

(40)

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

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 428 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 letter by the State Governments/U. T. Administra-

tions 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 IPC. 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,
(B. N. Srivastava),
Director.

Copy forwarded for information:—

1. Department of Personnel & A. R. Establishment (SCT) Section.
2. Secretary, Commission for Scheduled Castes and Scheduled Tribes, Lok Nayak Bhavan, New Delhi.

66

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 the Ministry of Home Affairs.

7. SC&BCD.I|II|III|VI Sections|PCR Cell|PCR Desk|T.D. Division.

Yours faithfully,

(B. N. Srivastava),
Director.