

Room No 221, SCT Cell,
The Eastern Court,
BSNL Corporate Office,
New Delhi: 110001,
Off: 011- 23734131
Fax: 011-23766143



भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

No. 60 - 04 /2021 - SCT (Part)

Dated: 31.07.2023

To,

1. All Head of Circles, BSNL.
2. Cadre Controlling Units, BSNL Corporate office.

Subject: Timely verification of Caste/Community Certificate - reg.

Sir/Madam (s),

The undersigned has been directed to forward Department of Personnel & Training's Office Memorandum Nos. 41034/1/2022-Estt. (Res-I) dated 29.03.2023 and No. 41034/1(ii)/2022-Estt. (Res-I) dated 29.03.2023 on the above mentioned subject for strict compliance and necessary action.

2. This is issued with the approval of the Competent Authority.

Encl: As above.

Ranvir Singh
(Ranvir Singh Chauhan)
Deputy General Manager (SCT)
SCT Cell, BSNL CO
31/07/2023

Copy for kind information to:

1. PPS, CMD, BSNL.
2. PS, DIR HR, BSNL
3. BSNL Intranet

No.41034/1/2022-Estt.(Res-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
ESTT.(Estt. Reservation-I)

North Block, New Delhi
Dated 29 March, 2023

OFFICE MEMORANDUM

Subject:- Timely verification of Caste/Community Certificates - regarding.

Sir,

I am directed to say that Government of India has been issuing instructions to all the States/UT Government for streamlining the process of verification of Caste certificate and ensuring its timely completion.

2. In this regard, this Departments' letter No.41034/4/2020-Estt.(Res-I), dated 19.03.2021, addressed to the Chief Secretaries of all States/UTs and letter No.41034/2/2022-Estt.(Res-I), dated 21.10.2022, addressed to the Secretaries (General Administrative Departments) of all States/UTs may be referred vide which attention of all the States/ UT Governments was invited towards some cases of withholding of pensionary benefits of the employees of the Central Government belonging to ST category due to pendency of their caste verification process at the end of concerned State Government. The concern and the serious view taken by the Parliamentary Committee on the Welfare of SC and ST in this regard was also communicated to the State/ UT Governments vide the aforesaid letters. Copies of the aforesaid two letters are attached.
3. Now, the Parliamentary Committee on the Welfare of SC and ST, vide its recommendations in its 21st Report (17th Lok Sabha), has reiterated its earlier recommendations for timely completion of caste verification process.
4. The State/UT Governments have been requested from time to time that they are required to ensure at their own level that veracity of the Caste/Community certificate referred to the district authorities is verified and reported to the appointing authority **within one month** of receipt of request from such authority. The State/UT Governments are also required to initiate disciplinary proceedings against the officers of the State who default in timely verification of Caste Status.
5. In view of the above, all the State/ UT Governments are once again requested to ensure adherence to the aforesaid instructions and ensure that veracity of the Caste/Community certificate referred to the district authorities is verified and reported to the appointing authority **within one month** of receipt of request from such authority.
6. This issues with the approval of Secretary (P).

(Sign of Authority)
SANDEEP SAXENA
DEPUTY SECRETARY (RESERVATION)
23092036

1. The Secretaries of all the Ministries/Departments of the Govt. of India for ensuring strict compliance of the existing instructions on timely verification of Caste/Community Certificate.
2. Department of Financial Services, New Delhi.
3. Department of Public Enterprises, New Delhi.
4. Railway Board, Ministry of Railways, Rail Bhawan, New Delhi.
5. The Secretary, National Commission For Scheduled Castes, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
6. The Secretary, National Commission for Scheduled Tribes, 6th Floor, B Wing, Lok Nayak Bhawan, Khan Market, New Delhi- 110003.
7. The Secretary, National Commission for Backward Classes, Trikoot - 1, Bhikaji Cama Place New Delhi - 110 066.
8. Office of Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi.
9. Lok Sabha Secretariat/Rajya Sabha Secretariat
10. NIC, DoPT with the request to upload the same on the website of the Department.

No.41034/1(ii)/2022-Estt.(Res-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
ESTT.(Estt. Reservation-I)

North Block, New Delhi
Dated 29 March, 2023

OFFICE MEMORANDUM

Subject:- Timely verification of caste/community certificate - regarding

In order to ensure that the benefit of reservation and other schemes of concessions, etc. meant for SCs/STs/OBCs go only to the rightful claimants, it is necessary to ascertain the caste verification status of an employee. Hon'ble Supreme Court, vide its judgement, dated 2.9.1994, in the matter of 'Kumari Madhuri Patil vs Addl. Commissioner', has held that the admission wrongly gained or appointment wrongly obtained on the basis of false social status certificate necessarily has the effect of depriving the genuine Scheduled Castes or Scheduled Tribes or OBC candidates, as enjoined in the Constitution, of the benefits conferred on them by the Constitution. Accordingly, in order to streamline the procedure for the issuance of social status certificates, their scrutiny and their approval, the Hon'ble Supreme Court, vide its aforesaid judgement, has laid down detailed guidelines to be followed by the State Governments.

