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ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT

Port Blair the dated 5th May 2006

ORDER No. 178

In pursuance of the directions contained in the Supreme Court's Judgment dated 2.9.1994 in the case of Madhur Patil (Civil Appeal No. 5854 of 1994 arising out of SLP (Civil) No. 1476 of 1993), the Hon'ble Lt. Governor, Andaman & Nicobar Islands has been pleased to constitute a Scrutiny Committee consisting of the following to verify the false / bogus caste / community certificates:

1. The Secretary (TW),
A&N Admn., Port Blair - Chairperson
2. The Director (TW)
A&N Admn., Port Blair - Member
3. The Research Officer (TW) - Member

Directorate of Tribal Welfare

The operative part of the Supreme Court judgement is reproduced below for implementation -

(i) The Director concerned, on receipt of the report from the vigilance officer if he found the claim for social status to be "not genuine" or 'doubtful' or spurious or falsely or wrongly claimed, the Director concerned should issue show-cause notice supplying a copy of the report of the vigilance officer to the candidate by a registered post with acknowledgement due or through the head of the educational institution concerned in which the candidate is studying or employed. The notice should indicate that the representation or reply, if any, would be made within two weeks from the date of the receipt of the notice and in no case on request not more than 30 days from the date of the receipt of the notice. In case, the candidate seeks for an opportunity of hearing and claims an inquiry to be made in that behalf, the Director on receipt of such representation / reply shall convene the committee and the Secretary (TW) as Chairperson who shall give reasonable opportunity to the candidate / parent / guardian to adduce all evidence in support of their claim. A public notice by beat of drum or any other convenient mode may be published in the village or locality and if any person or association opposes such a claim, an opportunity to adduce evidence may be given to him / it. After giving such opportunity either in person or through counsel, the Committee may make such inquiry, as it deems expedient and consider the claims vis-à-vis the objections raised by the candidate or opponent and pass an appropriate order with brief reasons in support thereof;

(ii) In case the report is in favour of the candidate and found to be genuine and true, no further action need be taken except where the report or the particulars given are procured or found to be false or fraudulently obtained and in the latter event the same procedure as is envisaged in Para (i) be followed;