is a member of Scheduled Caste community, is brought up on the Scheduled Caste community as a member of such community, then he has to be treated as a member of the Scheduled Caste community and would be entitled to receive benefits as such.

4. As regards the marriages not registered and marriages not legally valid, it may be pointed out that registration is not mandatory for marriages under the Hindu law. Even under the Hindu Marriage Act, 1955, registration under Section 8 is optional and subsection (5) provides that the validity of any Hindu marriage shall, in no way, be affected by the omission to make entry in the Marriages Register maintained under this Section. Section 7 provides that Hindu marriages may be solemnised in accordance with the customary rites and the ceremonies of either party thereto and, if such ceremony includes the Saptapadi, the marriage becomes complete and binding when the seventh step is taken. In view thereof, all those marriages though not registered by which have been solemnised in accordance with the procedure mentioned in this Section, are to be treated as valid marriages and our opinion mentioned in para 3 above will apply to the children born out of such valid but undersigned marriages.

5. As regards marriages which are not legally valid, it is clear that such children are illegitimate unless invalidity of marriages is due to grant of a decree of nullity by a Court in which case, provisions of Section 16 of the Hindu Marriage Act, 1955, will apply. Under Section 6(b) of the Hindu Minority and Guardianship Act, 1956 the natural guardian of a Hindu minor has been stated to be—

"in case of an illegitimate boy or an illegitimate girl—the mother and after her the father"

6. It can be derived from this that the illegitimate children are generally brought up by the mother and in her own surroundings. Therefore, if the mother belongs to the Scheduled Caste and brings up the child within a Scheduled Caste community, the child can be taken as a member of the Scheduled Caste community. But in this case also the major factor for consideration is whether the child has been accepted by the Scheduled Caste community as a member of their community and he has been brought up as such.

7. The above are the general observations, however, each case has to be examined in the light of the circumstances prevalent in that case and final decisions has to be taken thereof.

***

ANNEXURE-B

Legal views on the status of the off-springs of a couple where one of the spouses is a member of a Scheduled Tribe

The question has arisen whether the Off-spring born out of wedlock between a couple one of whom is a member of Scheduled Tribe and other is not, should be treated as a Scheduled Tribe or not.

2. It may be stated at the outset that unlike members of Scheduled Castes the members of Scheduled Tribes continue as such even after their conversion to other religion. This is because while Constitution (Scheduled Castes) Order, 1950 provides in clause 3 that only a member of Hindu or Sikh religion shall be deemed to be a member of Scheduled Caste, the Constitution (Scheduled Tribes) Order, 1950 does not provide any such condition. This view has been upheld by the Supreme Court in the case reported in AIR 1964 S.C. at p.201.

3. It may be stated that unlike members of Scheduled Castes, members of Scheduled Tribes remain in homogenous groups and quite distinct from any other group of Scheduled Tribes. Each Tribe lives in a compact group under the care and supervision of the elders of the Society whose words are obeyed in all social matters. A member committing breach of any prescribed conduct is liable to be ex-communicated. The social custom has a greater binding force in their day-to-day life.

4. In the case of marriage between a tribal with a non-tribal, the main factor or consideration is whether the couple were accepted by the tribal society to which the tribal spouse belongs. If he or she, as the case may be, is accepted by the Society then their children shall be deemed to be Scheduled Tribes. But this situation can normally happen when the husband is a member of the Scheduled Tribe. However, a circumstance may be there when a Scheduled Tribe woman may have children from marriage with a non-Scheduled Tribe man. In that event the children may be treated as Scheduled Tribes only if the members of the Scheduled Tribe Community accept them and treat them as members of their own community. This view has been held by the Assam High Court in *Wilsom Read v. C.S. Booth* reported in AIR 1958 Assam at p. 128, where it has been held—

> "The test which will determine the membership of the individual will not be the purity of blood, but his own conduct in following the customs and the way of life of the tribe; the way in which he has been treated by the Community and the practice amongst the tribal people in the matter of dealing with persons whose mother was a Khasi and father was a European".

Similarly, in the case of Muthusamy Mudaliar v. Masilamam Mudaliar, reported in ILR 33, Madras, 342, the Court held—

> "It is not uncommon process for a class or tribe outside the pale of caste to another pale and if other communities recognised their claim they are treated as of that class or caste".

Similarly, in *V. V. Giri v. D. S. Dora*, reported in AIR, 1959 S. C. 1318 (1327) the Court held—

> "The Caste-status of a person in the context would necessarily have to be determined in the light of the recognition received by him from the members of the caste into which he seeks an entry".

5. As mentioned above, it is the recognition and acceptance by the Society of the children borne out of a marriage between a member of Scheduled Tribe with an outsider, which is the main determining factor irrespective of whether the Tribe is matriarchal or patriarchal. The final result will always depend on whether the child was accepted as a member of the Scheduled Tribe or not.

6. The general position of law has been stated above. However, each individual case will have to be examined in the light of existing facts and circumstances in such cases.

***

ANNEXURE-C

Legal views on the status of the off-springs of a couple where both the spouses are members of Scheduled Caste/Scheduled Tribes but each belongs to a different subcaste/sub-tribe.

1. Under the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950, what is material is the residence of the member of the caste, race or tribe in the localities specified in the respective Schedule. In the case of a minor child the question arises whether his residence will go along with that of his father. Under the principles of prevailing International Law, the domicile of a minor child follows that of his father, and in certain cases of his mother and the minor child is incapable of changing his domicile by any voluntary act. The rule by no means is absolute. Suppose, for instance, a father deserts his son or he is divorced and the custody of his son is given to his wife. In such a case, the court may consider that the minor's domicile will be that of the mother.

2. Under Section 3 of the Hindu Minority and Guardianship Act, 1956 the natural guardian in the case of a minor boy or an unmarried girl is father and after him his mother. In the case of an illegitimate boy or an illegitimate unmarried girl, the natural guardian will be the mother and after her, the father.

3. In the above background it has to be seen as to which sub-caste or sub tribe the off-spring would belong in case the parents belonging to two distinct communities within the same Scheduled Castes or Scheduled Tribes as the case may be. *Prima facie* it would appear that in such cases the children born of such parents could be treated as members of the Scheduled Castes or Scheduled Tribes, as the case may be. The *prima facie* presumption is also in favour of the child possessing the sub-caste or sub-tribe of the father in the large majority of cases, having regard to the concept of domicile mentioned above. Apart from this, it has to be seen whether the child has also been accepted and assimilated in the sub-caste or sub-tribe in that community. Each case has to be examined in the light of the circumstances pertaining to it.

****

ANNEXURE-D

Legal Views on the status of the off-springs of a couple where one of the spouses is a member of a Scheduled Caste and the other that of a Scheduled Tribe.

As regards the status of the off-spring whose father is a member of Scheduled Caste and mother of a Scheduled Tribe, the prima-facie presumption is in favour of the child possessing the caste of the father in the large majority of cases, having regard to the concept of domicile explained in para 1 of Annexure C. Apart from this, if may also be a relevant criterion to see whether the child has been accepted and assimilated in the Scheduled Caste community to which the father belongs.

2. The principle mentioned above would also apply to the case of an offspring whose mother is a member of a Scheduled Caste and father of a Scheduled Tribe.

3. This is the general position of law. Each case, however, has to be examined in them light of the attendant facts and circumstances.

***

No. BC. 12025/44/80-SC&BCD.I/ IV
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi dated 10th February, 1982.

To

The Chief Secretaries to
All State Governments/Union Territory Administrations.

Subject:-- Non-insertion of the words 'Harijan and Girijan' in Scheduled Caste/Scheduled Tribe Certificates.

Sir,

I am directed to say that it has been brought to the notice of this Ministry that some of the officers in the State Governments/Union Territory Administrations, who have been authorised to issue the Scheduled Caste/Scheduled Tribe Certificates are inserting the words 'Harijan' and 'Girijan' in such certificates.

2. In this connection, attention is invited to this Ministry's letter No.BC.12025/2/76-SCT (I), dated 22-3-1977, enclosing therewith a copy of the Department of Personnel & A.R.'s letter No.13/2/74-Estt.(SCT) dated 5-8-1975 and the form in which the Scheduled Caste/Scheduled Tribe Certificates have to be issued by the officers authorised to do so. In the form of the Scheduled Caste/Scheduled Tribe Certificate, there is column for writing the word 'Harijan' or 'Girijan' and the authority issuing the Scheduled Caste/Scheduled Tribe Certificate has to mention only the caste/tribe to which the person belongs and which has been recognised as Scheduled Caste/Scheduled Tribe under the Presidential Orders(to be quoted).