2. DoPT has issued instructions from time to time for streamlining the process of verification of caste certificate of the employees. DoPT instructions provide that wherever it is found that a Government servant, who was not qualified or eligible in terms of the recruitment rules etc., for initial recruitment in service or had furnished false information or produced a false certificate in order to secure appointment, he should not be retained in service. If, he is probationer or a temporary Government servant, he should be discharged or his services should be terminated. If he has become a permanent Government servant, an inquiry as prescribed in Rule 14 of CCS(CCA) Rules, 1965 may be held and if the charges are proved, the Government servant should be removed or dismissed from service. In no circumstances should any other penalty be imposed.

3. The instructions further provide that where a candidate belonging to a SC, ST and OBC is unable to produce a certificate from any of the prescribed authorities, he/she may be appointed provisionally on the basis of whatever prima-facie proof he/she is able to produce in support of his/her claim subject to his/her furnishing the prescribed certificate within a reasonable time and if there is genuine difficulty in his/her obtaining a certificate, the appointing authority should itself verify his/her claim through the District Authorities concerned.

4. Communications have also been issued to the State/UT Governments from time to time requesting them to issue instructions to the District Magistrates/District Collectors/Deputy Commissioners of the districts to the effect that they should ensure at their own level that the Caste/Community certificate referred to the district authorities is verified and reported to the appointing authority within one month of receipt of request from such authority. The State/UT Governments have also been requested to initiate disciplinary proceedings against the officers who default in timely verification of Caste Status.

5. However, instances have come to notice that the appointing authority has taken an unduly long time in getting the caste status of an employee verified through the concerned State authorities and the pensionary benefits of such employees have been withheld on the ground that their caste verification is pending. Such action on the part of the concerned authorities of the Ministries/ Departments of the Government of India is totally in contravention of the existing instructions. The Parliamentary Committee on the Welfare of SC and ST has taken a serious view of it.

6. In view of the above, all the Ministries/ Departments, including their attached, subordinate offices, PSUs, Autonomous Bodies etc., are requested to ensure that process for verification of the caste certificate of the employee may be initiated immediately and a communication may be issued to the concerned State/ UT Authorities within a week of joining of government service by the employee. As already stated above, the State/UT Authorities have been requested from time to time to verify the caste/community certificate of the candidates/ employees and report the same to the appointing authority within one month of receipt of request from such appointing authority. Hence, if no report is received from the concerned State/UT Authorities within a period of one month, the matter may be taken up at the highest level and it may be ensured that the process for verification of the caste/tribe/community certificate of the employee is completed within a period of six months of her/his joining the service.

(Sign of Authority)
SANDEEP SAXENA
Deputy Secretary (Reservation)
23092036

To,

- I. The Secretaries of all the Ministries/Departments of the Government of India
- II. Department of Financial Services, New Delhi
- III. Department of Public Enterprises, New Delhi
- IV. Ministry of Railways, Rail Bhawan, New Delhi
- V. The Secretary, National Commission For Scheduled Castes, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi – 110003
- VI. The Secretary, National Commission for Scheduled Tribes, 6th Floor, B Wing, Lok Nayak Bhawan, Khan Market, New Delhi- I 10003
- VII. The Secretary, National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, New Delhi - 110 066.
- VIII. O/o Comptroller and Auditor General of India, Bahadurshah Zafar Marg, New Delhi
- IX. Lok Sabha Secretariat, New Delhi and Rajya Sabha Secretariat, New Delhi
- X. NIC, DoPT with the request to upload the same on the website of the Department

F.No.41034-2/2022-F.stt.(Res-I)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel and Training

North Block, New Delhi-110001
Dated the 21st October, 2022

To,
The Secretary
General Administrative Department
(All States & Union Territories)

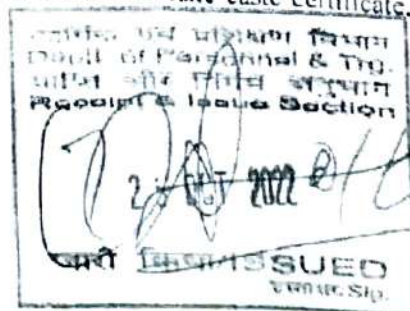
Subject:- Timely verification of Caste/Community Certificates - regarding.

