

**KARNATAKA SCHEDULED CASTES, SCHEDULED TRIBES AND
OTHER BACKWARD CLASSES (RESERVATION OF
APPOINTMENTS, ETC.) RULES, 1992**

CONTENTS

1. Title and commencement
2. Definitions
3. Reservation
 - 3A. Issue of Caste Certificate and Income and Caste Certificate
 - 3B. Appeal against order under Section 4-A
 - 3C. Validity of the Certificate issued by the Tahsildar
4. Caste Verification Committee
5. Caste and Income Verification Committee
 - 5A. The validity of certificate issued by the Caste Verification Committee
6. Application for Validity Certificate
 - 6A. Verification by the Caste and Income Verification Committee
7. Issue of Validity Certificate
 - 7A. Prosecution for obtaining false caste certificate
 - 7B. Monetary benefits secured on the basis of false caste certificate to be withdrawn
8. Admission to Educational Institutions
9. Recruitments
 - 9A. Scrutinising Committee
10. Authority to take action for contravention of the provisions of the Act etc
11. Vacancy/Admission Register
12. Inspections
13. Annual Reports

**KARNATAKA SCHEDULED CASTES, SCHEDULED TRIBES AND
OTHER BACKWARD CLASSES (RESERVATION OF
APPOINTMENTS, ETC.) RULES, 1992**

In exercise of the powers conferred by sub-section (1) of Section 13 of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointments etc.) Act, 1990 (Karnataka Act 7 of 1991) Government of Karnataka hereby makes the following rules, namely.

1. Title and commencement :-

- (1) These rules may be called the Karnataka Scheduled Castes,

Scheduled Tribes and Other Backward Classes (Reservation of Appointments, etc.) Rules, 1992.

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

2. Definitions :-

(1) In these rules, unless the context otherwise requires.

(1) "Act" means the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointments, etc.) Act, 1990 (Karnataka Act 7 of 1991);

(2) "An Educational Institution" means an Educational Institution established or maintained or aided by the State Government;

(3) "Public Sector Undertakings" means the institutions defined in the Act;

(4) "Caste Verification Committee" 2[means a Committee and an Additional Committee] constituted under Rule 4;

(5) "Caste and Income Verification Committee" 3[means a Committee and an Additional Committee] constituted under Rule 5;

(6) "Form" means form appended to these rules;

(7) "Inspecting Officer" means an Officer authorised by the State Government under sub-section (2) of Section 7 of the Act;

(8) "Validity Certificate" means the certificate issued by the Caste Verification Committee or Caste and Income Verification Committee.

(2) All other words and expressions not defined here but defined in the Karnataka Civil Service (General Recruitment) Rules, 1977 shall have the meaning assigned to them in the said rules.

3. Reservation :-

All executive orders in relation to reservation made by the State Government and which are in force on the date of commencement of these rules shall be deemed to be part of these rules and shall continue to be in force until they are modified or replaced by the State Government, for the purpose of Section 4 of the Act.

3A. Issue of Caste Certificate and Income and Caste Certificate :-

(1) Every application for caste Certificate or Income and Caste Certificate under Section 4-A shall be in Forms A, B or C as may be appropriate accompanied by such document and other materials in support of the claim.

(2) On receipt of the application the Tahsildar shall verify the information, document, and such other materials furnished by the applicant and on such verification if he is satisfied with the correctness of the information, documents and evidence furnished by the applicant, he shall issue Caste Certificate or Income and Caste Certificate in Forms D, E or F as may be appropriate within two months from the date of receipt of the application.

(3) Where the Tahsildar is not satisfied with the correctness of the information, documents or other materials furnished by the applicant he shall then proceed to hold enquiry as follows.

(a) The Tahsildar shall fix the date of enquiry and issue notice to the applicant to appear on the date so fixed along with all documents and other materials which he desires to produce.

(b) During the course of enquiry he shall examine the school records, birth registration certificate if any, and such other relevant records. He shall examine the applicant if he is present and may also examine the parent/guardian of the applicant and any other person who has the knowledge of the social status of the applicant and parent/guardian:

Provided that in the case of an applicant who belongs to the Scheduled Tribes, the Tahsildar shall also take into account the anthropological and ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies and such other matters.

(c) The Tahsildar shall also cause to be issued a public notice by beat of drum or any other convenient mode in the village or locality to which the applicant and his parent/guardian belongs. If in response to such notice or otherwise any person or association opposes the claim of the applicant such person or association shall also be given an opportunity to produce evidence during the enquiry.

(d) The Tahsildar may require the assistance of any officer for the purpose of satisfying himself regarding the genuineness of the claim made by the applicant.

(e) Where the applicants or parents/guardians are inhabitants in an area which is not within the territorial jurisdiction of the Tahsildar, he may make a reference to the District Social Welfare Officer concerned in the case of persons belonging to the Scheduled Castes and Scheduled Tribes or to the District Officer of Backward Classes, in the case of persons belonging to the Backward Classes, to provide such professional assistance as available with them.

