

Venkatappa - FPA
EST - no.

**THE KARNATAKA
SC/ST & OTHER BC (RESERVATION OF
APPOINTMENTS, ETC.) ACT, 1990**

with

**THE KARNATAKA
SC/ST & OTHER BC (RESERVATION OF
APPOINTMENTS, ETC.) RULES, 1992**

alongwith

**THE KARNATAKA SC/ST & OTHER BC
(RESERVATION OF SEATS IN EDUCATIONAL
INSTITUTIONS AND OF APPOINTMENT OR POSTS IN
THE SERVICES UNDER THE STATE ACT, 1994**

[Upto date Amendments, Notifications and Case notes]

(English and Kannada)

2013

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Kumaraswamy Layout,
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GENERAL CONTENTS

❖ The Karnataka SC/ST & Other BC (Reservation of Appointments, Etc.) Act, 1990.....	5-20
❖ The Karnataka SC/ST & Other BC (Reservation of Appointments, Etc.) Rules, 1992.....	21-50
❖ The Karnataka SC/ST & Other BC (Reservation of Seats in Educational Institutions and of Appointment or Posts in the Services under the State Act, 1994.....	51-60
❖ ಕರ್ನಾಟಕ ಅನುಸೂಚಿತ ಜಾತಿಗಳು, ಅನುಸೂಚಿತ ಬುಡಕಟ್ಟುಗಳು ಮತ್ತು ಇತರ ಹಿರಿಯರದ ವರ್ಗೀಕರಣ (ಸೇವಾಕಾಲಿ ಮುಂದುವರಿಸುವ ವಿಧಾನಗಳು) ಅಧಿನಿಯಮ, 1990.....	61-79
❖ ಕರ್ನಾಟಕ ಅನುಸೂಚಿತ ಜಾತಿಗಳು, ಅನುಸೂಚಿತ ಬುಡಕಟ್ಟುಗಳು ಮತ್ತು ಇತರ ಹಿರಿಯರದ ವರ್ಗೀಕರಣ (ಸೇವಾಕಾಲಿ ಮುಂದುವರಿಸುವ ವಿಧಾನಗಳು, 1992).....	81-110
❖ ಕರ್ನಾಟಕ ಅನುಸೂಚಿತ ಜಾತಿಗಳು, ಅನುಸೂಚಿತ ಪಂಗಡಗಳು ಮತ್ತು ಇತರ ಹಿರಿಯರದ ವರ್ಗೀಕರಣ (ಶೈಕ್ಷಣಿಕ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಮತ್ತು ರಾಜ್ಯಾದ್ಯಂತ ಸೇವಾಕಾಲಿ ಸೇವಾಕಾಲಿ ಅಧಿನಿಯಮ, 1994).....	111-121
❖ The Constitution (Scheduled Castes) Order, 1950.....	122-125
❖ The Constitution (Scheduled Tribes) Order, 1950.....	126-128
❖ Notifications.....	129-150
❖ Supreme Court Case Notes on Issue of Caste Certificates.....	151-160

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**THE KARNATAKA SCHEDULED
CASTES, SCHEDULED TRIBES AND
OTHER BACKWARD CLASSES
(RESERVATION OF APPOINTMENTS,
ETC.) ACT; 1990**

[KARNATAKA ACT No. 7 OF 1991]

CONTENTS

<i>Sections</i>	<i>Page No.</i>
1. Short title and commencement.....	7
2. Definitions	8
(1) Appointed day	8
(2) Appointing authority	8
(3) Establishments in public sector	8
(4) Other Backward Classes	8
(5) Scheduled Castes	8
(6) Scheduled Tribes.....	9
(7) Service or post	9
(8) Unfilled vacancies.....	9
3. Applicability	10
4. Reservation of appointment or posts etc.....	11
4-A. Issue of Caste Certificate and Income and Caste Certificate	12
4-B. Appeal against order under Section 4-A	13
4-C. Verification of Caste Certificate and Income and Caste Certificate	13
4-D. Appeal	14

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Kumaraswamy Layout,
Bangalore - 560 073

4-E.	Thasildar and the Verification Committee to exercise the powers of the Civil Court	15
4-F.	Revision by Deputy Commissioner	15
5.	Penalty	16
5-A.	Penalties for obtaining false Caste Certificate or Income and Caste Certificate	16
5-B.	Penalty for issuing a false Caste Certificate or Income and Caste Certificate	16
6.	Cognizance of offences	17
6-A.	Penalty for abettors.	17
6-B.	Bar of jurisdiction of Civil Court	17
6-C.	Cancellation of Degree etc.	17
6-D.	Act to override other laws.	17
6-E.	Act to override the applicability of decided specific cases in any of the courts	18
7.	Maintenance of records and submission of annual report etc.	18
8.	Constitution of Standing Committee	18
9.	Functions of the Standing Committee	19
10.	Annual report	19
11.	Protection of action taken in good faith	19
12.	Removal of difficulties	20
13.	Power to make rules	20

THE KARNATAKA SCHEDULED CASTES, SCHEDULED TRIBES AND OTHER BACKWARD CLASSES (RESERVATION OF APPOINTMENTS, ETC.) ACT, 1990

[KARNATAKA ACT NO. 7 OF 1991]

An Act to provide for the reservation of appointments or posts in favour of the members of the Scheduled Castes, Scheduled Tribes and other Backward Classes in the State Civil Services and establishments in the Public sector and in admission to Universities and to the Educational Institutions established or maintained or aided by the State Government.