Sir,

I am directed to say that Government of India has been issuing instructions from time to time to all the State/UT Governments for streamlining the process of verification of caste/community certificate and ensuring its timely completion.

2. In this regard, it is stated that Akhil Bhartiya Adivasi Vikas Parishad (ABAVP), a Society registered under the Societies Registration Act, had submitted a representation to the Parliamentary Committee on the Welfare of SC and ST and brought to their notice that pensionary benefits of some of the employees belonging to ST category in the Central Government offices in Tamil Nadu were withheld on the ground of pendency of their caste verification. The Parliamentary Committee has taken serious view of it and has emphasized upon timely verification of caste certificate of the employees. The Committee has also made recommendations in the matter in its Ninth Report on the subject "Study of atrocity cases against Scheduled Castes and Scheduled Tribes with respect to implementation of the Prevention of Atrocities Act, 1989". In view of the concern shown by the Parliamentary Committee, a letter dated 19.03.2021 was issued to all the States/UTs vide which their attention was invited towards this Department's various instructions issued from time to time requesting the States/ UTs to ensure timely verification of caste certificate of the employees. However, a reference dated 14.06.2022 has again been received from Akhil Bhartiya Adivasi Vikas Parishad (ABAVP) in which the Parishad has stated that the pensionary dues of some of the employees belonging to ST category have still not been released by the Central Government offices on the ground that their caste verification is still pending.

3. In this regard, it is reiterated that the responsibility for the issue and verification of Caste Certificate lies with the concerned State/UT Government. The Hon'ble Supreme Court, vide its order dated 02.09.1994 in the matter of *Kumari Madhuri Patil vs Addl. Commissioner*, has laid down the detailed guidelines for effective verification of the Caste Certificates of the employees by the State Government, so that no person, on the basis of fake caste certificate, may secure employment wrongfully in the Government.



4. It is reiterated that States/UTs are required to complete timely verification of the caste certificates of the employees. The respective State Government authorities are required to ensure at their own level that veracity of the Caste/Community certificate referred to the district authorities is verified and reported to the appointing authority within one month of receipt of request from such authority. The State/UT Governments are also required to initiate disciplinary proceedings against the officers of the State who default in timely verification of Caste Status. In this regard, copies of the DoPI letter No. 36022/1/2007 - Estt (Res) dated 20.3.2007; DoPT letter No. 41034/3/2012 - Estt (Res) dated 11.4.2012; DoPT letter No. 36011/1/2012-Estt (SCT) dated 14.3.2016 and DoPT letter No. 41034/4/2020-Estt (Res-1) dated 19.3.2021 are enclosed. During the conference of the Secretaries of the State/UTs organized by this Department on 28.09.2022 at CSOI, KG Marg, New Delhi the attention of the officers of the State/UT Governments were invited towards the aforesaid instructions and they were requested to ensure timely verification of the caste/ community certificate of the employees.

5. In view of the above, all the State/UT Governments are once again requested to ensure adherence to the instructions issued by this Department from time to time with regard to timely completion of the process of caste verification of the employees.

Yours faithfully,

Encl.: As above


(Abhay Kumar)
Under Secretary
Tel: 011-2309 2459

To,

- 1) The Secretaries of all the Ministries/Departments of the Govt. of India.
- 2) Department of Financial Services, New Delhi.
- 3) Department of Public Enterprises, New Delhi.
- 4) Railway Board, Ministry of Railways, Rail Bhawan, New Delhi.
- 5) The Secretary, National Commission For Scheduled Castes, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
- 6) The Secretary, National Commission for Scheduled Tribes, 6th Floor, B Wing, Lok Nayak Bhawan, Khan Market, New Delhi- 110003.
- 7) The Secretary, National Commission for Backward Classes, Trikoot - 1, Bhikaji Cama Place New Delhi - 110 066.
- 8) Office of Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi.
- 9) NIC, DoPI with the request to upload the same on the website of the Department

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No. 41034/4/2020-Estt (Res-I)
Government of India
Ministry of Personnel, Public Grievance & Pensions
Department of Personnel and Training

North Block, New Delhi
Dated the 19th March, 2021

To

The Chief Secretaries of all States & Union Territories

Subject: Timely verification of Caste/Community Certificates - regarding

Sir,

I am directed to say that instances have come to the notice where the pensionary benefits of employees belonging to ST category, who were working in various offices and organizations under Central Government in the State of Tamil Nadu, have been withheld on the ground that their caste verification is pending from the State Government. The Parliamentary Standing Committee on the Welfare of the Scheduled Castes & Scheduled Tribes (SC&ST) have taken a serious view of this, and has directed this Department to issue necessary guidelines to all the concerned for ensuring timely verification of the Caste Certificate of the employees belonging to the reserved category.