(f) The Tahsildar may also call for further information, document or material if he deems it necessary.

(g) The Tahsildar may after holding the enquiry in the manners specified above either issue Caste Certificate or Income and Caste Certificate in Forms D, E or F as may appropriate or reject the claim within a period of two months from the date of receipt of the application.

3B. Appeal against order under Section 4-A :-

On receipt of an appeal under Section 4-B, the Assistant Commissioner may obtain the records from the Tahsildar and after giving an opportunity of being heard to both the parties and making any local enquiry, if necessary, pass an order giving reasons thereof within a period of one month from the date of filing of appeal.

3C. Validity of the Certificate issued by the Tahsildar :-

(1) The Caste Certificate issued under Section 4-A shall be valid until it is cancelled.

(2) The Income and Caste Certificate issued under Section 4-A.

(a) shall be valid till the completion of specific course of studies mentioned below.

(i) From I to VII Standards;

(ii) From VIII to X Standards;

(iii) Pre-University/equivalent courses including Diploma or other training courses;

(iv) Degree level or equivalent courses including professional courses;

(v) Postgraduation level courses.

(b) shall be valid for a period of one year from the date of issue for

the purpose of employment and for availing other economic benefits.]

4. Caste Verification Committee :-

(1) There shall be a committee called the Caste Verification Committee for each district to verify the caste certificate issued in respect of the persons belonging to Scheduled Castes and Scheduled Tribes. The committee shall consist of the following members namely:-

(1) The Deputy Commissioner of the District who shall be the Chairman;

(2) The Deputy Secretary (Administration) of the Zilla Panchayat;

(3) The Tahsildar of Taluk;

(4) The District Social Welfare Officer who shall be the Member Secretary:

[Provided that the State Government may constitute an Additional Caste Verification Committee for any District to verify the Caste Certificate issued in respect of the persons belonging to Scheduled Castes or Scheduled Tribes which shall consist of the following members, namely.

(i) An Officer not below the rank of Special Deputy Commissioner appointed by the State Government - Chairman

(ii) The Assistant Commissioner of the Sub-Division - Member

(iii) The Tahsildar of the Taluk - Member

(iv) The District Social Welfare Officer - Member.

5. Caste and Income Verification Committee :-

There shall be a committee called a Caste and Income Verification Committee in respect of each district to verify the caste and income certificate issued in respect of the Other Backward Classes. The committee shall consist of the following members, namely.

(i) The Deputy Commissioner of the District who shall be the Chairman;

(ii) The Deputy Secretary (Administration) of the Zilla Panchayat;

(iii) The concerned Tahsildar of the Taluk;

(iv) The District Backward Classes and Minorities Officer who shall be the member secretary:]

[Provided that the State Government may constitute an Additional Caste and Income Verification Committee for any district to verify the Income and Caste Certificate, issued in respect of persons belonging to

(i) An Officer not below, the rank of Special Deputy Commissioner appointed by the State Government - Chairman

(ii) The Assistant Commissioner of the Sub-Division - Member

(iii) The Tahsildar of the Taluk - Member

(iv) The District Backward Classes and Minorities Officer - Member Secretary.]

5A. The validity of certificate issued by the Caste Verification Committee :-

(1) The Validity Certificate issued by the Caste Verification Committee in favour of a person belonging to the Scheduled Caste or Scheduled Tribe shall remain valid for the purpose of education and employment until it is cancelled or until the date on which the candidate changes his religious faith whichever is earlier.

(2) The validity certificate issued by the Caste and Income Verification Committee in favour of a person belonging to Category 1 of the Backward Classes shall remain valid for the purpose of education and employment as long as his caste enjoys reservation without applying creamy layer criteria or until it is cancelled, whichever is earlier.

6. Application for Validity Certificate :-

Every person claiming reservation either for appointment or for admission, shall submit an application in Form 1 for verification of Caste or Caste and Income claims.

(i) to the Caste Verification Committee in case he claims to belong to Scheduled Caste or Scheduled Tribes;

(ii) to the Caste and Income Verification Committee in case he claiming belong to Backward Tribes or Other Backward Classes.

6A. Verification by the Caste and Income Verification Committee :-

Caste Verification Committee or as the case may be, the Caste and Income Verification Committee shall refer the application for issue of Validity Certificate to the District Social Welfare Officer concerned of the Social Welfare Department in the case of persons belonging to Scheduled Castes and Scheduled Tribes and to the District Officer for Backward Classes concerned of the Backward Classes Department in case of persons belonging to Other Backward Classes for verification and report after holding local enquiries.

7. Issue of Validity Certificate :-

(1) After getting a report on a reference made under Rule 6-A, the Caste Verification Committee and the

(2) The Committee may examine school records, birth registration certificate if any, and such other relevant materials and may also examine any other person who has the knowledge of the community of the applicant:

Provided that in case of an applicant who belongs to the Scheduled Tribes, the Committee may also examine the anthropological and ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies and such other matters.