Whereas, the members of the Schedule Castes, Scheduled Tribes and other Backward Classes of citizens are not adequately represented in the services or posts in the State Civil Services and establishments in Public sector and among the students admitted to the Universities and to Educational Institutions established or maintained or aided by the State Government;

And whereas, it is expedient to provide in favour of them such reservation;

Be it enacted by the Karnataka State Legislature in the Forty-first Year of the Republic of India as follows:-

1. Short title and commencement.—(1) This Act may be called the Karnataka Scheduled Castes, Scheduled Tribes and other Backward Classes (Reservation of Appointments, etc.) Act, 1990.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

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2. Definitions.—In this Act, unless the context otherwise requires:

- (1) "Appointed day" means the date notified under sub-section (2) of Section 1;
- (2) "Appointing authority" in relation to a service or posts, means the authority empowered to make appointment to such service or post;
- (3) "Establishments in public sector" means,
 - (i) a Co-operative society registered or deemed to have been registered under the Karnataka Co-operative Societies Act, 1959;
 - (ii) an educational institution established or maintained or aided by the State Government;
 - (iii) a Government company within the meaning of Section 617 of the Companies Act, 1956;
 - (iv) a local authority;
 - (v) a statutory body or corporation established by or under a State or Central Act, owned or controlled by the State Government;
 - (vi) a university established or deemed to have been established by or under any law of the State Legislature;
- (4) "Other Backward Classes" means the communities, castes and tribes notified by the State Government from time to time under Article 15(4) and Article 16(4) of the Constitution;
- (5) "Scheduled Castes" shall have reference to the Scheduled Castes specified in the Constitution (Scheduled Castes) Order 1950 made under

Article 341 of the Constitution of India and as amended from time to time;

- (6) "Scheduled Tribes" shall have reference to the Scheduled Tribes specified in the Constitution (Scheduled Tribes) Order, 1950 made under Article 342 of the Constitution of India and as amended from time to time;
- (7) "Service or post" means a civil service of the State of Karnataka or a civil post under the State of Karnataka, and includes a service or post in the establishment in public sector.
- (8) "Unfilled vacancies" means and includes,
 - (i) the backlog in direct recruitment as contemplated in the Government Order No. DPAR 19 SBC 89, dated 12th July, 1989 read with the subsequent Government Order of even number, dated 22nd July, 1989 and sub-section (2) of Section 4 in respect of a service or post in an establishment in public sector existing as on the date of commencement of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment etc.) (Second Amendment) Act, 2004 (hereinafter referred to as the 'Second Amendment Act, 2004');
 - (ii) the vacancies to the extent they were not filled by the persons belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be, as per the classification of the vacancies in accordance with the orders of reservation applicable to direct recruitment while regularising the services of the daily wage employees in an

establishment in public sector in accordance with the Government Order issued in this behalf or any rule, statute, bye-law, regulation or order etc., issued by any establishment in public sector, and existing as on the date of commencement of the Second Amendment Act, 2004; and

- (iii) if even after taking into account the unfilled vacancies mentioned in clauses (i) and (ii) above, the percentage of representation of the persons belonging to the Scheduled Castes and the Scheduled Tribes in any service or post in an establishment in public sector to which the order of reservation in direct recruitment under clause (4) of Article 16 of the Constitution are applicable, does not reach fifteen per cent in respect of the persons belonging to the Scheduled Castes and three per cent in respect of the persons belonging to the Scheduled Tribes, as the case may be, of direct recruitment vacancies, then such shortfall of unfilled direct recruitment vacancies existing as on the date of commencement of the Second Amendment Act, 2004.]

3. Applicability.—Nothing in this Act, shall apply

- (a) posts meant for conducting or guiding or directing research;
- (b) posts classified as scientific posts;
- (c) tenure posts;
- (d) posts filled up on the basis of any contract;
- (e) ex-cadre posts;
- (f) posts which are filled up by the transfer or deputation;

(g) posts in respect of which recruitment is made in accordance with any provision contained in the Constitution; and

(h) such other posts as the State Government may, from time to time, by order, specify;

Provided that every order made under clause (h) shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of fourteen days which may be comprised in one session or in two or more successive sessions.

4. Reservation of appointment or posts etc.—(1) After the appointed day, while making appointments to any office in a civil service of the State of Karnataka or to a civil post under the State of Karnataka appointments or posts shall be reserved for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes to such extent and in such manner as may be specified from time to time in the order made by the Government under clause (4) of Article 16 of the Constitution of India.

[(1-A) Notwithstanding anything contained in any law for the time being in force, the Appointing Authority shall identify unfilled vacancies reserved for the persons belonging to Scheduled Castes and Scheduled Tribes in any service or post in an establishment in public sector as existing on the date of commencement of the Second Amendment Act, 2004 and take action to fill them as a one time measure within a specified time. The manner in which the number of vacancies is to be computed, the procedure for filling such vacancies and the time within which action is to be taken shall be as specified by notification by the State Government:

Provided that, the provisions of this sub-section shall not apply to any unfilled vacancy in Karnataka State Civil Services or post in respect of which provisions have been already made:

Provided further that, where the Appointing Authorities covered under this sub-section have already filled all or part of the unfilled vacancies before the date of coming into force of the Second Amendment Act, 2004 by making appointment of persons belonging to the Scheduled Castes and the Scheduled Tribes, then such appointments shall not be affected.]

(2) The provisions of the said order made under clause (4) of Article 16 of the Constitution shall be deemed to be an order made under this Act and shall *mutatis mutandis* apply to a service or post in an establishment in public sector.

(3) Subject to such rules as may be prescribed, while making admissions, after the appointed day, to a course of study in a university established or deemed to be established by or under any law of the State Legislature or an educational institution established or maintained or aided by the State Government, there shall be made reservation for the persons belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes to such extent and in such manner as may be prescribed.

(4) All appointments made in contravention of the provisions of this section shall be voidable.

14-A. Issue of Caste Certificate and Income and Caste Certificate.—(1) Any candidate or his parent or guardian belonging to the Scheduled Castes or the Scheduled Tribes may, in order to claim benefit of reservation under Section 4, either for appointment to any service or post or for admission to a course of study in a University or any educational institution make an application to the Tahsildar in such form and in such manner as may be prescribed for issue of a Caste Certificate.

(2) Any candidate or his parent or guardian belonging to Other Backward Classes may, in order to claim benefit

of reservation under Section 4, either for appointment to any service or post or for admission to a course of study in University or any Educational Institution, make an application to the Tahsildar in such form and in such manner as may be prescribed for issue of an Income and Caste Certificate.

