

No. 12017/1/2016-SCD (R.L.Cell)
Government of India/Bharat Sarkar
Ministry of Social Justice and Empowerment/
Samajik Nyaya avam Adhikarita Mantralaya
Department of Social Justice and Empowerment/
Samajik Nyaya avam Adhikarita Vibhag

Shastri Bhawan, New Delhi,
the 15th November 2016.

To
The Chief Secretary of all the State Governments and
Union Territory Administrations.

Subject:- Issue of caste certificates to members of Scheduled Caste who have embraced
Buddhism.

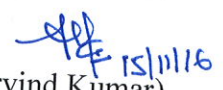
Sir,

I am directed to say that it has been brought to the notice of this Ministry that members of
Scheduled Castes who have embraced Buddhism are facing difficulties in obtaining Scheduled
Caste certificates.

2. Attention is invited to Ministry of Welfare's letter No. 12016/28/90-SCD (R.L.Cell) dated
20.11.1990 (copy enclosed) addressed to the Secretary, Social Welfare Department / Department
dealing with Welfare of Scheduled Castes of all the State Governments/ Union Territory
Administrations wherein it was clarified that with the enactment of the Constitution (Scheduled
Castes) Orders (Amendment) Act, 1990, the members of Scheduled Caste communities who have
embraced Buddhism shall be deemed to be member of Scheduled Caste. 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 belonging to the Hindu and the Sikh
religions and the form of caste certificate will also remain the same as applicable to other
Scheduled Caste communities.

3. All the State Governments/U.T Administrations are, again requested to follow the
procedure mentioned in Ministry of Welfare's letter dated 20.11.1990 for issuing caste certificate
to the Scheduled Caste persons professing Buddhist religion.


Yours faithfully,


(Arvind Kumar)
Director (SCD)
Tel: 011-23388519

320
No. 12017/1/2016-SCD (R.L.Cell) New Delhi Dated, the 15th November, 2016.

Copy forwarded to:-

1. The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), North Block, 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, National Commission for Scheduled Castes, Lok Nayak Bhawan, New Delhi.
8. Secretary, National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi


(Arvind Kumar)
Director (SCD)

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.

316
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.

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*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) 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 theCaste/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* ofDistrict/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. 12017/1/2016-SCD (R.L.Cell)
Government of India
Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment

S.No 37(L1)

Shastri Bhawan, New Delhi

Dated: 17.11-2017

To

Secretary,
Social Justice and Special Assistance Department,
Government of Maharashtra,
Mantralaya, Mumbai-400032.

Subject: - Difficulties faced by members of Scheduled Castes converted to Buddhism in availing reservation benefits of Central Government and its Public Sector Undertakings.

Sir,

I am directed to refer to your letter No. CBC-2016/CR-151/Mavak dated 21.04.2017 on the subject mentioned above and to say that the request of the State Government to accept their caste certificate format for Scheduled Castes converts to Buddhism has been examined in consultation with Department of Legal Affairs of Ministry of Law and Justice, which has opined that caste certificate format should fulfil the criteria of uniformity, certainty and clarity. The caste certificate format suggested by Government of Maharashtra does not fulfil the above criteria, because it does not mention the name of caste of the certificate holder, rather in it Sl. No. at which a caste appears in the list of Scheduled Castes is indicated which may change over a period of time as has been in the case of Mahar caste of Maharashtra, which appeared at Sl. No. 22 of the list of Scheduled Castes of the then State of Bombay notified on 10.08.1950, whereas, presently, it appears at Sl. No. 37. Further, it is against the parameter of uniformity as rest of the States and Union territories are following the caste certificate format recommended vide Ministry of Welfare's letter No. 12016/28/90-SCD (R.L.Cell) dated 20.11.1990 (copy enclosed).

2. It is, therefore, requested that the authorities empowered to issue caste certificate in the State of Maharashtra be directed to follow the caste certificate format circulated vide Ministry of Welfare's letter dated 20.11.1990 so that members of Scheduled Caste who have converted to Buddhism do not face difficulties in enjoying reservation benefits of Central Government and Public Sector Undertakings.

Encl: as above.

Yours faithfully


(Arvind Kumar)
Director (SCD)
Tel: 23385419