3. All the State Governments/Union Territory Administrations are, therefore, requested to issue instructions to the authorities, who have been empowered to issue the Scheduled Caste/Scheduled Tribe Certificates, not to insert the word 'Harijan' or 'Girijan' in the Scheduled Caste/Scheduled Tribe Certificates and to issue the Scheduled Caste/Scheduled Tribe Certificates, only in the form as prescribed by the Government of India for this purpose.

Yours faithfully,
Sd/-
(B.N. Srivastava)
Director.

No. BC. 12025/44/80 SC & BCD.I/ IV *Dated 10th February, 1982.*

Copy forwarded to:-

1. Department of Personnel & A. R. Establishment (SCT) Section, New Delhi.
2. Secretary, U. P.S.C, New Delhi.
3. The Chairman, Staff Selection Commission, Lok Nayak Bhawan, New Delhi.
4. All the Ministries/Departments of Government of India.
5. The Commissioner for SC/ST, R.K. Puram, New Delhi.
6. The Secretary, Commission for Scheduled Castes and Scheduled Tribes, Lok Nayak Bhawan New Delhi.
7. SC&BC.I/ SC&BC II/ SC&BC III Sections/PCR Cell/PCR Desk.
8. 100 Spare Copies.

Sd/-
(B.N. Srivastava)
Director.

No. BC. 12025/1/82 SC & BCD IV
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi dated 29th June 1982.

To

The Chief Secretaries of all State Governments/Union Territory Administrations.

Subject:--Issue of Scheduled Caste/Tribe Certificates— Providing for punishments for officials issuing such certificates without proper verification.

Sir,

I am directed to say that it was mentioned in the meeting of the Consultative Committee for the Ministry of Home Affairs held in Feb. 1982 that Scheduled Caste/Tribe certificates have been issued to ineligible persons, carelessly or deliberately without proper verification by the officials empowered to issue such certificates. This has resulted in some persons availing of the benefits meant for the Scheduled Castes and Scheduled Tribes on false pretext. The Consultative Committee has desired that suitable steps should be taken to prevent such wrong issue of certificates.

2. Attention is invited to this Ministry's letter No. BC 12025/3/78-SCT-I dated 29th March 1976 addressed to the Chief Secretaries of all the State Governments/U.T. Administrations requesting them to take deterrent action against officials who issued certificates carelessly or deliberately without proper verification. The State Governments/U.T. Administrations were requested to issue necessary instructions to all the officials under their control who are empowered to issue certificates to take proper care before issuing them. These officials were also to be informed that action would be taken against them under the relevant provisions of the Indian Penal Code (Section 420 etc.) if any of them is found to have issued certificates carelessly and without proper verification in addition to the action to which they are liable under the appropriate disciplinary rules applicable to them.

3. It is requested that the action taken in the matter by the State Governments/U.T. Administrations may kindly be intimated to this Ministry urgently with regard to the following points: --

(i) Number of bogus certificates detected during the last 2 years (1980 and 1981).

(ii) Action taken against the erring officials.

(a) Under the relevant provision of the I.P.C.

(b) Under the appropriate disciplinary rules applicable to them.

(iii) Action taken against persons who obtained such bogus Certificates under I.P.C. etc.

(iv) Details of the steps taken to curb such malpractices in future.

4. The State Governments and U.T. Administrations are also requested to take strict measures to detect such cases of non-Scheduled Caste and non-Scheduled Tribe persons holding false S.C./S.T. Certificates, deprive them of benefits that they are not entitled to, and impose appropriate penalties and take legal action against them and against those who were responsible for the issue of such certificates, strictly and expeditiously. Further, it was suggested in the Consultative Committee meeting that the State Governments/U.T. Administrations may set up special courts for expeditiously trying the cases

relating to the issue of bogus certificates with deterrent rapidity and give wide publicity to the names of persons who are convicted of this offence by the courts.

Yours faithfully,

Sd/-
(B.N. Srivastava)
Director.

Copy forwarded for information to:-

1. Department of Personnel & A. R. Establishment (SCT) Section.
2. Secretary, Commission for Scheduled Castes and Scheduled Tribes, Lok Nayak Bhawan New Delhi.
3. Commissioner for SC/ST, R.K. Puram, New Delhi.
4. Secretary, U. P.S.C/Secretary, Staff Selection Commission.
5. All the Ministries/Departments.
6. All the Divisions of Ministry of Home Affairs.
7. SC&BC.I/II/III/VI Sections/PCR Cell/PCR Desk/T.D. Division.

Sd/-
(B.N. Srivastava)
Director.

No. BC-16014/1/82-SC & BCD-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, dated the 18th November, 1982.

To

The Chief Secretaries to all State Governments/Union Territory Administrations.

Subject:-- Issue of Scheduled Caste/Scheduled Tribe Certificate to migrants from other States/Union Territories.

Sir,

I am directed to say that it has been represented to this Ministry that persons belonging to Scheduled Castes/Scheduled Tribes, who have migrated from one State to another for the purpose of employment, education, etc. experience great difficulty in obtaining caste/tribe certificate from the State from which they have migrated. In order to remove this difficulty, it has been decided in modification of the instructions issued in letter No. BC-12025/2/76-SCT I, dated 22.03.1977 and letter No. BC-12025/11/79-SC & BCD I/ IV, dated 29.03.1982 that the prescribed authority of a State Government/Union Territory Administration may issue the Scheduled Caste/Tribe certificate to a person who has migrated from another State, on the production of the genuine certificate issued to his father/mother by the prescribed authority of the State of the father's/mother's origin except where the prescribed authority feels that detailed enquiry is necessary through the State of origin before issue of the certificate. The certificate will be issued irrespective of whether the Caste/Tribe in question is scheduled or not in relation to the State/Union Territory to which the person has migrated. This facility does not alter the Scheduled Caste/Scheduled Tribes status of the person in relation to the one or the other State. The revised form of the Scheduled Caste/Tribe certificate is enclosed.

Yours faithfully,

Sd/-
(B.K. Sarkar)
Joint Secretary to the Govt.of India

No. BC-16014/1/82-SC & BCD-I, *Dated the 18th November, 1982.*

Copy to:-

1. Department of Personnel & A. R. (Est) (SCT Section) with the request that necessary amendment to the brochure of the reservation in services for Scheduled Castes and Scheduled Tribes, by incorporating, where necessary, the position started in the foregoing paragraphs may please be made.
2. Secretary, Union Public Service Commission, Dholpur House, New Delhi.
3. Secretary, Staff Selection Commission, CGO Complex, Block No.12, Lodi Road, New Delhi.
4. All the Ministries/Departments, Government of India.
5. Secretary, Commission for SC/ST, Lok Nayak Bhawan, New Delhi.
6. Commissioner for Scheduled Castes & Scheduled Tribes, R.K. Puram, New Delhi.
7. All the Sections in SC&BCD Division/T.D. Division, Ministry of Home Affairs.

Yours faithfully,
Sd/-
(B.K. Sarkar)
Joint Secretary to the Govt.of India

Form of certificate to be produced by a candidate belonging to a Scheduled Castes or Scheduled Tribes in support of his claim.

Form of Caste certificate

This is to certify that Shri/Shrimati/Kumari……..son/Daughter of……ofvillage/town……indistrict/Division/Division…… ……..……of the State/Union Territory……..…… belongs to the …….. Caste/Tribe which is recognised as Scheduled Caste under:
Scheduled Tribe

The Constitution (Scheduled Castes) Order, 1950.
The Constitution (Scheduled Tribes) Order, 1950.
The Constitution (Scheduled Castes) (Union Territories) Order, 1951. *
The Constitution (Scheduled Tribes) (Union Territories) Order, 1951.*
(as amended by the Scheduled Castes and Scheduled Tribes lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970 and the North Eastern Areas (Reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976).
The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956.*
The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959.*
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 Caste Order, 1968.*
The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968.*
The Constitution (Nagaland) Scheduled Tribes Order, 1970.*
The Constitution (Sikkim) Scheduled Castes Order, 1978.*
The Constitution (Sikkim) Scheduled Tribes Order, 1978.*

2. This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati…… father/mother of Shri/Shrimati/Kumari……. Of village/town……. …….in District/Division……of the State/ Union Territory……who belongs to the …… caste/tribe which is recognised as a Scheduled Caste
Scheduled Tribe

in the State/Union Territory…… issued by the …….. (name of prescribed authority) *vide* their No……. dated……..