(3) The Tahsildar may on receipt of an application under sub-section (1) or (2), and after holding such enquiry as he deems fit and satisfying himself regarding the genuineness of the claim made by the applicant pass an order issuing a caste certificate or, as the case may be, an income and caste certificate in such form as may be prescribed, or rejecting the application.

(4) The Tahsildar shall follow such procedure as may be prescribed before passing the order under sub-section (3).

(5) The burden of proving that the candidate or his parent or guardian belongs to Scheduled Castes, Scheduled Tribes or Other Backward Classes shall be on the applicant.

4-B. Appeal against order under Section 4-A.—

(1) Any person aggrieved by an order of the Tahsildar under Section 4-A may, within thirty days from the date of receipt of the order, prefer an appeal to Assistant Commissioner of the Revenue sub-division.

(2) The Assistant Commissioner of the Revenue sub-division may after giving both parties an opportunity of being heard pass orders allowing or dismissing the appeal and in appropriate cases directing issue of a caste certificate, or as the case may be, an income and caste certificate to the applicant.

4-C. Verification of Caste Certificate and Income and Caste Certificate.—(1) The State Government shall constitute one or more verification committees for each district consisting of such person or

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[(3) *****]

persons as may be prescribed for verification of caste certificate and income and caste certificate issued under Section 4-A or Section 4-B.

(2) Any person who has obtained a caste certificate or an income and caste certificate under Section 4-A or A-B or the Appointing Authority or any authority making admission to a course of study in the University or any Educational Institution may make an application to the verification committee in such form and in such manner as may be prescribed for issue of a validity certificate.

(3) The verification committee may after holding such enquiry as it deems fit within thirty days from the date of the application either grant a validity certificate in a prescribed form or reject the application.

14-D. Appeal.—(1) Any person aggrieved by an order passed by the Verification Committee under Section 4-C may, within thirty days from the date of receipt of the order appeal.—

- (i) to the Commissioner/Director, Social Welfare in case the verification certificate relates to a person belonging to the Scheduled Castes;
- (ii) to the Director, Tribal Welfare in case the verification certificate relates to a person belonging to the Scheduled Tribes;
- (iii) to the Director, Backward Classes Department, in case the verification certificate relates to a person belonging to other Backward Classes,

in such form and in such manner and on payment of such fee as may be prescribed.

(2) The Appellate Authority shall after giving to both the parties an opportunity of being heard pass such order in appeal as it deems fit.

24-E. Tahsildar and the Verification Committee to exercise the powers of the Civil Court.— Tahsildar and the Verification Committee, while holding enquiry under this Act, shall have all the powers of a Civil Court while trying a suit under Code of Civil Procedure, 1908 (Central Act No. 5 of 1908) and in particular in respect of following matters, namely:

- (a) summoning and enforcing the attendance of any person and examining him on Oath;
- (b) discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any Court or office;
- (e) issuing commissions for the examination of witnesses or documents; and
- (f) any other matter which may be prescribed;

4-F. Revision by Deputy Commissioner.—(1) The Deputy Commissioner may at any time either suo motu or on an application made to him with in the prescribed period, call for and examine the records relating to any decision made or order passed by the Tahsildar under section 4A or the Assistant Commissioner under Section 4B, for the purposes of satisfying himself as to the legality, propriety of such decision or order and if, in any case, it appears to the Deputy Commissioner that any such decision or order shall be modified, annulled, revised or remitted for reconsideration, he may pass orders within thirty days accordingly;

Provided that the Deputy Commissioner shall not pass

- 1. Sub-section (3) omitted by Act No. 17 of 2007 and shall be deemed to have come into force w.e.f. 5-1-2007.
- 2. Sections 4-E and 4-F inserted by Act No. 7 of 2012 (w.e.f. 22-6-2012).

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any order prejudicial to any person unless such person is given an opportunity of being heard.

(2) The Deputy Commissioner may, stay the execution of any such decision or order pending the exercise of his powers under sub-section (1) in respect thereof.]

5. **Penalty.**—If any appointing authority makes an appointment or any authority making admission to a course of study in a university or any educational institution makes admission in contravention of the provisions of this Act or rules made thereunder, he shall be punishable with fine which may extend upto rupees one thousand and imprisonment not exceeding six months:

Provided that nothing contained in this section shall apply in relation to appointment to any service or post of which appointing authority is the Governor.

[5-A **Penalties for obtaining false Caste Certificate or Income and Caste Certificate.**—Whoever has obtained a Caste Certificate or Income and Caste Certificate by:-

- (a) furnishing false information; or
- (b) filing a false statement; or
- (c) any other fraudulent means.

shall on conviction be punishable with rigorous imprisonment for a term which shall not be less six months but which may extend upto two years and with fine which shall not be less than one thousand rupees but which may extend upto five thousand rupees:

Provided that the Court may, for adequate and special reasons to be recorded, impose a sentence of imprisonment for a lesser term or lesser fine.

5-B. Penalty for issuing a false Caste Certificate or Income and Caste Certificate.— If the Tahasildar

intentionally issues false Caste Certificate or Income and Caste Certificate, he shall on conviction, be punishable with rigorous imprisonment for a term which shall not be less than six months but which may extend upto two years and with fine which shall not be less than one thousand rupees but which may extend to five thousand rupees.

Provided that the Court may, for adequate and special reasons to be recorded, impose a sentence of imprisonment for a lesser fine.]

6. **Cognizance of offences.**—No prosecution for an offence under this Act shall be instituted except by, or with the sanction of, the State Government.

[6-A. **Penalty for abettors.**— Whoever abets any offence punishable under this Act, shall be punished with the penalty provided for in this Act for such offence.

6-B. **Bar of jurisdiction of Civil Court.**— No Civil Court shall have jurisdiction in respect of any order passed by any officer or authority under this Act and no stay or injunction shall be granted by a court in respect of any action taken or to be taken by such officer or authority under this Act in pursuance of any power conferred by or under this Act.

