

No.36011/3/2009-Estt. (Res.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block
New Delhi-110 001,

Dated the 2nd September, 2009.

OFFICE MEMORANDUM

Subject:- Acceptance of castes certificates produced by candidates.

The undersigned is directed to say that this Department's O.M. No.36012/6/88-Estt. (SCT) dated 24.4.1990 and O.M. No.36012/22/93-Estt. (Res.) dated 15.11.1993 provide that the Caste/Tribe/Community certificates in the proforma prescribed and issued by any of the authorities stated in the said OMs will only be accepted by the appointing authorities as sufficient proof in support of a candidate's claim to belong to Scheduled Caste/ Schedule Tribe/ Other Backward Class. It has been brought to the notice of this Department that some Organisations do not accept the certificates in the proforma so prescribed and ask the candidates to submit certificates in some other format. It is emphasised that instructions referred to above should be followed scrupulously.

2. All the Ministries/ Departments etc. are requested to bring the contents of this OM to the notice of all concerned.


(G.S. Pundir)

Under Secretary to the Government of India
Tele No.23092110

To

1. All Ministries/Departments of the Government of India.
2. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.

3. Department of Economic Affairs, New Delhi.
4. Department of Financial Services, New Delhi.
5. Department of Public Enterprises, New Delhi.
6. Railway Board.
7. 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.
8. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
9. Ministry of Social Justice and Empowerment, Shastri Bhavan, New Delhi.
10. National Commission for SCs, Lok Nayak Bhavan, New Delhi.
11. National Commission for STs, Lok Nayak Bhavan, New Delhi.
12. National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, R.K. Puram, New Delhi
13. Office of the Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi – 110002.
14. CBI, LBSNAA, SSC, ISTM, PESB, Central Secretariat Library, MHA Library.
15. Information and Facilitation Centre, DOPT, North Block, New Delhi.
16. All Chief Secretaries of the States/ UTs.
17. NIC for uploading in the website (what's new) alongwith OM's No.36012/6/88-Estt. (Res.) dated 24.04.1990, No.36012/6/76-Estt.(SCT) dated 29.10.1977 and O.M. No.36012/22/93-Estt.(SCT) dated 15.11.1993.

**Deptt. of Personnel & A.R. letter No. 36012/6/76-Estt. (SCT)
dated 29-10-1977, all State Governments and Union Territories**

Subject :—Verification of claims of candidates belonging to Scheduled Castes and Scheduled Tribes—Form of Certificate—amendment to—

I am directed to refer to this Department's letter No. 13/2/74-Estt. (SCT), dated 12th August, 1976 on the subject noted above and to say that the form of caste certificate enclosed with the aforesaid letter has been further revised consequent upon coming into force of the Scheduled Castes and Scheduled Tribes Orders [Amendments] Act, 1976. A copy of the revised form is enclosed. I am to request that the revised form of certificate may please be brought to the notice of the authorities under the State Governments/Union Territories who are empowered to issue such certificates.

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/daughther* ofof 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) Orders, 1950:

*The Constitution (Scheduled Tribes) Order, 1950;

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

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

[As amended by the Scheduled Castes and Scheduled Tribes List (Modification Order, 1956, the Bombay 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 as amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976;

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

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

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

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

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

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

*The Constitution (Nagaland) Scheduled Tribes Orders; 1970.

2. Shri/Shrimati*/Kumari*.....and/or* his/her* family ordinarily reside (s) in village/town*.....of.....District/Division* of the State Union Territory* of

Signature

Designation

(with seal of office)

State

Union Territory

Place

Date

*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.

Department of Personnel and Training OM No. 36012/6/88-Estt (SCT)
dated the 24-4-90

Subject:—Verification/acceptance of castes certificates produced by candidates.

It has been brought to the notice of the government that there are cases in which candidates have produced false caste certificates as belonging to Scheduled Castes/Scheduled Tribes and secured Central Government jobs against vacancies reserved for SCs/STs. Instructions already exist which provide that the services of the candidates claiming to be belonging to SCs/STs would be terminated, if their claims are found to be false on subsequent verification through District Magistrates.