Signature…….
Designation…….
(with seal of Office)

Place…… State
Union Territory
Date……
**Please delete the words which are not applicable*

No. BC-16014/1/82-SC & BCD-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, the 6th August, 1984.

To

The Chief Secretaries of All State Governments and U.T. Administrations.

Subject: - Verification of claim of candidates belonging to Scheduled Castes and Scheduled Tribes and migrants from other States/Union Territories—Form of certificate—Amendment to.

Sir,

I am directed to refer to this Ministry's letter of even number dated the 18.11.1982 and the Department of Personnel and Administrative Reforms letter No. 36012/6/76/Est. (SCT), dated the 29/10/1977 on the above subject and to say that the form of Scheduled Caste/Scheduled Tribe certificate enclosed with the aforesaid letters has been further revised consequent upon coming into force of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 and keeping in view the difficulty being experienced by the persons belonging to the Scheduled Castes and Scheduled Tribes in obtaining community certificates on migration from their States of origin to another for the purpose of employment, education etc. The revised caste/tribe form of certificate is enclosed herewith. It is requested that a copy of the revised form of certificate may please be brought to the notice of all the competent authorities who have been empowered to issue such certificates. The list of competent authorities who have been empowered to issue the Scheduled Caste/Scheduled Tribe certificates circulated by the Department of Personnel and Administrative Reforms in their letter No. 13/2/74-Est. (SCT), dated, the 05/08/1975 has also been incorporated in the enclosed revised form.

2. The instructions issued in this Ministry's letter of even number dated the 18.11.1982 will continue. It is, however, clarified that the Scheduled Caste/Scheduled Tribe person on migration from the State of his origin to another State will not lose his status as Scheduled Caste/Scheduled Tribes but he will be entitled to the concessions/benefits admissible to the Scheduled Castes/Scheduled Tribes from the State of his origin and not from the State where he has migrated. All competent authorities may be advised under intimation to this Ministry to issue the Scheduled Caste/Scheduled Tribe certificates on the revised form of certificate henceforth after satisfying themselves of correctness of the certificate after proper verification based on the revenue records/through reliable enquiries. The list of the competent authorities empowered and incorporated in the form may please be followed strictly. No other authority may be authorized to issue the Scheduled Caste/Scheduled Tribe certificates.

Yours faithfully,

Sd/-
BK Sarkar
Joint Secretary to Govt. of India

No. BC-16014/1/82-SC & BCD-I, *Dated, the 6th August, 1984.*

1. Secretary, Union Public Service Commission, Dholpur House, New Delhi (with 15 S/cs).
2. Secretary, Staff Selection Commission, CGO Complex, Block No.12, Lodi Road, New Delhi (with 15 S/cs).
3. All the Ministries/Departments, Government of India.
4. Secretary, Commission for Scheduled Castes/Scheduled Tribes, Lok Nayak Bhawan, New Delhi.
5. Commissioner for Scheduled Castes & Scheduled Tribes, R.K. Puram, New Delhi.
6. All Directors/Deputy Directors for Scheduled Castes and Scheduled Tribes.
7. Comptroller and Auditor General of India.
8. Election Commission of India.
9. Lok Sabha Secretariat (SC/ST Branch) with spare copies).
10. Lok Sabha Secretariat (Administration Branch).
11. Ministry of Defence (D-FS)
12. Bureau of Public Enterprises (Management Division).
13. Ministry of Home Affairs (Planning Cell) for taking necessary action so far as Union Territories are concerned
14. Department of Personnel and Administrative Reforms. Estt. SCT, Administration I, II, AIS(I), (III), (IV), CS(I), (II), (III), Estt.(B), (C), (D), IES, ISS, AVD(II), CD(IV), EO(MM), and Welfare Sections.
15. All attached and subordinate offices of the Department of personnel and Administrative Reforms.
16. All Sections in SC&BCD Division/T.D. Division, Administration)(A), (B),II Sections in the Ministry of Home Affairs.
17. One copy to be retained in F.No.BC-12020/2/76-SCT.I.

Sd/-
(B.K. Sarkar)
Joint Secretary to the Govt.of India

Form of certificate to be produced by a candidate belonging to a Scheduled Caste or Scheduled Tribe in support of his claim

FORM OF CASTE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumari* ……..son/daughter*of ……of village*/town*……in district/Division*……..of the State/Union Territory*……belongs to the……..Caste/Tribe* which is recognised as a Scheduled Caste
Scheduled Tribe*

Under:

@The Constitution (Scheduled Castes) Order, 1950.

@ The Constitution (Scheduled Tribes) Order, 1950.

@ The Constitution (Scheduled Caste) (Union Territories) Order, 1951.

@ The Constitution (Scheduled Tribes) (Union Territories) Order, 1951.[as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North Eastern Areas (Reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976].

@ The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956.

@ The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959.

@ 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 & Diu) Scheduled Castes Order, 1968.

@ The Constitution (Goa, Daman & Diu) Scheduled Tribes Order, 1968.

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

@ The Constitution (Sikkim) Scheduled Castes Order, 1978.

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

%2. Application in the case of Scheduled Castes/Scheduled Tribes persons who have migrated from one State/Union Territory Administration:

This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati*……father/mother of Shri/Shrimati/Kumari*…….ofvillage/town*……indistrict Division…….....of the State/Union Territory*…… who belongs to the ……Caste/Tribe* which is recognised as a Scheduled Caste
Scheduled Tribe
in the State/Union Territory*…… issued by the……. (name of prescribed authority) vide their No…… dated……

%3. 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)

Place .....
State .

Union Territory
Date .....

* Please delete the words which are not applicable
@ Please quote specific Presidential Order
% Delete the paragraph which is not applicable.

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

** List of authorities empowered to issue Scheduled Caste / Scheduled Tribe Certificates:-

1. District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/ Additional Deputy Commissioner/ Deputy Collector / 1st Class Stipendiary Magistrate/ City Magistrate/Sub-Divisional Magistrate/ Taluk Magistrate / Executive Magistrate/ Extra Assistant Commissioner. (not below the rank of 1st Class Stipendiary Magistrate)
2. Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
3. Revenue Officers not below the rank of Tehsildar.
4. Sub-Divisional Officer of the area where the candidate and /or his family normally resides.
5. Administrator / Secretary to Administrator/Development Officer (Lakshadweep Islands).

***

No. BC-16014/1/82-SC & BCD-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, the 22/2/1985.

To

The Chief Secretaries of All State Govts. and U.T. Administrations.

Subject:-Issue of Scheduled Caste/ Scheduled Tribe certificate to migrants from other States/Union Territories.

Sir,

I am directed to say that it has been represented to this Ministry that persons belonging to Scheduled Castes/ Scheduled Tribes who have migrated from one State to another for the purpose pf employment, education, etc. experience great difficulty in obtaining caste/tribe certificate from the State from which they have migrated. In order to remove this difficulty, it has been decided to modify the instructions issued in letter No. 12025/2/76-SCT.I dated 22.03.1977 and letter No. 12015/11/79-SC&BCD-I/IV dated 29.03.1982 that the prescribed authority of a State Government/Union Territory Administration may issue the Scheduled Caste/Tribe certificate to a person who has migrated from another State, on the production of the genuine certificate issued to his father by the prescribed authority of the State of the father's origin except where the prescribed authority feels that detailed enquiry is necessary through the State of origin before issue of the certificate. The certificate will be issued irrespective of whether the Caste/Tribe in question is scheduled or not in relation to the State/Union Territory to which the person has migrated. This facility does not alter the Scheduled Caste/Scheduled Tribe status of the person in relation to the one or the other State. The revised form of the Scheduled Caste/Tribe certificate has already been circulated with this Ministry's letter of even number dated 06.08.1984.

2. It is also clarified that a Scheduled Caste/ tribe persons who has migrated from the State of origin to some other State for the purpose of seeking education, employment, etc. will be deemed to be a Scheduled Caste/ tribe of the State of his origin and will be entitled to derive benefits from the State of origin and not from the State to which he has migrated.