6-C. **Cancellation of Degree etc.**— Notwithstanding anything contained in any other law for time being in force any Degree, diploma or any other educational qualifications acquired by a person after securing admission in any educational institution on the basis of a false caste certificate or as the case may be, a false income and caste certificate, shall stand withdrawn, on cancellation of caste certificate, or as the case may be income and caste certificate obtained by him.

6-D. **Act to override other laws.**— The provisions of this Act shall have effect, notwithstanding anything

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inconsistent therewith contained in any other law for the time-being in force.

6-F. Act to override the applicability of decided specific cases in any of the courts.—The provisions of this Act shall have effect, notwithstanding anything contained in any of the decided cases by any of the courts.]

7. Maintenance of records and submission of annual report etc.—(1) Every appointing authority and every authority making admissions to a course of study in a University or an educational institution having an establishment in public sector shall maintain such records and shall furnish to the State Government an annual report in such form and in such manner, as may be prescribed.

(2) Any officer authorised by the State Government in this behalf may inspect the records of an authority which is required to maintain under sub-section (1) for the purpose of ensuring proper implementation, of the provision of this Act and rules made thereunder.

(3) It shall be the duty of the concerned appointing authority or the authority making admissions to the University or educational institution to produce such records and documents, furnish such information and afford all such assistance and facilities as may be necessary for the aforesaid purpose.

8. Constitution of Standing Committee.—There shall be a standing committee consisting of the following members, namely:—

- | | |
|---|----------|
| (a) Minister of Social Welfare, Government of Karnataka | Chairman |
| (b) (i) Four members of the Karnataka Legislative Assembly to be nominated by the Speaker out of whom, one shall be from the Scheduled Caste and one shall be from the Scheduled Tribe and one shall be from the Backward Classes | Member |

- | | |
|---|------------------|
| (ii) Two members of the Karnataka Legislative Council to be nominated by the Chairman | Members |
| (c) Chief Secretary to Government of Karnataka | Members |
| (d) Secretary to Government, Home Department, Government of Karnataka | Members |
| (e) Secretary to Government, Social Welfare and Labour Department, Government of Karnataka. | Member-Secretary |

Provided that on issue of a proclamation under Article 356 of the Constitution of India, the composition of the Committee may be altered by the State Government to such extent as it deems fit.

9. Functions of the Standing Committee.—The Standing Committee shall perform the following functions namely:—

- | |
|---|
| (a) review of the implementation of the provisions of this Act and the rules made thereunder as far as possible twice a year; |
| (b) suggest measures for the removal of difficulties in such implementation or for the improvement thereof; and |
| (c) such other functions as the State Government may, from time to time, assign to the Committee. |

10. Annual report.—The State Government shall prepare an annual report on the working of this Act and lay the same before each House of the Legislature while it is in session for a total period of fourteen days which may be comprised in one session or in two or more successive sessions.

11. Protection of action taken in good faith.—No suit, prosecution of other legal proceedings shall be against any person for anything which is done in good faith or intended to be done under this Act.

5.	Caste and Income Verification Committee.....	28
5-A.	The validity of Certificate issued by the Caste Verification Committee	29
6.	Application for Validity Certificate.....	29
6-A.	Verification by the Caste and Income Verification Committee	30
7.	Issue of Validity Certificate	30
7-A.	Prosecution for obtaining false Caste Certificate.....	31
7-B.	Monetary benefits secured on the basis of false Caste Certificate to be withdrawn.....	32
8.	Admission to Educational Institutions [Omitted]	32
9.	Recruitments.....	32
9-A.	Scrutinising Committee [Omitted]	32
10.	Authority to take action for contravention of provisions of the Act etc	32
11.	Vacancy / Admission Register	33
12.	Inspections	33
13.	Annual Reports	34
	FORMS	34-50

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

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 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 others 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" [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.

(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.

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.

[3-A. 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.

1. Substituted for the words "means a Committee" by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

2. Substituted for the words "means a committee" by Notification No. SWD 132 SAD 97, dated 8-2-2000 w.e.f. 8-2-2000.

3. Rules 3-A to 3-C inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

(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

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Kumaraswamy Layout,
Bangalore - 560 074

of 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.

3-B. 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.

3-C. 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 Certificate issued under Section 4-A shall be valid for a period of five years.]

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

1. Sub-rule (2) substituted by Notification No. SWD 155 BCA 2011, dated 17-2-2012.

2. Rules 4 and 5 substituted by GSR 217, dated 1-11-1993, w.e.f. 11-11-1993.

3. Proviso inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

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Kumaraswami

15-A. 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 [****] 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 [****] 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 [for appointment], 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.

1. Rule 5-A inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.
2. The words "education and" omitted by Notification No. SWD 3 STC 2002, dated 11-3-2002, w.e.f. 15-3-2002.
3. The words "education and" omitted by Notification No. SWD 3 STC 2002, dated 11-3-2002, w.e.f. 15-3-2002
4. Substituted for the words "either for appointment or for admission" by Notification No. SWD 3 STC 2002, dated 11-3-2002, w.e.f. 15-3-2002.

- (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 consists 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 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.]

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Kumaraswamy Layout,
Bangalore - 560025

1. Proviso inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

16-A. 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.]

17. Issue of Validity Certificate.—(1) After getting a report on a reference made under Rule 6-A, the Caste Verification Committee and the Caste and Income Verification Committee shall hold an 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:

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

1. Rule 6-A inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

2. Rule 7 substituted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

reasons therefore 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 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.]

17-A. 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.

(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. 8-2-2000.

7-B. 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.]

18. Admission to Educational Institutions.—
****.]

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.

19-A. Scrutinising Committee.—****.]

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 [Commissioner/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,

1. Rule 8 omitted by Notification No. SWD 3 STC 2002, dated 11-3-2002, w.e.f. 15-3-2002.
2. Rule 9-A inserted by GSR 117, dated 8-9-1995, w.e.f. 15-9-1995 and omitted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.
3. Rule 10 substituted by Notification No. SWTT 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.
4. Substituted for the words "Director of Social Welfare" by Notification No. SWD 231 BCA 2007, dated 8-7-2009, w.e.f. 13-8-2009.