2. At present the following certificates can be accepted by the appointing authorities as sufficient proof in support of candidate's claim as belonging to SC/STs.

Matriculation or school leaving certificate or birth certificate giving the caste/community of the candidate and the place of his residence.

3. It has now been decided that henceforth the certificates as mentioned in para 2 above should not be accepted as proof of caste at the time of initial appointment. The Caste/Tribe certificates issued by the following authorities in the prescribed form in Appendix 14 of the Brochure on Reservation for Scheduled Castes/Scheduled Tribes (Seventh Edition) will only be accepted.

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

(2) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.

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

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

4. It has also been decided that henceforth the appointing authorities should, in the offer of appointment to be candidates claiming to be belonging to Scheduled Castes/Scheduled Tribes, include a clause as follows:

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

5. Ministries/Departments are requested to note for strict compliance.

IMMEDIATE

No. 36012/22/93-Estt. (SCT)

भारत सरकार

GOVERNMENT OF INDIA

कार्मिक, लोक शिक्कयत तथा पेंशन मंत्रालय

MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS

कार्मिक और प्रशिक्षण विभाग

DEPARTMENT OF PERSONNEL & TRAINING

नई दिल्ली

NEW DELHI

Dated the 15th Nov. 1993

To

The Chief Secretaries of
all the State Governments/Union Territories.

Sub: Reservation for Other Backward Classes — exclusion of Creamy Layer for the purpose of appointment in services and posts under the Government of India — Certificate to be produced by the candidates.

Sir,

I am directed to say that the Government of India has issued instructions on 8.9.93 providing for reservation to Other Backward Classes in the services and posts under the Government of India (A copy of this O.M. is enclosed). The Other Backward Classes for the purpose of the above said reservation would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Government's list. A list of such castes and communities was notified in Resolution No. 12011/68/93-BCC(C), dated 10th Sept. 1993 published in the Gazette of India, Extraordinary Part I Section I dated 13.9.93. For the purpose of verification of the castes and communities the Government of India has prescribed a certificate from the following authorities as in the case of SC/ST vide this Department's O.M. No. 36012/22/93-Estt. (SCT), dated 22.10.93 (copy enclosed):

- (a) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner (not below the rank of 1st Class Stipendary Magistrate).
- (b) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
- (c) Revenue Officer not below the rank of Tehsildar; and
- (d) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

2. In the light of the Supreme Court's judgement in the Indira Sawhney case, this Department has specified the persons/section ("Creamy Layer") to whom the benefit of reservation shall not apply vide column 3 of the Schedule to the Department of Personnel and Training O.M.No. 36012/22/93-Estt. (SCT), dated 8.9.93. It has been considered that the same authorities who are notified as competent to certify OBCs status should also be authorised to certify that a candidate does not belong to the "Creamy Layer". It is, therefore, requested that instructions may be issued to the District Authorities under your control to verify and issue the necessary certificate to the candidates regarding his OBCs status as well as exclusion from the "creamy layer". To enable the District Authorities to

examine the claims of the candidates a model format has been devised as in Annexure B. This may be suitably revised if considered necessary. The format of the certificate that may be given by the concerned district authorities may be as in Annexure A.

3. It is also requested that wide publicity may be given to the Ministry of Welfare Resolution No. 12011/68/93-BCC(C), dated 10-9-93 published in the Gazette of India/Extraordinary Part I Section I, dated 13-9-93 containing the list of Backward Castes as well as to DOPT O.M.No. 36012/22/93-Estt. (SCT), dated 8-9-93 which specifies the criteria which will determine the persons who belong to the creamy layer and to whom the reservation shall not apply. This will facilitate the candidates to ascertain their eligibility for reservation. It would also be advisable to appropriately brief the certifying Authorities and to provide them with sufficient number of copies of the above mentioned Gazette Notification and the Deptt. O.M. date 8-9-93 in order to ensure prompt and correct certification.

4. A copy of the orders issued by your Government in this regard may also be endorsed to this Department for information.