2. It is stated that the responsibility for the issue and verification of Caste Certificate lies with the concerned State/UT Government. The Hon'ble Supreme Court, vide its Order dated 2.9.1994 in the matter of in the matter of *Kuman Madhuri Patil vs Addl. Commissioner*, has laid down the detailed guidelines for effective verification of the Caste Certificates of the employees, so that no person, on the basis of fake caste certificate, may secure employment wrongfully in the Government.

3. DoP&T has issued various guidelines from time to time for streamlining the process of verification of Caste Certificate of the employees, and has requested the State/UT Governments for timely verification of the same. However, as mentioned above, instances have come to notice that the appointing authority has taken an unduly long time in getting the caste status of an employee verified through the concerned State authorities which is totally in contravention of the existing instructions. In this regard, attention is invited towards the following instructions of DoPT in the matter:

- (i) DoPT OM No. 36019/7/1975-Estt (SCT) dated 31.10.1975 (copy at Annexure-I) provides that the candidates belonging to the SC/ST category have to produce a Certificate in the prescribed form issued by

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one of the prescribed authorities in support of their claim of belonging to a SC/ST. Where such a candidate is unable to produce a Certificate from any of the prescribed authorities, he may be appointed provisionally on the basis of whatever prima facie proof he is able to produce in support of his claim subject to his furnishing the prescribed Certificate within a reasonable time, and if there is genuine difficulty in his obtaining a Certificate, the appointing authority should itself verify his claims through the District Magistrate concerned.

- (ii) DoPT OM No. 36011/16/80-Estt (SCT) dated 27.2.1981 (copy at Annexure-II) provides that the verification of caste status at every important upturn of employee's career is necessary, as an SC candidate may lose his status of SC if he embraces a religion other than Hinduism and Sikhism [DoPT OM No. 36011/3/2005-Estt (Res) dated 9.9.2005 provides that an SC candidate loses his SC status if he embraces a religion other than Hinduism, Sikhism or Buddhism].
- (iii) DoPT, vide letter No. 36022/1/2007 - Estt (Res) dated 20.3.2007 (copy at Annexure-III), have requested the State/UT Governments to issue instructions to the District Magistrates/District Collectors/Deputy Commissioners of the districts to the effect that they should ensure at their own level that veracity of the Caste/Community certificate referred to the district authorities is verified and reported to the appointing authority within one month of receipt of request from such authority. The State/UT Governments were also requested to initiate disciplinary proceedings against the officers who default in timely verification of Caste Status.
- (iv) DoPT, vide letter No. 41034/3/2012 - Estt (Res) dated 11.4.2012 (copy at Annexure-IV), have reiterated the above instructions dated 20.3.2007 requesting the State/UT Governments to issue instructions to the concerned district authorities to ensure veracity of the Caste/Community Certificate referred to them and report the same to the appointing authority within one month of receipt of request from such authority. This letter also conveys the directions of the Parliamentary Committee at that time on the Welfare of SCs and STs that the State/UT Governments may constitute a District-Level Committee in each District which may hold regular meetings to ensure timely verification of Caste Certificates.
- (v) DoPT OM No. 36011/1/2012-Estt (SCT) dated 8.10.2015 (copy at Annexure-V) reiterates the earlier instructions on timely and effective verification of the Caste Certificate so that the benefit of reservation and other scheme of concessions etc. go only to the rightful claimants.
- (vi) DoPT letter No. 36011/1/2012-Estt (SCT) dated 14.5.2016 (copy at Annexure-VI) addressed to all State/UT Government again reiterates the earlier instructions on verification of Caste Certificate within a reasonable time.

4. In view of the above, all State/UT Governments are again requested that the above-mentioned instructions may be brought to the notice of all


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the concerned officers, and it may be ensured that the process of caste verification is completed within a reasonable time, and the concerned appointing authorities are informed about the veracity of the Caste Certificate of the candidates/employees within one month of the receipt of such request from the concerned appointing authority.

5. This issues with the approval of Secretary (P).

Yours faithfully,


19/3/2021
(Sandeep Saxena)
Deputy Secretary

To

1. The Secretaries of all the Ministries/Departments of the Govt. of India for ensuring strict compliance of the existing instructions on timely verification of Caste/Community Certificate.
2. Department of Financial Services, New Delhi.
3. Department of Public Enterprises, New Delhi.
4. Railway Board, Ministry of Railways, Rail Bhawan, New Delhi.
5. The Secretary, National Commission For Scheduled Castes, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
6. The Secretary, National Commission for Scheduled Tribes, 6th Floor, B-Wing, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
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