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 an 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

1. Item (iii) inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.
2. Rule 12 substituted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

PRINCIPAL
Dayananda Sagar College of Dental Sciences
Kumaraswamy Layout,
Bangalore - 560075

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 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.]

[13. Annual Reports.—All 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.]

***[FORM A**
(See Rule 3-A(1))

Application of Caste Certificate, in case of persons belonging to Scheduled Castes and Scheduled Tribes

1. Name of the applicant
 2. Name of the parents/Guardian (if parents are not alive) in the case guardian state nature of relationship in the applicant
1. Rule 13 substituted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.
 2. Forms A to F inserted by Notification No. SWD 132 SAD 97, dated 8-2-2000, w.e.f. 8-2-2000.

3. (a) Date of Birth of Applicant
- (b) Place of birth of parents
4. Permanent Address
5. Postal Address
6. Community/Caste/Tribe of the applicant/parents or guardian

DECLARATION ON OATH

I, Son/Daughter of do hereby solemnly affirm and state on oath as follows. —

The candidate, Sri/Smt. is my Son/Daughter/dependent/ward. I and the candidate belong to Caste/Tribe which is recognised as a Scheduled Caste/Tribe.

This declaration is true to the best of my knowledge, should it, however, be proved to be untrue, I render myself liable to criminal prosecution under Sections 171* and 181** of I.P.C. and to forfeiture of the benefit or concession extended to my son/daughter/dependent/ward in pursuance of this certificate.

Signature of the Candidate Signature of parent/Guardian
(if the parents are not alive)

Place: Place:
Date: Date:

* Furnishing of false information to any public servant entails SIMPLE IMPRISONMENT for a term which may extend to six months, or with fine which may extend to Rs. 1,000/- or both under Section 177, IPC.

** False statement on oath or affirmation to public servant or persons authorised to administer oath or affirmation entails punishment with imprisonment which may extend to three years and also imposition of fine under Section 181, IPC.

Note: Candidates are required to produce only the declaration with their applications. The certificate

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Kumaraswamy Layout,

Place: Yours faithfully
Date: (Signature of the candidate)
Particulars furnished above are true and in case they are found to be false I am liable for criminal enquiry.

Signature of the father/mother/guardian (If father/mother is not alive)

TWO WITNESS OF THE LOCALITY

FORM C

[See Rule 3-A(1)]

Application for Income and Caste Certificate

To The Tahsildar, Taluk, District.

Sir, I, son/daughter/wife/husband of Sri/Smt. do hereby submit the following information for issue of Caste Certificate for claiming the reservation.

- 1. Candidate's Name and Occupation Village Taluk District
- 2. Candidate's Native Place

3. Date of Birth Age and Birth Place

4. Name and occupation of father/mother/guardian/wife/husband (whether occupation is Govt./Semi-Govt./Public Sector/Private one)

- 5. Present Address of the Candidate
- 6. Permanent Address of the Candidate

of verification will be obtained by the Head of Institution/ concerned Authority.

FORM B

[See Rule 3-A(1)]

Application for Caste Certificate in case of Backward Classes Category I

To The Tahsildar, Taluk, District.

Sir, I, son/daughter/wife/husband of Sri/Smt. do hereby submit the following information for issue of caste certificate for claiming the reservation.

- 1. Candidate's Name and Occupation
- 2. Candidate's Native Place Village Taluk District

3. Date of Birth, Age and Birth Place

4. Name and occupation of father/mother/guardian/wife/husband

5. Present Address of the Candidate

6. Permanent Address of the Candidate (Documents produced)

7. Candidate's caste/sub-caste and Category (Documents produced)

8. Particulars of Primary, Middle and High Schools in which the candidate has studied Year and Class, Name and Place of the school

SWORN DECLARATION

I solemnly affirm and declare that the above information furnished by me are true to the best of my knowledge

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Kumaraswamy Layout,
Bangalore

FORM D
(See Rule 3-A2/3)

Form of Certificates to be issued to a candidate belonging to Scheduled Caste or Scheduled Tribes
CERTIFICATE

This is to certify that Sri/Smt./Kumari of village/ town in District/Division of the State/Union Territory* belongs to the Caste/Tribe* which is recognised as a Scheduled Caste/ Scheduled Tribe* under.---

- * The Constitution (Scheduled Castes) Order, 1950
- * The Constitution (Scheduled Tribes) Order, 1950
- * The Constitution (Scheduled Castes) (Union Territories) Order, 1950
- * The Constitution (Scheduled Tribes) (Union Territories) Order, 1951

(As amended by the Scheduled Caste and Scheduled Tribes List (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himachal Pradesh) Act, 1970 and the North-Eastern Areas (Reorganisation) Act, 1971).

- * The Constitution Gammu and Kashmir) Scheduled Castes Order, 1956
- * The Constitution (Andaman and Nicobar Island) Scheduled Tribes Order, 1959, as amended by the Scheduled Caste and Scheduled Tribes (Amendment) Act, 1976.
- * The Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962
- * The Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962
- * The Constitution (Pondichery) Scheduled Castes Order, 1964
- * The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967
- * The Constitution (Goa, Daman and Diu) Scheduled Castes/Tribes Order, 1968

7. Candidate's caste/sub-caste and Category (Documents produced)

8. Particulars of Primary, Middle and High Schools in which the candidate has and place studied

9. Annual income of the candidate, candidate's father / mother / guardian (If father / mother is not alive) (If in Government/ Semi-Government/Public Sector/Private)

- i. Pay scale
- ii. Particulars of Land
- iii. Other sources

10. Whether the candidates/father/mother/wife/husband is eligible after by applying creamy layer principle

SWORN DECLARATION

I solemnly affirm and declare that the above information furnished by me are true to the best of my knowledge.

Place: _____ Yours faithfully

Date: _____ (Signature of the candidate)

Particulars furnished above are true and in case they are found to be false I am liable for criminal enquiry.