(3) If on such enquiry the Committee finds that the applicants claim is genuine it may issue the certificate sought for, in Form I-A, but where the committee finds that the applicant obtained the Caste Certificate or Income and Caste Certificate by making a false representation, it shall pass an order rejecting the application indicating the reasons therefor for such refusal. An order under this sub-rule shall be passed within one month from the date of receipt of the application.

(4) Where the Committee even after the enquiry referred to in sub-rules (2) and (3) finds that the claim is doubtful, and is not in a position to come to a conclusion it shall refer the matter to the Directorate of Civil Rights Enforcement for detailed investigation and report. On receipt of the report from the Directorate of Civil rights enforcement, the Committee shall dispose off the case (on merit, after holding such enquiry as it deems fit and after giving the applicant an opportunity of being heard. An order under this sub-rule shall be made within one month from the date of receipt of the application.

(5) Any person aggrieved by an order of the Caste Verification Committee or Cast' and Income Verification Committee may appeal to the Divisional Commissioner. The Divisional Commissioner shall after giving an opportunity of being heard to both the parties pass such order as he deems fit within forty-five days from the date of filing of such appeal.

7A. Prosecution for obtaining false caste certificate :-

1

(1) The Caste Verification Committee or the Caste and Income Verification Committee, as the case may be and the Divisional Commissioner, shall send a copy of the order rejecting claim of the applicant for grant of Validity Certificate or, as the case may be, a copy of the order in appeal rejecting such claim, to the Directorate of Civil Rights Enforcement.

(2) The Directorate of Civil Rights Enforcement shall take steps to prosecute such claimant who has obtained a false Caste Certificate.

1. Rules 7-A and 7-B inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. a 2 2000

7B. Monetary benefits secured on the basis of false caste certificate to be withdrawn :-

Any amount paid to any person by the Government or any other agency by way of scholarship, grant, allowances or other financial benefits on the basis of a false Caste Certificate shall without prejudice to any other action, be liable to be recovered from such person.

8. Admission to Educational Institutions :-

No candidate who claims the benefit of reservation shall be admitted to a technical or professional course of study in an Educational Institution without production of the Validity Certificate.

9. Recruitments :-

No person who claims the benefit of reservation shall be appointed to a service or a post under Government or to an establishment in Public Sector without production of the Validity Certificate.

9A. Scrutinising Committee :-

x x x x x.

10. Authority to take action for contravention of the

provisions of the Act etc :-

(1) The authorities to take action for contravention of different provisions of the Act and rules, are the Director of Social Welfare; Director of Tribal Welfare or the Officers authorised by them in respect of Scheduled Castes and Scheduled Tribes and the Director of Backward Classes or the Officers authorised by them in respect of Other Backward Classes (hereinafter referred to as authorised officer).

(2) If the authorised officer has reasons to believe that there has been any violation of the provisions of the Act, rules or the reservation policy of the State, in the matter of admissions or appointments, he shall send a report to the admission authority or appointing authority giving thirty days time to set right such violation.

(3) On the failure of the admission authority or appointing authority to set right the violation or to offer satisfactory justification the authorised officer shall declare the appointment or admissions made in violation of the provisions of the Act and Rules, as void: Provided that before making such a declaration, a reasonable opportunity shall be given to the persons who are likely to be affected thereby.

(4) On the failure of the admission authority or appointing authority to offer satisfactory justification, the authorised officer may take steps to prosecute such admission authority or appointing authority.

11. Vacancy/Admission Register :-

(1) Subject to Rule 3 and such other executive orders made by the State Government from time to time in relation to reservation.

(i) all Appointing Authorities to a service or post in the State Civil Services or in establishments in Public Sector undertakings shall maintain a vacancy register in Form 2;

(ii) all Educational Institutions shall maintain admission register in Form 3.

(iii) all educational institutions also shall maintain a register to show receipt of applications from applicants of different categories in Form No. 3-A.

12. Inspections :-

(1) The Social Welfare Extension Officers/Social Welfare Inspector in respect of Scheduled Castes/Scheduled Tribes and Inspecting Assistants of Backward Classes in respect of Other Backward Classes and any other officer superior to them (hereinafter referred to as the

(2) It shall be the duty of the admission or appointing authority to produce all records relevant to the admissions or appointments before the inspecting officer when demanded.

13. Annual Reports :-

¹ .An appointing authorities and all establishments in public sector shall furnish the annual reports in Form No. 4 in respect of Scheduled Castes/Scheduled Tribes and in Form 5 in respect of Other Backward Classes respectively, before the First day of May every year and all educational institutions shall furnish annual reports in Form No. 6 in respect of Scheduled Castes/Scheduled Tribes and in Form No. 7 in respect of Other Backward Classes respectively before the First day of September every year to the authorities specified in the Appendix appended to these rules.

1. Rule 13 substituted by Notification No. SWD132 SAD 97, dated 8-2- 2000, w.e.f. 8-2-2000