3. This letter substitutes this Ministry's letter of even number dated 18.11.1982.

Yours faithfully,

Sd/-
B.K. Sarkar
Joint Secretary

No. BC-16014/1/82-SC & BCD-I Dated: 22.02.1985

Copy to:-

1. Department of Personnel & A. R. (Est) (SCT Section) with the request that necessary amendment to the brochure on the reservation in services for Scheduled Castes and Scheduled Tribes, by incorporating, where necessary, the position started in the foregoing paragraphs may please be made.

2. Secretary, Union Public Service Commission, Dholpur House, New Delhi.

3. Secretary, Staff Selection Commission, CGO Complex, Block No.12, Lodi Road, New Delhi.
4. All the Ministries/Departments, Government of India.
5. Secretary, Commission for Scheduled Castes/Scheduled Tribes, Lok Nayak Bhawan, New Delhi.
6. Commissioner for Scheduled Castes & Scheduled Tribes, R.K. Puram, New Delhi.
7. All the Sections in SC&BCD Division/T.D. Division, Ministry of Home Affairs.
8. All Officers in SC &BCD Division, Shastri Bhawan, New Delhi.

Sd/-
(B.K. Sarkar)
Joint Secretary

No. BC. 12025/14/90-SCD (R.L.Cell)
Government of India/Bharat Sarkar
Ministry of Welfare /Kalyan Mantralaya
Department of Welfare /Kalyan Vibhag

Shastri Bhawan, A-Wing,
New Delhi dated 16th August, 1990.

To

The Chief Secretaries to
All State Governments/Union Territory Administrations.

Subject:-- Avoidance of the terms like "Harijan" and "Girijan" in respect of Scheduled Castes and Scheduled Tribes in official matters, dealings etc.

Sir,

I am directed to refer to the Ministry of Home Affair's letter No.12025/44/80-SC&BCD.I/IV, dated 10-2-1982 addressed to all the State Governments/U.T Administrations in which a request was made to issue instructions to the certificate issuing authorities not to insert the word 'Harijan' and 'Girijan' in the Scheduled Caste/Scheduled Tribe certificates, but to mention only the name of the caste/tribe to which the person belongs. The Ministry of Information and Broadcasting was also requested vide letter No.12025/44/80-SC&BCD.I/IV, dated 1-2-1982 to use the terms 'Scheduled Castes' and 'Scheduled Tribe' instead of 'Harijan' and 'Girijan' respectively in English and their appropriate translations in other national languages in public mass media. On request by the Ministry of Home Affairs (now Ministry of Welfare) vide its letter No.12025/17/82-SC&BCD-IV/I, dated 19-10-1982 to the erst-while Ministry of Education and Culture (now Human Resource Development), it was brought to the notice of all the educational institutions under their control regarding the use of the terms Scheduled Castes and Scheduled Tribes instead of the terms Harijan and Girijan in the School Leaving Certificates.

2. It has been represented from time to time by the various Organisations/Associations working for the welfare of Scheduled Castes and Scheduled Tribes that many State Governments/U.T Administrations use the words 'Harijan' and 'Girijan' in official matters, dealings, etc. These organisations have represented that the words 'Harijan' and 'Girijan' are derogatory and these words are often used for denoting Scheduled Castes and Scheduled Tribes by all the Governmental agencies. In this connection, it is clarified that nowhere in the Constitution of India, the words Harijan and Girijan are used for denoting Scheduled Castes and Scheduled Tribes respectively. In so far as the communities scheduled in the Presidential Orders of 1950 and 1951 are concerned, the term Scheduled Castes and Scheduled Tribes are invariably used. The use of any other term may introduce ambiguity, apart from producing a feeling of resentment in the minds of conscious members of Scheduled Castes and Scheduled Tribes.

3. In view of the position explained above, it is requested that for all official transactions, matters, dealings, certificates etc., the constitutional terms Scheduled Castes and Scheduled Tribes in English and their appropriate translation in other national languages should alone be used for denoting the persons belonging to Scheduled Castes and Scheduled Tribes included in the Presidential Orders

mentioned above and for referring to those castes and tribes. The State Governments/Union territory Administrations are also requested that in the names of the Departments which are in overall charge of the development/welfare of Scheduled Castes and Scheduled Tribes, wherever terms like 'Harijan' and 'Girijan' are used, the Constitutional terms Scheduled Castes and Scheduled Tribes be substituted.

Yours faithfully,

Sd/-
(MATA PRASAD)
Additional Secretary to the Government of India

No. BC. 12025/14/90-SCD (R.L.Cell) *Dated 16th August, 1990.*

Copy forwarded for information and necessary action to:-

1. Secretary, Union Public Service Commission, New Delhi
2. Secretary, Staff Selection Commission, CGO Complex, Block No.12, Lodi Road, New Delhi.
3. All the Ministries/Departments, Government of India
4. Secretary, National Commission for Scheduled Castes/Scheduled Tribes, Lok Nayak Bhawan, New Delhi.
5. Commissioner for Scheduled Castes & Scheduled Tribes, R.K. Puram, New Delhi.
6. Comptroller & Auditor General of India, New Delhi
7. Election of India, New Delhi
8. All Sections in SCD Division/T.D. Division, New Delhi
9. All Officers in the Ministry of Welfare, New Delhi.

Sd/-
(MATA PRASAD)
Additional Secretary to the Government of India

No. 12016/28/90-SCD (R.L.Cell)
Government of India/Bharat Sarkar
Ministry of Welfare /Kalyan Mantralaya

New Delhi, the 20th November 1990.

To

The Secretary,
Social Welfare Department/Department dealing with the welfare of
SC/ST of all the State Governments/U.T. Administrations.

Subject:- Removal of bar on the Scheduled Caste converts to Buddhism from being deemed to be members of Scheduled Castes.

Sir,

In continuation of this Ministry's letter of even number, dated 31st July 1990, on the above subject, I am directed to say that with the amendment of Constitution (Scheduled Castes) Order 1950 by the Constitution (Scheduled Castes)Orders(Amendment)Act, 1990, the Scheduled Caste communities which are included in the Presidential orders and converted to Buddhist region shall be deemed to be a member of Scheduled Caste.

2. While issuing the Scheduled caste certificates to these persons, the same procedure has to be followed as applicable to the members of other Scheduled caste communities belong to Hindu and Sikh religions.

3. The form of caste certificate will also remain the same as applicable to other Scheduled Caste communities (Annexure).

4. All the State Governments/U.T Administrations are, therefore requested to follow the above procedure for issuing Scheduled Caste certificate to the persons professing Buddhist religion provided:

(a) the name of the community for which Scheduled Caste certificate is to be issued is included in the Presidential Orders specifying the Scheduled Caste in relation to the concerned State/Union Territory;
(b) that the person and his parents actually belong to the community claimed;
(c) that the person belongs to that State and to the area within that State in respect of which the community has been scheduled;
(d) the person claiming to be a Scheduled Caste professes either the Hindu, Sikh or the Buddhist religion;

5. The certificate issuing authorities may kindly be instructed to make proper verification before issuing such certificates.

Yours faithfully,

Sd/-
(B.N. Srivastava)
Director.

No. 12016/28/90-SCD (R.L.Cell), Dated, *the 20th November 1990.*

Copy forwarded to:-

1. The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), New Delhi
2. Secretary, U. P.S.C, New Delhi.
3. All the Ministries/Departments of Government of India.
4. Secretary, Staff Selection Commission, CGO Complex, New Delhi.
5. Comptroller and Auditor General of India.
6. Secretary, Election Commission of India. New Delhi
7. Secretary, Commission for Scheduled Castes/Scheduled Tribes, Lok Nayak Bhawan, New Delhi.
8 Commissioner for Scheduled Castes/Scheduled Tribes, R.K. Puram, New Delhi.

Sd/-
(B.N. Srivastava)
Director.

Annexure

Form of certificate to be produced by a candidate belonging to a Scheduled Caste or Scheduled Tribe in support of his claim.

FORM OF CASTE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumari* ……..son/daughter*of ……of village*/town*……in district/Division*……..of the State/Union Territory*……belongs to the……Caste/Tribe* which is recognised as a Scheduled Caste
Scheduled Tribe*

Under:

@The Constitution (Scheduled Castes) Order, 1950.

@ The Constitution (Scheduled Tribes) Order, 1950.

@ The Constitution (Scheduled Caste) (Union Territories) Order, 1951.