Signature of the father/mother/guardian (If father/mother is not alive)

TWO WITNESS OF THE LOCALITY

We identify the candidate/father/mother/wife/husband and the signatures.

Signature of the Witness (with full Address) 1 _____ 2 _____

Place: _____

..... of Caste (Category.....) of the Backward Classes.
 Place: Tahsildar
 Date: Seal
 Office Seal.

FORM F
 (See Rule 3-A(2)(3))

Income and Caste Certificate to be issued to candidates belonging to Backward Classes other than Category I

Certified that Sri/Smt./Kum residing at and his/her parents/guardian/wife/husband does not come within the purview of creamy layer specified in Government Orders No. SWD, 150. BCA 94, dated 17-9-1994 and No. SWD 251 BCA 94, dated 31-5-1995.

Either the applicant or his/her parents/guardian/wife/husband is not Class I or Class II Officer in the service of the Government; or
 Does not hold an equivalent post in Public Sector Undertaking; or
 Is not an employee under a Private Employer and drawing a salary which is not less than that of a Class II Officer (initial stage of the pay scale of Rs. 6000-11200/-)

OR
 His/her parents/ guardian/husband/wife is not an income-tax assessee or wealth tax assessee;
 OR

His/her parent/guardian/wife/husband is not assessed to sales tax or his/her parents/guardian/wife/husband or both together own more than 8 hectares of rain fed or dry land or its equivalent.

* The Constitution (Nagaland) Scheduled Tribes Order 2. Shri/Smt./Kum and/or his/her* family ordinarily reside(s) in Village/Town* of the State/Union Territory* of District/Division" of the

Signature
 Tahsildar
 Designation
 (With seal of office)
 State
 Union Territory*

*Please delete the words which are not applicable.
Note: The term "Ordinarily resides" used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

According to the Government of India Letter No. BC 12025/276-SCT-I, Ministry of Home Affairs, in order to be competent to issue such certificates, therefore, the authority mentioned in the Government of India (Department of Personnel and Administrative Reforms) Letter No. 13-2-74-EST-(SCT), dated the 5th August, 1975, should be the one concerned with the locality in which the person applying for the certificate had his place of permanent abode at the time of the Notification of the relevant Presidential Order. Thus the Revenue Authority of one Taluk would not be competent to issue such a certificate in respect of persons belonging to another Taluk.

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 Bangalore - 560 073.

FORM E
 (See Rule 3-A(2)(3))
Certificate to be issued to a candidate belonging to Backward Classes

Certified that Sri/Smt./Kumari resident son/daughter/wife/husband of Sri/Smt. of Village/Town/City belongs to sub-caste

Sri/Smt./Kum..... belongs to category
..... of Backward Classes

Place:
Date:
Tahsildar
..... Seal
Office Seal.

FORM 1

Application for Seeking Validity Certificate

1. Name and Address of Candidate
(a) Present Address
(b) Permanent Address
2. Father/Mother/Parent/Husband's Name
3. Date of Birth
4. Annual Income of the Family
Sources of Income:
Total Rs.
(a) Agriculture
(b) Business
(c) service:
(i) Government
(ii) Semi-Government
(iii) Private
(d) Other Sources
5. Details of property held
6. Caste as mentioned in the School Records:
(a) Primary School
(b) Middle School
(c) High School
(d) College/University
7. Qualification:
(a) General
(b) Technical;

8. Details of Study in School/Colleges:

Name of the Institution Year of Study

- (a) Primary
- (b) Middle
- (c) High School
- (d) College

9. Whether the candidate has already obtained verification Certificate?
10. (If yes, the No. and date of issue may be mentioned) (Enclose a copy)
11. Any other information which the candidate wishes to furnish

Station: _____

Signature of the Candidate

Date: _____

Certificate

I declare that I am aware of the provisions in the Karnataka Scheduled Castes/Scheduled Tribes and Other Backward Classes (Reservation of Appointments etc.) Act, 1990 and to the best of my knowledge the information furnished above is true and I am liable for Criminal Prosecution in case any information furnished above is proved false.

Station: _____
Date: _____

Signature of the Parent/Guardian
Candidate

FORM 1-A

Certificate of Validity

Caste/Caste and Income Verification Committee
..... District

Committee Decision No. _____

Date: _____

Whereas, an application of Smt./Sri/Kumari
..... dated, the along with

I, Form 1-A substituted by GSR 217, dt. 11-11-1993 wof 11-11-1993.

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..... Layout.

documents was received by the Verification Committee for verification of the claim for Reservation benefit provided for Scheduled Caste/Scheduled Tribe/Backward Classes and the facts therein have been examined in detail.

And whereas, in accordance with the powers conferred on this Committee as per the provisions of Karnataka Scheduled Caste/Scheduled Tribes and Other Backward Classes (Reservation of Appointments etc.) Act, 1990 and rules made thereunder and amendments thereon, the committee has, on the basis of the documents produced before it, verified and scrutinized the said claim, and is satisfied about the claim.

Now, therefore, the Committee hereby certifies that the claim of Smt./Sri/Kumari.....as belonging to..... (Mention the name of the Caste here) is found to be valid.

Chairman

Caste/Caste and Income Verification Committee.]

