

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

<b>Rules</b>	<b>Contents</b>	<b>Page No.</b>
1	Title and commencement	57
2	Definitions	57
	(1) (1) Act	57
	(2) An Educational Institution	57
	(3) Public Sector Undertakings	57
	(4) Caste verification Committee	57
	(5) Caste and Income Verification Committee	57
	(6) Form	57
	(7) Inspecting officer	58
	(8) Validity Certificate	58
	(2) Words and expressions	58
3	Reservation	58
4	Caste Verification Committee	58
5	Caste and Income Verification Committee	58
6	Application for Validity Certificate	59
7	Validity Certificate	59
7-A	Revision	59
8	Admission to Educational Institutions	60
9	Recruitments	60
9-A	Scrutinising Committee	60
10	Authority to take Cognizance of contravention of Provisions of the Act etc.	61
11	Vacancy / Admission Register	61
12	Inspection	62
13	Annual Reports	62
	<b>FORMS 1-7</b>	62-68
	<b>AMENDMENT RULES</b>	69-72

1. Published in the Karnataka Gazette, dated 22.04.1993, vide Notification  
SWL 247 SAD 90 dated 22.2.1993

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

As amended by GSR 217, dated 11-11-1993 and GSR 117, Dated 8-9-1995.

**GSR 14:-** 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 Appointment etc.) Act, 1990 (Karnataka Act 7 of 1991) Government of Karnataka hereby makes the following rules, namely:-

## **I. Title and commencement:-**

(1) These rules may be called the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment etc.) Rules, 1992.

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

## **II. 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 Appointment 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” means “a committee \* and an Additional Committee” constituted under Rule 4;
- 5) “Caste and Income Verification Committee” 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.

\* Inserted by G. Notification dated: 8-2-2000

\*\* Inserted by G. Notification dated: 8-2-2000

---

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

**III 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 4A 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, documents 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 receipt of the application.

**3B. Appeal against order under section 4A:-** On receipt of an appeal under section 4B 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 4A shall be valid until it is cancelled.\*

2)\* The income and caste Certificate issued under section 4A shall be valid for a period of 5 years.

\* Inserted by G.N. on 11-03-2002

**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.

**IV\* Amendment of Rule 4:-** In rule 4 of the said Rules the following shall be inserted namely:-

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 of 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.

**V\* Amendment of Rule 5:-** In rule 5 of the said rules, the following shall be inserted namely.

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 other Backward Classes, 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 Backward Classes and Minorities Officer	Member Secretary

**VI\*\* Insertion of new Rule 5A:-** After rule 5 of the said rules the following shall be inserted namely:-

**5A. The Validity of certificate issued by the caste verification committee:-**

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 change 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.

\* & \*\* Inserted by G.N. dated:8-2-2000

~ deleted by the G.N. dated:11-3-2002.

## **VI.6. Application for Validity Certificate:-**

Every person claiming reservation 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.

**VII. \* Insertion of new rule 6A:-** After rule 6 of the said rules the following shall be inserted namely.

### **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”.

**VIII. \*\* Substitution of rule 7:-** For rule 7 of the said rules the following shall be substituted namely:-

**7. Issue of Validity Certificate:-** (1) After getting a report on a reference made under rule 6A the Caste Verification Committee and the Caste and Income Verification Committee shall hold and enquiry after giving opportunity to the parties concerned.

(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.

\* & \*\* Inserted by G.N. dated: 8-2-2000

~Inserted by the G.N. dated:11-3-2002.

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 there of 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 opposition 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 date of receipt of the application.

(5) Any person aggrieved by an order of the Caste Verification Committee or caste 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.

[~Amendment to the Act, vide notification dated:23-2-2004 Appellate Authorities changed from DVC to concerned HOD's]

**IX. \* Insertion of new rules 7A & 7B:-** After rule 7 of the said rules the following rule shall be inserted namely.

**7A. Prosecution for obtaining false caste Certificate:-** (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.

\* Inserted by G.N. dated: 8-2-2000

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

**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 false caste certificate shall without prejudice to any 'other action be liable to be recovered from such person.

**8. Omitted:-** Vide Government Notification dated:11-3-2002

**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.

\* Provided that the cases pending before the Scrutinising Committee constituted under rule 9A on the date of commencement of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment etc.) (Amendment) Rules, 2000 shall stand transferred to the concerned Caste Verification Committee and they shall dispose of such cases as if such cases were filed before them.

**X. Omission of Rule:-** Rule 9A of the said rules shall be omitted.

**XI. \*\* Substitution of rule 10:-** For rule 10 of the said rules, the following shall be substituted namely.

**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 authorized by them in respect of Scheduled Castes, Scheduled Tribes and the Director of Backward Classes or the Officers authorized by them in respect of Other Backward Classes (hereinafter referred to as authorized officer).

\* Inserted by G.N. dated: 8-2-2000

(2) If the authorized 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 authorized 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 authorized 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.

**XII. \* Amendment of rule 11:-** In rule 11 of the said rules, after item (ii) of sub-rule (1). The following shall be inserted, namely.

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

**XIII. \*\*Substitution of rule 12:-** For rule 12, of the said rules the following shall be substituted, namely.

\* Inserted by G.N. dated: 8-2-2000

\*\* Inserted by G.N. dated: 8-2-2000

**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 Other Backward Classes and any other officer superior to them (hereinafter referred to as the Inspecting officer) may inspect the records pertaining to the admission or appointments made within their respective jurisdiction.

(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.

**XIV. \*Substitution of rule 13:-** For rule 13 of the said rules the following shall be substituted namely.

**13. Annual Reports:-** All appointing authorities and all establishments in Public Sector shall furnish an annual report in Form 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 6 in respect of Scheduled Castes/Scheduled Tribes and in Form 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”.

**XV. \*\*Insertion of new forms A,B,C,D,E and F:-** Before Form I of the said rules, the following forms shall be inserted, namely.

\* & \*\* Inserted by G.N. dated: 8-2-2000