

R.D.No. 2  
Secretary  
AS&N Administration  
Secretariat



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग  
GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

(A Constitutional Commission set up under Art. 338A of the Constitution to investigate and monitor all matters relating to violation of rights and safeguards provided for STs.)

संख्या/ No.- 4/10/09-Coord.

दिनांक/ Date: 22/12./2009

MOST  
IMMEDIATE

PRIORITY

मुख्य सचिव का गोपनाय डक  
आ.डा.स. 7754  
दिनांक: 31/12/09

922

215  
218

To

The Chief Secretary,  
Union Territory Administration  
Andaman & Nicobar Islands,  
Port Blair

Sub: Functioning of Scrutiny Committee for verification/ validation of ST certificates- Material for 4th Annual Report of the Commission.

Sir/ Madam,

As you are aware the National Commission for Scheduled Tribes is vested with the duty to present to the President annually a Report on Working of the safeguards for Scheduled Tribes. The Report is later laid in both Houses of Parliament as well as State Legislatures. It has been noticed that many Scheduled Tribe persons find it difficult to obtain a caste certificate while several non-Scheduled Tribes manipulate to obtain a Scheduled Tribe caste certificate fraudulently and corner the constitutional, economic and developmental benefits ( available for genuine Scheduled Tribes) to which they are not entitled being non-ST.

I would like to draw your attention to the fact that the Hon'ble Supreme Court, while considering a case relating to a false certificate in Civil Appeal No.5854 of 1994 in Kumari Madhuri Patil & Ors. vs. Additional Commissioner, Tribal Development, Govt. of Maharashtra and Ors. has observed 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 SC or ST or OBC candidates of the benefits conferred on them by the Constitution. The ineligible or spurious persons who falsely gained entry resort to dilatory tactics and create hurdles in completion of the enquiries by the Scrutiny Committees. The Hon'ble Supreme Court further observed that it was necessary that certificates issued were scrutinized at the earliest and with utmost expedition and promptitude and therefore, it was necessary to streamline the procedure for issuance of social status certificates, their scrutiny and their approval. The Hon'ble Court also laid down the guidelines for issuance and verification of the social status certificates and scrutiny/ validation of the caste certificates by the Scrutiny Committee set up for the purpose in various States. Since the information relating to existence and functioning of the Scrutiny Committee for validation of ST certificates in your State is not available in the Commission, the following information is required urgently :

- (i) Date of setting up the Scrutiny Committee \_\_\_\_\_  
(A copy of the Office Order/ Notification relating to setting up the Scrutiny Committee may be enclosed.)

Accepted  
OC  
17/1/10  
Immediate pl.  
Time bound  
R.D.(S)

संख्या/ No. 04/1/09  
दिनांक: 27/1/10