@ The Constitution (Scheduled Tribes) (Union Territories) Order, 1951.[as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North Eastern Areas (Reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976].

@ The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956.

@ The Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989.

@ The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959.

@ 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 & Diu) Scheduled Castes Order, 1968.

@ The Constitution (Goa, Daman & Diu) Scheduled Tribes Order, 1968.

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

@ The Constitution (Sikkim) Scheduled Castes Order, 1978.

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

%2. Application in the case of Scheduled Castes/Scheduled Tribes persons who have migrated from one State/Union Territory:

This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati*……father/mother of Shri/Shrimati/Kumari*…….of village/town*……in

District/Division…….....of the State/Union Territory*…… who belongs to the ……Caste/Tribe* which is recognised as a Scheduled Caste
Scheduled Tribe
in the State/Union Territory*…… issued by the……. (name of prescribed authority) vide their No…… dated……

%3. 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)

Place .....
State .

Union Territory
Date .....

* Please delete the words which are not applicable
@ Please quote specific Presidential Order
% Delete the paragraph which is not applicable.

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

** List of authorities empowered to issue Scheduled Caste / Scheduled Tribe Certificates:-

1. District Magistrate/ Additional District Magistrate/Collector/Deputy Commissioner/ Additional Deputy Commissioner/ Deputy Collector/1st Class Stipendiary Magistrate/ City Magistrate / Sub-Divisional Magistrate/ Taluk Magistrate / Executive Magistrate/ Extra Assistant Commissioner. (not below the rank of 1st Class Stipendiary Magistrate)
2. Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/Presidency Magistrate.
3. Revenue Officers not below the rank of Tehsildar.
4. Sub-Divisional Officer of the area where the candidate and /or his family normally resides.
5. Administrator / Secretary to Administrator/Development Officer (Lakshadweep Islands).

***

No. 17020/64/2010-SCD (R.L. Cell)
Government of India
Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment

Shastri Bhawan, New Delhi
New Delhi, dated: 22.11.2012

To,

The Chief Secretaries,
All State Governments/Union Territory Administrations.

Subject**:** Need to avoid the use of term "Harijan" in respect of Scheduled Castes in official communications and transactions.

Sir,

I am directed to refer to the Ministry of Home Affairs (MHA) letter No. BC 12025/44/80-SC&BCD.I/IV, dated 10.02.1982, in which all the State Governments /Union Territory Administrations were requested to issue instructions to the authorities who were empowered to issue the Scheduled Castes certificates, not to insert the word 'Harijan' in the Scheduled Caste certificates, but to mention only the name of the caste to which the person belongs. Subsequently, the Ministry of Welfare (now Social Justice and Empowerment), vide letter No. 12025/14/90-SCD (R.L.Cell), dated 16.08.1990, had again requested the Chief Secretaries of all State Governments/Union Territory Administrations, that for all official transactions, matters, dealings, certificates etc., the Constitutional term,' Scheduled Caste' in English and its appropriate translation in other national languages should alone be used for denoting the persons belonging to the Scheduled Castes included in the Presidential Orders issued under Article 341 of the Constitution**.** The State Governments/ U.T. Administrations were also requested that in the names of departments, which are in overall charge of development/welfare of Scheduled Castes, the term 'Harijan' etc. should not be used.

2. The Parliamentary Standing Committee on Social Justice and Empowerment, in its Ninth Report presented to Lok Sabha and laid in Rajya Sabha on 19.08.2010,inter-alia observed as follows:-

> "…..*the circular issued way back in 1982 is very old which has lost its sanctity and purpose leading to its non compliance..... As such, there is widespread use of the word 'Harijan' across the country deprecating the status of the underprivileged sections of the society."*

Accordingly, the Committee has recommended that this Ministry issue fresh guidelines, instructions to States/U.Ts directing them to ensure the non-use of the word "Harijan" not only in caste certificates but also otherwise.

3. All the State Governments /U.T. Administrations are again requested that for all official transactions, matters, dealings, certificates etc., the Constitutional term, 'Scheduled Caste' in English, and its appropriate translation in other national languages should alone be used for denoting the persons belonging to the Scheduled Castes included in the Orders issued by the President under Article 341 of the Constitution of India.

4. Action taken on the above may kindly be intimated to the undersigned.

Yours faithfully,

Encl: as above.

Sd/-
(P. L. Negi)
Director (SCD)
Tel: 23385491

No. 17020/64/2010-SCD (R.L. Cell), Dated: 22.11.2012

Copy forwarded for information and necessary action to:

1. All Central Ministries/Departments of Government of India.
2. The Secretary, Union Public Service Commission, Dholpur House, New Delhi-110069.
3. The Chairperson, Staff Selection Commission, Block No.12, CGO Complex, Lodhi Road, New Delhi.
4. The Comptroller & Auditor General of India, Pocket-9, Deen Dayal Upadhyay Marg, New Delhi-110124.
5. Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110001.
6. The Joint Secretary, National Commission for Scheduled Castes, Lok Nayak Bhawan, Khan Market, New Delhi – 110003.
7. All Bureau Heads/ Divisional Heads/ Desks/ Sections of Ministry of Social Justice and Empowerment.

Sd/-

(P. L. Negi)
Director (SCD)
Tel: 23385491

GOVERNMENT OF ODISHA
MINORITIES & BACKWARD CLASSES WELFARE DEPARTMENT

****

No. 32652 /M & BCW, Bhubaneswar, dated the, 3.10.13
OBC-48/13

From

Sri Debi Prasad Panda, IAS
Director (OBC) & Ex-Officio Addl. Secretary to Govt.

To

The All Collectors

Sub: Clarifications regarding Creamy Layer amongst OBCs.

Sir,

I am directed to intimate that complaints from OBC/SEBC people are being received regarding non-issue of OBC/SEBC Certificates by the concerned Tahasildars due to wrong interpretation of guidelines/circulars already circulated regarding determination of Creamy Layer amongst OBCs/ SEBCs. As such clarification issued by Govt. of India, Ministry of Personnel, Public Grievances & Pensions, Deptt. of Personnel & Training vide Letter No.36033/5/2004-Estt (Res), dt.14.10.2004 is enclosed herewith for guidance of the concerned Authorities for determination of Creamy Layer amongst OBCs/SEBCs to issue OBC/SEBC Certificate. The above said clarification of Govt. of India for issue of OBC Certificate is also applicable for issue of SEBC Certificate.

This may please be circulated among the concerned Authorities.

Yours faithfully,

Director (OBC) & Ex-Officio Addl. Secy. to Govt.

Memo No. 32653 /M&BCW, Dt. 3.10.13

Copy with enclosure forwarded all Departments of Govt./ All Heads of Departments/ All R.D.C.s/ Secretary to the Governor/ Secretary, OLA/ Registrar, Odisha High Court/ Registrar Odisha State Administrative Tribunal/ Secretary, Odisha Public Service Commission, Cantonment Road, Cuttack/ Secretary, Staff Selection Commission, Bhubaneswar/ Registrars of all Universities for information and necessary action.

Director (OBC) & Ex-Officio Addl. Secy. to Govt.

D:\Data from Computer Cell\OBC SEC\Jesa Babu\OBC-48-13.doc

P.T.O

Memo No. 32654 /M&BCW, Dt. 3-10-13

Copy with enclosure forwarded all Tahasildars/ all Sub-Collectors/ all Officers of SSD Deptt./ all D.W.O.s/ Member Secretary, Odisha State Commission for Backward Classes, Bhubaneswar/ OBC Section for information and necessary action.

3.10.13

Director (OBC) & Ex-Officio Addl. Secy. to Govt.

Memo No. 32655 /M&BCW, Dt. 3-10-13

Copy with enclosure forwarded to Special Officer, Computer Cell for exhibition of the said guideline in the ST&SC Dev. Deptt. Website.

3.10.13

Director (OBC) & Ex-Officio Addl. Secy. to Govt.

D:\Data from Computer Cell\OBC SEC\Uena Babu\OBC-48-13.doc

No. 36033/5/2004-Estt(Res)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
DEPARTMENT OF PERSONNEL & TRAINING
*****

New Delhi, Dated : the 14th October, 2004

To

The Chief Secretaries of all the States /Union Territories.

Subject: Clarifications regarding creamy layer amongst OBCs.

....