FORM 2
Caste Verification Committee-Directorate of Social Welfare/Backward Classes and Minorities

Of the post and sanctioned strength	Scale of Pay	Name of the Appointing Authority	Posts already filled up category-wise	Vacancies to be filled up	Mode of Recruitment Direct recruitment Promotion/Deputation
(1)	(2)	(3)	(4)	(5)	(6)

Sl. No. of vacancy	Date of occurrence of vacancy	Mode of recruitment Direct recruitment/Deputation	Vacancy in Direct recruitment Reserved/Unreserved SC/ST/A/B/C/D/E	Date of communication of vacancy to recruiting authority	Selection to the vacancy reserved/unreserved
(1)	(2)	(3)	(4)	(5)	(6)

Date of recruitment	Order No. and Date of appointment	Mode of recruitment direct recruitment/deputation	Name of the candidate and SI No. in the appointment order	Candidate recruited to the post SC/ST/A/B/C/D/E	Reasons for deviation in reservation if any
(7)	(8)	(9)	(10)	(11)	(12)

FORM 3

Register Showing Admissions Reserved to SC/STs and Other Backward Classes in Respect of Professional/Educational Courses

Name and Address of the Educational Institution:

Name of the Course and year of commencement	Total No. of sanctioned seats (Course-wise) SC/ST A.B.C.D.E.	Total No. of seats reserved for SC/STs, ABCDE (Course-wise) (As per the existing G.O.)	Admissions made in each category wise SC/ST, A.B.C.D.E.	Deviations if any with reasons
(1)	(2)	(3)	(4)	(5)

FORM 3-A

Register showing the year-wise receipt of applications for admissions from students of different categories

Name and address of the educational institution	Name of the course and year of commencement	Total Number of seats
(1)	(2)	(3)

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Kumaraswamy Layout
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FORM 5
Annual Report

(a) Details of vacant posts in each cadre:

Sl. No	Name of the post	Sanctioned strength	No. of Backward Classes recruited	No. of Posts vacant	Mode of Recruitment year/date	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(b) Details of Recruitment made from to:

Sl. No	Name of the post	Agency sponsoring to recruitment authority	Total Posts	Classification of vacancies					Total BCs	Date of Selections
				A	B	C	D	E		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

Classification of candidates selected	Recruitment to be made as per Existing G.O.	Shortfall in Reservation	Reasons for deviation
12 13 14 15 16	17 18 19 20 21	22 23 24 25 26	27

FORM 4

(a) Details of vacant posts in each cadre:

Sl. No	Name of the Post	Sanctioned strength	No. of SC/STs recruited	No. of Posts vacant	Mode of recruitment Year/Date	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(b) Details of Recruitment made from to:

Sl. No	Name of the Post	Agency sponsoring to Recruitment Authority	Classification of vacancies			Date of selections
			Total Posts	SC	ST	
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Classification of candidates selected	Recruitment to be made as per existing G.O.	Shortfall in reservation	Reasons for deviation		
				SC	ST
(9)	(10)	(11)	(12)	(13)	(14)

Total No. of Applicants received from				
Sch. Caste	Sch. Tribe	Category		
		2-A	2-B	3-A 3-B
(4)				

Signature

Signature

FORM 6**Annual Report**

(a) Reservation of Seats for SCs and STs in Admissions:

Name and address of the Educational Institution	Name of the course	Total No. of seats admissible	No. of seats admissible for (as per G.O.) SCs STs	No. of seats filled by SCs STs	Shortfall if any in respect of SCs STs	Remarks

FORM 7

[See Rule 13]

Reservation of Seats for Backward Classes in Admission

Name and address of the Institution	Name of the Course	Total No. of Seats admissible	No. of seats admissible for (as per G.O.)			Shortfall	Remarks
			I	IIA	IIIB		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Application received for admission	No. of seats filled by			Shortfall	Reasons				
	IIA	IIIB	IIIC						
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

1. Form 7 substituted by Notification No. SWD 132 SAD 97, dated 8-2-2000 w.e.f.8-2-2000.

I	Shortfall in admission if any			Shortfall for reasons
	IIA	IIIB	IIIC	
(19)	(20)	(21)	(22)	(23)

APPENDIX

[See Rule 13]

Submission of Annual Reports

Sl. No.	Institutions/Appointing Authorities	Authority to receive reports	Form No. in which report to be submitted
(1)	(2)	(3)	(4)
1.	Educational Institutions upto PUC and equivalent level	Taluk Social Welfare Officer Inspector for BCM	6. (Social Welfare Dept.) 7. (Backward Classes and Minorities Dept.)
2.	Educational Institutions above PUC level upto the University level	District Social Welfare Officer District Officer for BCM	6. (Social Welfare Dept.) 7. (Backward Classes and Minorities Dept.)
3.	All Universities	Director for SW Director for BCM	6 7

1. Appendix substituted by Notification No. SWD 132 SAD 97, dated 22-1-2001 w.e.f. 1-2-2001.

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Kumaraswamy Layout,
Bangalore - 560075

4.	Appointing Authorities for Group 'D' level posts	District Officer for SW District Officer for BCM	4 5
5.	Appointing Authorities for Group 'C' Posts	District for SW Director for BCM	4 5
6.	Appointing Authorities for Gazetted Officers Posts	Secretary to Government, Department of Personnel and Administrative Reforms	4 and 5

**THE KARNATAKA
SCHEDULED CASTES, SCHEDULED
TRIBES AND OTHER BACKWARD
CLASSES (RESERVATION OF SEATS
IN EDUCATIONAL INSTITUTIONS
AND OF APPOINTMENT OR POSTS
IN THE SERVICES UNDER
THE STATE) ACT, 1994
(Karnataka Act No. 43 of 1994)**

CONTENTS

Sections :

**CHAPTER I
PRELIMINARY**

1. Short title and commencement.....56
2. Definitions.....56
3. Declaration.....57

**CHAPTER II
RESERVATION OF SEATS IN EDUCATIONAL
INSTITUTIONS AND APPOINTMENTS IN SERVICES
UNDER THE STATE**

4. Reservation of seats.....57
 5. Reservation in appointments or posts in the services under the State.....57
 6. Reservation for Backward Classes and Scheduled Castes and Scheduled Tribes.....58
 7. Reservations not to be affected.....59
 8. Power to make rules.....59
 9. Power to remove difficulties.....60
- SCHEDULE.....60**

PRINCIPAL
Dayananda Sagar College of Dental Sciences
Kumaraswamy Layout,
Bangalore - 560 078.

