



सत्यमेव जयते
Government of India

No. RL -12017/3/2024-RL Cell

Government of India

Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment
[Revision of List (of Scheduled Castes) Cell]

Shastri Bhawan, New Delhi- 110001

Dated: 10th June, 2025

To

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

Subject: Issue of Scheduled Caste/ Scheduled Tribe certificates consequent upon reorganisation of States-clarification regarding.

Sir,

I am directed to refer to the subject noted above and to say that in the letter No. BC-12025/2/76-SCT-I, dated 22.03.1977 of the Ministry of Home Affairs (MHA), addressed to the Chief Secretaries of all State Governments/Union Territory administrations, wherein it was, inter-alia, clarified that for deciding the eligibility of a person for Scheduled Caste/ Scheduled Tribes status in relation to a State/ Union Territory, the residence in a particular locality has a special significance. It connotes the permanent residence of a person on the date of notification of the Presidential Order scheduling his/ her caste/tribe in relation to that locality. Thus, to be eligible for a Scheduled Caste/ Scheduled Tribe status in relation to a State or Union Territory, one is essentially required to be a permanent resident of that State/UT on the date of notification of Presidential Order applicable in his/ her case. In case of a person born after the date of notification of the relevant Presidential Order, the place of residence for the purpose of acquiring Scheduled Caste/Scheduled Tribe status is the place of permanent abode of his/ her parents at the time of the notification of the Presidential Order under which he/ she claims to belong to such a caste.

(P.T.O.)

2. The State Governments of Madhya Pradesh and Chhattisgarh have brought to the notice of this Ministry that on re-organisation of State of Madhya Pradesh vide the Madhya Pradesh Reorganization Act, 2000, in view of instructions contained in aforesaid letter dated 22.03.1977, of the MHA, certain members of the castes/tribes specified as Scheduled Castes/Scheduled Tribes, who were eligible for Scheduled Caste/Scheduled Tribe status in the undivided State of Madhya Pradesh, but owing to their intra-State mobility prior to the re-organisation of the State of Madhya Pradesh, have become ineligible for Scheduled Caste/Schedule Tribe status in the successor States, though their castes are still specified as Scheduled Castes/Schedule Tribes in both the States.

3. The States of Bihar, Madhya Pradesh and Uttar Pradesh were re-organised in the year 2000 and the State of Andhra Pradesh was re-organised in the year 2014. At the time of re-organisation of States of Andhra Pradesh, Bihar, Madhya Pradesh and Uttar Pradesh, neither any inclusion in nor any exclusion from the lists of Scheduled Castes and Scheduled Tribes was made. Generally, at the time of reorganization of States, same list of Scheduled Castes/Scheduled Tribes is adopted in relation to the successor States, except in respect of such castes/tribes, which had area restriction. Such castes/tribes are specified in respect of the State in which the area of their specification falls.

4. The issue raised by the State Governments of Chhattisgarh and Madhya Pradesh has been examined keeping in view the instructions contained in aforesaid letter dated 22.03.1977 of the MHA, and decisions dated 07.10.2006 and 17.08.2012 of High Courts of Madhya Pradesh, Gwalior Bench and Uttarakhand in the cases of Uraon Avam Anya Adivasi Samaj Sangathan Samiti vs. State of Madhya Pradesh and Ors. (W.P.No.5664/05) and Ajay Kumar Vs. State of Uttarakhand and Anr. (W.P. No. 124 of 2011) respectively. The Hon'ble High Courts in their above decisions directed the States of Madhya Pradesh and Uttarakhand respectively to issue caste certificates to members of scheduled communities who were permanent resident of these States on the date of notification of the concerned State Re-organisation Act, irrespective of the fact to which district of the undivided State they originally belonged to. The Uttarakhand High Court in the above referred case has held that the appointed date for deciding Scheduled Caste status of a person in respect of a newly carved State of Uttarakhand is the date of notification of the Uttar Pradesh Reorganisation Act, 2000, by the Central Government in the Gazette of India.

(P.T.O.)

5. Accordingly, when a State is re-organised, the following aspects need to be taken into account, in regard to issuance of Scheduled Caste/Scheduled Tribe certificates: -

(i) Persons belonging to Scheduled Castes/Scheduled Tribes, who were permanent resident of a successor State/ UT on the date of notification of the State re-organisation Act and who continue to reside therein, shall be eligible for Scheduled Caste/Scheduled Tribe status and consequential benefits in that State/UT, no matter to which part of the former State (undivided State) they originally belonged to provided they fulfil following conditions: -

(a) that he or his parents were permanent resident of the State/ UT on the date of notification of State Re-organisation Act,

(b) that his community is included in the list of Scheduled Castes/Scheduled Tribes of that State/ UT,

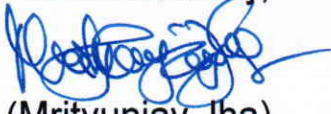
(c) that he or his parents, in terms of Ministry of Home Affairs' letter No. BC-12025/2/76-SCT-I dated 22.03.1977, were eligible for Scheduled Caste/ Scheduled Tribe status in respect of undivided State of which the newly formed State/ UT was a part.

(ii) Those members of Scheduled Castes/Scheduled Tribes, who as per (i) above, have eligibility for Scheduled Caste/Scheduled Tribe status in respect of successor State/ UT 'A' but they have been residing in successor State/ UT 'B', due to exigencies of services, such persons and their dependents would remain Scheduled Caste/Scheduled Tribe of successor State/ UT 'A'.

6. The above will be applicable mutatis mutandis to persons belonging to Central List of Other Backward Classes.

7. It is requested that these instructions may be circulated among all the authorities, empowered to issue Scheduled Castes certificates as well as other concerned authorities.

Yours faithfully,


(Mrityunjay Jha)
Director

Copy forwarded for information and necessary action to: -

1. Secretary, Ministry of Tribal Affairs, Shastri Bhawan, New Delhi- 110001
2. BC-II Section, Department of Social Justice and Empowerment, Shastri Bhawan, New Delhi- 110001.