Yours faithfully,

Sd/

(Smt. Sarita Prasad).

Joint Secretary to the Government of India.

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

This is to certify that
son of of village
District/Division in the State
belongs to the community which is recognised as a backward class under the
Government of India, Ministry of Welfare Resolution No. 12011/68/93-BCC(C), dated 10th Sept.
1993 published in the Gazette of India Extraordinary Part I Section I dated 13th Sept. 1993.
Shri and/or his family ordinarily reside(s) in the District/Division of
the State. This is also to certify that he/she does not belong to the persons/sections
(Creamy Layer) mentioned in column 3 of the Schedule to the Government of India, Department of
Personnel & Training O.M. No. 36012/22/93-Estt. (SCT), dated 8-9-93.

District Magistrate,
Deputy Commissioner etc.

Dated :

Seal

NB: (a) The term 'ordinarily' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

(b) Where the certificates are issued by Gazetted Officers of the Union Government or State Governments, they should be in the same form but *countersigned* by the District Magistrate or Deputy Commissioner (Certificates issued by Gazetted Officers and attested by District Magistrate/Deputy Commissioner are not sufficient).

APPLICATION FORM FOR A CERTIFICATE FOR ELIGIBILITY FOR RESERVATION OF JOBS FOR OTHER BACKWARD CLASSES IN CIVIL POSTS AND SERVICES UNDER GOVERNMENT OF INDIA.

(This form, however, should be used only as a model. Additional items, if necessary, may be incorporated to suit to the local situation in the form.).

To

Sir,

I request that a certificate in respect of reservation for other Backward Classes in Civil Posts and Services under Government of India be granted to me.

I give below the necessary particulars:—

1. Full Name of the applicant :
(in Block letters).
2. Date of birth :
3. Complete Residential Address :
(a) Present

(b) Permanent
4. Religion :
5. Caste :
6. Sub-caste :
- 7 Occupational Group :
8. Serial Number of the Caste in the
Central List of OBCs.
9. Name of Father :
10. Name of Mother :
11. Name of Husband :
12. Status of Parent (s)/Husband

Father

Mother

(A) Constitutional Posts.

(I) Designation

(B) Government Services.

(i) Service (Central/State).

(ii) Designation

- (iii) Scale of Pay, including classification, if any.
 - (iv) Date of appointment to the post.
 - (v) Age at the time of promotion to Class I Post (if applicable)
 - II. Employment in International Organisation e.g. UN. UNICEF, WHO.
 - (i) Name of Organisation
 - (ii) Designation
 - (iii) Period of service (indicate date from.....to.....).
 - III. Death/Permanent Incapacitation (Omit if not applicable).
 - (i) Date of death/Permanent incapacitation putting an officer out of service.
 - (ii) Details of Permanent incapacitation.
 - (C) Employment in Public Sector Undertakings etc.
 - (i) Name of Organisation
 - (ii) Designation
 - (iii) Date of appointment to the Post.
 - (D) Armed Forces including Para-military Forces (This will not include persons holding civil posts.)
 - (i) Designation.
 - (ii) Scale of Pay.
 - (E) Professional class (other than these covered in Item Nos. B & C) and those engaged in trade, Business and Industry.
 - (i) Occupation/Profession.
 - (F) PROPERTY-OWNERS.
 - (F) I. Agricultural Land Holding: owned by mother, father & minor children.
 - (i) Location.
 - (ii) Size of holding
 - (iii) (a) Irrigated (Type of irrigated land).
 - (i)
 - (ii)
 - (iii)
 - (b) Unirrigated.
- To be certified by District Revenue Officer not lower than the rank of Tehsildar.
- (iv) Percentage of irrigated land holding to statutory ceiling limit under State land Ceiling laws.
 - (v) If land holding is both irrigated/unirrigated total irrigated land holdings on the basis of conversion formula in State land Ceiling law.
 - (vi) Percentage of total irrigated land holding to statutory ceiling limit as per. (iv).
- (F) II. Plantation:
- (i) Crops/Fruit.