Sir,

I am directed to invite your attention to the Schedule to this Department's OM No.36012/22/93-(SCT) dated 8th September, 1993 which contains the criteria to determine the creamy layer amongst the OBCs. In regard to the children of the persons in civil services of the Central and the State Governments, it provides that son(s) and daughter(s) of:

(a) parents, both of whom are directly recruited Class I/Group A officers;

(b) parents, either of whom is a directly recruited Class I/Group A officer;

(c) parents, both of whom are directly recruited Class I/Group A officers, but one of them dies or suffers permanent incapacitation;

(d) parents, either of whom is a directly recruited Class I/Group A officer and such parent dies or suffers permanent incapacitation and before such death or such incapacitation has had the benefit of employment in any International Orgainsation like UN, IMF, World Bank, etc. for a period of not less than 5 years;

(e) parents, both of whom are directly recruited Class I/Group A officers and both of them die or suffer permanent incapacitation and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Orgainsation like UN, IMF, World Bank, etc. for a period of not less than 5 years;

(f) parents both of whom are directly recruited Class II/Group B officers;

(g) parents of whom only the husband is a directly recruited Class II /Group B officer and he gets into Class I//Group A at the age of 40 or earlier;

(h) parents, both of whom are directly recruited Class II/ Group B officers and one of them dies or suffers permanent incapacitation and either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years;

(i) parents of whom the husband is a Class I/ Group A officer (direct recruit or pre-forty promoted) and the wife is a directly recruited Class II /Group B officer and the wife dies; or suffers permanent incapacitation; and

(j) parents, of whom wife is a Class I/Group A officer (Direct Recruit or pre-forty promoted) and the husband is a directly recruited Class II/Group B officer and the husband dies or suffers permanent incapacitation

shall be treated as falling in creamy layer.

2. The Schedule further provides that sons and daughters of:

(i) parents either of whom or both of whom are directly recruited Class I/Group A officer(s) and such parent(s) dies/die or suffers/suffer permanent incapacitation;

(ii) parents both of whom are directly recruited Class II/Group B officers and one of them dies or suffers permanent incapacitation;

(iii) parents both of whom are directly recruited Class II/Group B officers and both of them die or suffer permanent incapacitation, even though either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation

shall not be treated to be falling in creamy layer.

3. The criteria prescribed for determining creamy layer status of sons and daughters of persons in Government service mutatis mutandis applies to the sons and daughters of persons holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities etc. and also holding equivalent or comparable posts and positions under private employment. The creamy layer status of the sons and daughters of employees of organizations where evaluation of the posts on equivalent or comparable basis has not been made is determined on the basis of 'Income/Wealth Test' given in the Schedule. The Income/ Wealth Test prescribes that the sons and daughters of persons having gross annual income of Rs.2.5 lakh or above or possessing wealth above the exemption limit as prescribed

in the Wealth Tax Act for a period of three consecutive years would be treated to fall in creamy layer. An explanation is given below the Income/Wealth Test which provides that 'income from salaries or agricultural land shall not be clubbed.'

4. Following questions have been raised from time to time about the application of the above provisions to determine creamy layer:

(i) Will the sons and daughters of parents either of whom or both of whom are directly recruited Class I/Group A officer(s) and such parent(s) dies/die or suffers/suffer permanent incapacitation after retirement be treated to be excluded from the creamy layer?

(ii) Will the sons and daughters of parents both of whom are directly recruited Class II/Group B officers and one of them dies or suffer permanent incapacitation after retirement be treated to be excluded from the creamy layer?

(iii) Will the sons and daughters of parents both of whom are directly recruited Class II/Group B officers and both of them die or suffer permanent incapacitation after retirement even though either of them has had got the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation be treated to be excluded from the purview of creamy layer?

(iv) Will the sons and daughters of parent(s) who retire from the service on the basis of which their sons and daughters fall in creamy layer, continue to fall in creamy layer after retirement of the parent(s)?

(v) Will the sons and daughters of parents of whom husband is directly recruited Class III/Group C or Class IV/Group D employee and he gets into Class I/Group A at the age of 40 or earlier be treated to be falling in creamy layer?

(vi) Will a candidate who himself is a directly recruited Class I/Group A officer or a directly recruited Class II/Group B officer who got into Class I/Group A at the age of 40 or earlier be treated to be falling in creamy layer on the basis of his service status?

(vii) Will a candidate who has gross annual income of Rs.2.5 lakh or above or possesses wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years be treated to fall in creamy layer?

(viii)The instructions provide that a lady belonging to OBC category who has got married to a directly recruited Class I/Group A officer shall not be treated as falling in creamy layer on the basis of her marriage. Will a man belonging to OBC category who is married to a directly recruited Class I/Group 'A' officer be treated as falling in creamy layer on the basis of his marriage?

(ix)How will be the Income/Wealth Test apply in case of sons and daughters of parent(s) employed in PSUs etc. in which equivalence or comparability of posts has not been established vis-à-vis posts in the Government?

(x)What is the scope of the explanation, 'Income from salaries or agricultural land shall not be clubbed', given below the Income/ Wealth Test?

5. It is clarified in regard to clauses (i), (ii) and (iii) of para 4 that the sons and daughters of:

(a) parents either of whom or both of whom are directly recruited Class I/Group A officers and such parent(s) dies/die or suffers/suffer permanent incapacitation while in service;

(b) parents both of whom are directly recruited Class II/Group B officers and one of them dies or suffers permanent incapacitation while in service; and

(c) parents both of whom are directly recruited Class II/Group B officers and both of them die or suffer permanent incapacitation while in service, even though either of them has had the benefit of employment in any International Organization like UN, IMF, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation

are not treated to be falling in creamy layer. But if the parent(s) dies/die or suffers/suffer permanent incapacitation in such cases after retirement from service, his/their sons and daughters would be treated to be falling in creamy layer and would not get the benefit of reservation.

6. In regard to clause (iv) of para 4, it is clarified that sons and daughters of parents who are included in the creamy layer on the basis of service status of their parents shall continue to be treated in creamy layer even if their parents have retired or have died after retirement.

7. In regard to clause (v) of para 4, it is clarified that the sons and daughters of parents of whom only the husband is a directly recruited Class II/Group B officer who gets into Class I/Group A at the age of 40 or earlier are treated to be in creamy layer. If the father is directly recruited Class III/Group C or Class IV/Group D employee and he gets into Class I/Group A at the age of 40 or earlier, his sons and daughters shall not be treated to be falling in creamy layer.

8. In regard to clauses (vi), (vii) and (viii) of para 4, it is clarified that the creamy layer status of a candidate is determined on the basis of the status of his parents and not on the basis of his own status or income or on the basis of status or income of his/her spouse. Therefore, while determining the creamy layer status of a person the status or the income of the candidate himself or of his/her spouse shall not be taken into account.

9. In regard to clause (ix) of para 4, it is clarified that the creamy layer status of sons and daughters of persons employed in organizations where equivalence or comparability of posts vis-à-vis posts in Government has not been evaluated is determined as follows:

> Income of the parents from the salaries and from the other sources [other than salaries and agricultural land] is determined separately. If either the income of the parents from the salaries or the income of the parents from other sources [other than salaries and agricultural land] exceeds the limit of Rs.2.5 lakh per annum for a period of three consecutive years, the sons and daughters of such persons shall be treated to fall in creamy layer. But the sons and daughters of parents whose income from salaries is less than Rs. 2.5 lakh per annum and income from other sources is also less than Rs.2.5 lakh per annum will not be treated as falling in creamy layer even if the sum of the income from salaries and the income from the other sources is more than Rs.2.5 lakh per annum for a period of three consecutive years. It may be noted that income from agricultural land is not taken into account while applying the Test.

10. In regard to clause (x) of para 4, it is clarified that while applying the Income/Wealth Test to determine creamy layer status of any candidate as given in Category-VI of the Schedule to the OM, income from the salaries and income from the agricultural land shall not be taken into account. It means that if income from salaries of the parents of any candidate is more than Rs. 2.5 lakh per annum, income from agricultural land is more than Rs. 2.5 lakh per annum, but income from other sources is less than Rs. 2.5 lakh per annum, the candidate shall not be treated to be falling in creamy layer on the basis of Income/Wealth Test provided his parent(s)

do not possess wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years.

11. You are requested to bring the contents of this letter to all concerned in the State.

Yours faithfully,

(K.G. Verma)
Deputy Secretary to the Govt. of India

Copy to:-

1. All Ministries / Departments of Govt. of India
2. Department of Economic Affairs (Banking Division), New Delhi
3. Department of Economic Affairs (Insurances Division), New Delhi
4. Department of Public Enterprises, New Delhi,
5. Railway Board,
6. Union Public Service Commission / Supreme Court of India / Election Commission / Lok Sabha Secretariat / Rajya Sabha Secretariat / Cabinet Secretariat / Central Vigilance Commission / President's Secretariat / Prime Minister's Office / Planning Commission/ National Commission for Backward Classes.
7. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
8. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

With the request to bring the contents of this letter to the notice of all concerned.

The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 965, CUTTACK, FRIDAY, JULY 7, 2006 / ASADHA 16, 1928

LAW DEPARTMENT

NOTIFICATION

The 7th July 2006

No.8906/Legis—The following Act of the Orissa Legislative Assembly having been assented to by the Governor on the 24th June 2006, is hereby published for general information.

ORISSA ACT 8 OF 2006

THE ORISSA LAND REFORMS (AMENDMENT) ACT, 2006

AN ACT FURTHER TO AMEND THE ORISSA LAND REFORMS ACT, 1960.

BE it enacted by the Legislature of the State of Orissa in the Fifty-seventh Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Orissa Land Reforms (Amendment) Act, 2006.

Amendment of section 8-A.

2. In the Orissa Land Reforms Act, 1960 (hereinafter referred to as the principal Act), in section 8-A,— Orissa Act 16 of 1960.

(*i*) in sub-section (1), for clauses (b) and (c) the following clauses shall be substituted, namely :—

"(*b*) in every case where the authorised officer allows conversion of the use of any agricultural land under clause (a), the raiyat is required to pay conversion fees for such land, calculated at the rate specified in sub-section (2) and the kissam of the land so converted shall be corrected accordingly ;

(*c*) where the conversion of the use of any agricultural land by a raiyat for the purposes other than agriculture has been made prior to the commencement of the Orissa Land Reforms

(Amendment) Act, 1993 or, where the land has been transferred by the raiyat to any other person prior to such commencement, and the transferee uses the land for the purpose other than agriculture, without paying the premium fixed therefor as per the provisions existing prior to the commencement of the Orissa Land Reforms (Amendment) Act, 2006, such raiyat or such transferee, as the case may be, is required to pay conversion fees within the prescribed period and in the prescribed manner in respect of that land as calculated at the rate equivalent to fifty percentum of the rate of conversion fees specified against that category of the land in sub-section (2) and the kissam of the land so converted shall, after the payment, be corrected accordingly : Orissa Act 12 of 1994.

Provided that if the conversion fees so payable is not paid within the prescribed period it shall be recoverable as an arrear of land revenue.

(*d*) the lands which were deemed to have been surrendered to Government and settled on lease basis under the provisions of the Orissa Government Land Settlement Act, 1962, prior to the date of commencement of the Orissa Land Reforms (Amendment) Act, 2006, shall cease to be so surrendered and settled on lease basis and be held freely by the raiyat or the transferee, as the case may be."; and Orissa Act 33 of 1962.

(*ii*) for sub-sections (2) and (3) the following sub-sections shall be substituted, namely :—

"(*2*) The rate at which the conversion fees shall be payable per acre of agricultural land situated at different places of the State, for conversion of its use to any purpose other than agriculture on and after the commencement of the Orissa Land Reforms (Amendment) Act, 1993 shall be as follows :— Orissa Act 12 of 1994.

(*i*) Land situated within any Municipal area or in areas within one-half kilometre on either side of such National Highways as the State Government may, by notification, specify from time to time.	..	Rs.3.00,000/-
(*ii*) Land situated in any area within one-fourth kilometre on either side of such State Highways as the State Government may, by notification, specify from time to time.	..	Rs. 1,00,000/-
(*iii*) Land situated in a Municipal area or a Notified area, or in any area notified as Urban area under the Orissa Government Land Settlement Rules, 1983 made under the Orissa Government Land Settlement Act, 1962, other than any land mentioned in clauses (i) and (ii).	..	Rs. 75,000/-

Orissa Act 33 of 1962.

(*iv*) Land situated in such developing areas as the State Government may, by notification, specify, from time to time, other than any area covered by clauses (i), (ii) and (iii). .. Rs.30,000/-

(*v*) Land situated in any area not covered by clauses (i), (ii), (iii) and (iv). ..Five percentum of the market value of such land or Rs.1,000/-, whichever is more.

Explanation—For the purpose of this sub-section,—

(*a*)"Municipal Act" means the Orissa Municipal Act, 1950; Orissa Act 23 of 1950.

(*b*)"Municipal area" means an area included in a Municipality constituted under the Municipal Act; and

(*c*)"Notified area" means a Notified area within the meaning of section 417-A of the Municipal Act.

(*3*) The lease documents executed on or before the date of commencement of the Orissa Land Reforms (Amendment) Act, 2006, for the purpose of conversion under this section shall be in operative and the premium paid for such lease shall be treated to be conversion fee.".

Amendment of section 58.

3. In section 58 of the principal Act, in sub-section (1) after the figure 4 and before the figures and brackets 9 (4), the figure and letter "8-A" shall be inserted.

By order of the Governor

D. K. SAHU

Principal Secretary to Government

REGISTERED No. O-14

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1785 CUTTACK, MONDAY, DECEMBER 31, 1973/PAUSA 10 1985

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (LEGISLATIVE DEPARTMENT)
NEW DELHI

The 31st December 1973

No. 15608-Legis.—The following Act received the assent of the President on the 31st December, 1973 and is hereby published for general information :—

THE ORISSA GOVERNMENT LAND SETTLEMENT (AMENDMENT) ACT, 1973

PRESIDENTS ACT No. 22 OF 1973

Enacted by the President in the Twenty-fourth Year of the Republic of India

An Act to amend the Orissa Government Land Settlement Act, 1962

In exercise of the powers conferred by section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1973, the President is pleased to enact as follows :— 20 of 1973.

Short title and commencement.

1. (1) This Act may be called the Orissa Government Land Settlement (Amendment) Act, 1973.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Amendment of section 2.

2. In section 2 of the Orissa Government Land Settlement Act, 1962 (hereinafter referred to as the principal Act), Orissa Act 33 of 1962.

(*a*) clause (*a*) shall be re-lettered as clause (*aa*) and before that clause as so re-lettered, the following clause shall be inserted, namely:—

'(*a*) "Collector" shall include an Additional District Magistrate;';

(*b*) after clause (*c*), the following clauses shall be inserted, namely :—

'(*d*) "revenue officer" means any officer appointed as such by the Government to discharge any of the functions of a revenue officer under the provisions of the Orissa Land Reforms Act, 1960; Orissa Act 16 of 1960.

(*e*) "Tehsildar" means any officer appointed as an Assistant Settlement Officer under the Orissa Survey and Settlement Act, 1958;'. Orissa Act 2 of 1959.

Amendment of section 3.

3. Section 3 of the principal Act shall be re-numbered as sub-section (1) thereof and—

(*i*) in sub-section (1) as so re-numbered, for clause (*e*), the following clause shall be substituted, namely:—

"(*e*) to authorise any officer of Government not below the rank of a Tehsildar to dispose of applications for settlement of lands and settle the same in such manner as may be prescribed and subject to the provisions of sub-sections (2) and (3);";

(*ii*) after sub-section (1) as so re-numbered, the following sub-sections shall be inserted, namely :—

'(2) In the settlement of lands under clause (*e*) of sub-section (1), seventy per centum thereof shall be settled with the persons belonging to the Scheduled Tribes and the Scheduled Castes in proportion to their respective populations in the village in which the lands are situated and the remaining lands shall be settled with the other persons not belonging to the aforesaid categories:

Provided that if sufficient number of persons belonging to the aforesaid categories are not available in the village in which the lands are situated, or being available, are not willing to accept the settlement of land, so much of the land reserved for the said persons as cannot be settled with them may be settled with other persons.

(3) The settlement of lands under this section shall be made in the following order of priority, namely : —

(*a*) co-operative farming socities formed by landless agricultural labourers;

(*b*) any landless agricultural labourers of the village in which the land is situate or of any neighbouring village;

(*c*) ex-servicemen or members of the Armed Forces of the Union, if they belong to the village in which the land is situate;

(*d*) raiyats who personally cultivate not more than one standard acre of contiguous land;

Explanation—In this clause the expression "standard acre" has the meaning assigned to it in the Orissa Land Reforms Act, 1960; and Orissa Act 16 of 1960.

(*e*) in the absence of persons belonging to any of the foregoing categories, any other persons.'.

Insertion of new sections 3A and 3B.

4. After section 3 of the principal Act, the following sections shall be inserted, namely :—

Power to de-reserve land.

"3A. (1) The Government may, by notification in the Official Gazette authorise any officer, not below the rank of a Collector, to de reserve any land which has been reserved under clause (*a*) of section 3 or any portion thereof.

(2) Any officer authorised under sub-section (1) shall, subject to such conditions and limitations as may be prescribed, have power to de-reserve any land referred to in that sub-section or any portion thereof, if such officer is satisfied that such land or portion thereof, as the case may be,—

(*a*) is no longer required for the purpose for which it was reserved ; or

(*b*) can no longer serve the purpose for which it was reserved ; or

(*c*) is in excess of the reasonable requirement for the purpose for which it was reserved.

Resumption of land and imposition of penalty.

3B. (1) Any officer authorised under clause (*e*) of section 3 may resume any land settled by him, if he has reason to believe that the person with whom the land was settled has used it for any purpose other than that for which it was settled, and may impose a penalty of an amount not exceeding one hundred rupees on such person :

Provided that no order under this sub-section shall be passed without giving such person a reasonable opportunity of being heard in the matter.

(2) Nothing in sub-section (1) shall apply to any land settled for agricultural purposes under a permanent lease.".

Insertion of new section 5A.

5. After section 5 of the principal Act, the following section shall be inserted, namely :—

Preparation of schemes for management and development of Gochar lands.

"5A. Notwithstanding anything to the contrary contained in any other law or in any custom, practice or usage having the force of law—

(*a*) the Government may, in the prescribed manner, prepare a scheme for the management and development of Gochar lands and different schemes may be prepared in respect of Gochar lands situate in different areas;

(*b*) where any such scheme has been prepared in respect of any Gochar land which vests in a Grama Sasan constituted under the Orissa Grama Panchayat Act, 1964 the concerned Grama Panchayat shall manage the Gochar land in accordance with such scheme; and Orissa Act 1 of 1965.

(*c*) the Government may, if it deems fit, take over any Gochar land for management and development in accordance with the scheme prepared in respect of such land.".

Substitution of new sections for section 7.

6. For section 7 of the principal Act, the following sections shall be substituted, namely :—

Appeal

"7. (1) An appeal shall lie against any order made under section 3 or section 3B—

(*a*) where such order is made by a Tehsi'dar or a Revenue Officer, to the Sub-divisional Officer ;

(*b*) where such order is made by a Sub-divisional Officer, to the Collector ; and

(*c*) where such order is made by a Collector, to the Revenue Divisional Commissioner.

(2) No appeal shall be entertained under sub-section (I), unless it is preferred within thirty days from the date of the order appealed against :

Provided that the appellate authority may admit an appeal preferred after the expiration of the aforesaid period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring it within that period.

(3) Every appeal preferred under this section shall be heard and disposed of in such manner as may be prescribed.

Revision

7A. (1) The Collector may revise any order made under sub-section (1) of section 7 by a Sub-divisional Officer and the Revenue Divisional Commissioner may revise any order made under that sub-section by the Collector, if an application is made by the aggrieved person within a period of ninety days from the date of the order :

Provided that the Collector or the Revenue Divisional Commissioner, as the case may be, may admit an application under this sub-section after the expiration of the aforesaid period of ninety days if he is satisfied that the applicant had sufficient cause for not making the application within that period.

(2) All applications for revision under sub-section (1) shall be heard and disposed of in such manner as may be prescribed.

(3) The Board of Revenue may of its own motion or otherwise call for and examine the records of any proceedings in which any authority subordinate to it has passed an order under this Act for the purpose of satisfying itself that any such order was not passed under a mistake of fact or owing to fraud or misrepresentaton, and may pass such order thereon as it thinks fit :

Provided that no order shall be passed under this sub-section unless the person affected by the proposed order has been given a reasonable opportunity of being heard in the matter :

Provided further that no order shall be revised under this sub-section after the expiry of one year from the date of the order.".

Substitution of new sections for section 8.

7. For section 8 of the principal Act, the following sections shall be substituted, namely:—

Delegation of powers.

"8. The Government may, by notification in the Official Gazette direct that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the direction, be exercisable also by any authority not below the rank of a revenue officer.

Power [to make rules.

8A. (1) The Government may, by notification in the Official Gazette and after previous publication, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules in respect of all or any of the following matters, namely:—

(*a*) the rate of fees to be charged under this Act and the manner of payment thereof;

(*b*) the form and the manner in which an application for settlement of lands may be made and the manner of settlement of lands;

(*c*) the conditions and limitations subject to which lands may be de-reserved;

(*d*) the preparation of Scoemes for management and development of Gochar lands;

(*e*) the procedure to be followed in the disposal of appeals and revisions; and

(*f*) any other matter which has to be, or may be prescribed.

(3) All rules made under this section shall, as soon as may be after they are made, be laid before the Legislative Assembly for a total period of fourteen days which may be comprised in one or more sessions and if during the said period, the Legislative Assembly makes modifications, if any, therein, the rules shall thereafter have effect only in such modified form, so, however, that such modifications shall be without prejudice to the validity of anything previously done under the rules.".

V. V. GIRI,

President.

K. K. SUNDARAM,

Secretary to the Government of India.

Reasons for the enactment

The Orissa Government Land Settlement Act, 1962 (Orissa Act 33 of 1962) though enacted in 1962, was brought into force from 1st January, 1965. While implementing the Act, the provisions thereof have been found to be inadequate. There are, at present, no provisions for delegation of powers of the Government or for de-reservation of lands or for appeal against an order settling any land. Government was often placed in an embarrassing position, since settlement of lands obtained by misrepresentation or fraud could not be set aside. In order to make provision for the aforesaid purposes and to plug the loopholes in the Act, it is considered necessary to amend the Act suitably. It is a so considered necessary to lay down in the Act itself the order of priority for the settlement of lands.

2. The present measure is being enacted to achieve the above objectives.

3. The committee constituted under the proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1973 (20 of 1973) has been consulted before enactment of this measure as a President's Act.

T. P. SINGH,

Secretary to the Government of India,
Ministry of Agriculture
(Department of Agriculture).

By order of the Governor

B. K. BEHERA

Secretary to the Government of Orissa
Law Department

nted and Published by Director, Printing, Stationery and Publication, Orissa, Madhupatna, Cuttack-10
Ex. Gaz. 1346—1,754+400

REGISTERED No. O-14

The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 161 CUTTACK, THURSDAY, JANUARY 31, 1974/MAGHA 11, 1895

REVENUE DEPARTMENT

NOTIFICATION

The 29th January 1974

No. 6171—GE-(GL)-3/74-R.—In exercise of the powers conferred by sub-section (2) of section 1 of the Orissa Government Land Settlement (Amendment) Act, 1973 (Presidents Act No. 22 of 1973), the State Government do hereby appoint the 1st day of February 1974 as the date on which the provisions of the said Act shall come into force.

By order of the Governor

B. B. PARIDA

Deputy Secretary to Government

REVENUE DEPARTMENT

NOTIFICATION

The 29th January 1974

No. 6172—GE-(GL) 3/74-R.—In exercise of the powers conferred by sub-section 3-A of the Orissa Government Land Settlement Act, 1962 (Orissa Act 33 of 1962), the State Government do hereby authorise all the Collectors of the State to dereserve any land which has been reserved under clause (a) of section 3 or any portion thereof within the district under their respective jurisdiction.

By order of the Governor

B. B. PARIDA

Deputy Secretary to Government

REVENUE DEPARTMENT

NOTIFICATION

The 29th January 1974

No. 6173—GE-(GL)-3/74-R.—In exercise of the powers conferred by clause (c) sub-section (1) of section 3 of the Orissa Government Land Settlement Act, 1962 (Orissa Act 33 of 1962), the State Government do hereby authorise all the Tahsildars of the State to dispose of applications for settlement of lands and settle the same in the prescribed manner within their respective jurisdictions.

By order of the Governor

B. B. PARIDA

Deputy Secretary to Government

Printed and Published by the Director,Printing, Stationery and Publication, Orissa, Cuttack-10
Ex. Gaz. 1530—1,903+600