STATEMENT OF OBJECTS AND REASONS

Act 43 of 1994.— On the basis of the report submitted by the Karnataka Third Backward Classes Commission headed by Justice O. Chinnappa reddy determining the socially and educationally backward classes in the State and the guidelines issued by the Supreme Court in *Vasanthkumar's* case and in the judgement delivered by the Supreme Court on 16th November, 1992 in *Indira Sawhney -Vs- Union of India* (AIR 1993 SC 477), the State Government adopted a new reservation policy in order No. SWD 75 BCA 92 dated 20th April, 1994 to provide for reservation facilities in educational institutions and in appointments or posts in the services under the State for Other Backward Classes to fifty per cent in addition to reservation for Scheduled Classes and Scheduled Tribes to the extent of twenty-three per cent.

But after the issue of this order, the State Government, after considering the demands of several classes of people and associations and comparing the existing reservation provided to Other Backward Classes with the total population in the State as well as the population of the persons belonging to Other Backward Classes residing in rural areas and taking into consideration that such classes are below the poverty line, modified the order dated 20th April, 1994 in G.O. No. SWD 150 BCA 94 dated 25th July, 1994 increasing the reservation quota for Other Backward Classes from fifty per cent to fifty-seven per cent. This was challenged by the religious institutions in the Supreme Court and the State Government has assured before the supreme court that the reservation order dated 25th July, 1994 would not be implemented.

At present, the Tamilnadu and other neighbouring States, on the basis of the population of the backward classes in the respective States have made provision for reservation more than fifty per cent. Recently, Tamilnadu Legislature has passed a legislation increasing the reservation quota of the backward classes to 69 per cent.

The President has assented to the Bill and it has become an Act. The Government of India has also introduced a Bill in the Rajyasabha, amending the constitution to include the said Act in the Ninth Schedule. The Bill has been passed by both the Houses of Parliament.

The State Government have taken into consideration the population of backward classes in the Karnataka State and having regard to the special status of the social and educational backwardness of these persons considered it necessary to bring a similar legislation to enforce the reservation policy issued in the Government Order dated 25th July, 1994 to enhance the over all reservation quota to eighty per cent.

Hence the Bill.

(Obtained from L.A. Bill No. 23 of 1994)

THE KARNATAKA SCHEDULED CASTES, SCHEDULED TRIBES AND OTHER BACKWARD CLASSES (RESERVATION OF SEATS IN EDUCATIONAL INSTITUTIONS AND OF APPOINTMENTS OR POSTS IN THE SERVICES UNDER THE STATE) ACT, 1994

[KARNATAKA ACT No. 43 OF 1994]

(First published in the Karnataka Gazette Extraordinary dated 24th October, 1994)

(Received the assent of the President on the Twenty third day of October 1994)

An Act to provide for reservation of seats in educational institutions in the State of Karnataka and of appointments or posts in the services under the State for the Other Backward Classes of citizens and for persons belonging to the Scheduled Castes and the Scheduled Tribes in the State.

WHEREAS, the policy of reservation for the social and educational advancement of the people belonging to Backward Classes of citizens in admission to educational institutions in the State and for appointments in the services under the State has been under implementation in the State for a long time;

And whereas, clause (4) of Article 15 of the Constitution enables the State to make any special provisions for the advancement of any socially and educationally Backward Classes of citizens or for the Scheduled Castes and the Scheduled Tribes;

And whereas, clause (4) of Article 16 of the

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Kumaraswamy Layout.

Constitution enables the State to make any provision for the reservation of appointments or posts in favour of any Backward Classes of citizens which, in the opinion of the State, is not adequately represented in the services under the State;

And whereas, clause (1) of Article 38 of the Constitution, the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic and political, shall inform all the institutions of the national life;

And whereas, under clause (2) of Article 38 of the Constitution, the State shall, in particular, strive to minimise the inequalities in income and endeavour to eliminate inequalities in status, facilities and opportunities not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations;

And whereas, under clause (b) of Article 39 of the Constitution the State shall in particular, direct its policy towards securing that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

And whereas, under clause (c) of article 39 of the Constitution the State shall in particular direct the policy towards securing that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

And whereas, under Article 46 of the Constitution, the State shall promote, with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes and shall protect them from social injustice and all forms of exploitation;

And whereas, the Karnataka Third Backward Classes

Commission has submitted its report taking into account all available information in regard to social and educational backwardness of the backward communities, castes and tribes and considering the level of poverty of each community their way of life, standard of living, habits and customs, place of each community in social hierarchy and the State Government, has taken into consideration of such report and the guidelines given by the Supreme Court of India in the judgement of Vasanth Kumar and another Vs. State of Karnataka and the judgement delivered on 16.11.1992, relating to reservation for socially and educationally Backward Classes in particular on the implementation of *Mandal Commission Report in Indira Sawhney Vs. Union of India (AIR 1993 SC 477)*;

And whereas, in the opinion of the State Government, Backward Classes of citizens and the persons belonging to the Scheduled Castes and the Scheduled tribes who constitute the majority of the total population of the State are not adequately represented in the services under the State in proportion to their population in the State of Karnataka;

And whereas the State government after careful consideration of the above factors have taken a policy decision that the existing level of seventy three per cent reservation in admission to educational institutions in the State and in the services under the State for the persons belonging to the Scheduled Castes and the Scheduled tribes and Other Backward Classes of citizens be raised to eighty per cent for ensuring the advancement of the aforesaid Classes in the State;

Be it enacted by the Karnataka State Legislature in the Forty-fifth year of the Republic of India as follows:-

CHAPTER I PRELIMINARY

1. Short title and commencement.— (1) This Act may be called the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes, (Reservation of seats in Educational Institutions and of Appointments or posts in the services under the State) Act, 1994.

(2) It shall come into force on such '[date]' as the Government may, by notification appoint and different dates may be appointed for different provisions of the Act.

2. Definitions.— In this Act, unless the context otherwise requires,—

(i) "Backward Classes of Citizens" means the class or classes of citizens who are socially and educationally backward as may be notified by the Government in the Karnataka Gazette from time to time;

(ii) "Educational Institutions" means,—

(a) any college or other educational institution maintained by the State or receiving aid out of the State funds or affiliated to any University established by law including an University college; or

(b) any institute or training centre recognised or approved by the Government;

with the object of preparing, training or guiding its students for any certificate, decree or diploma or other academic distinctions granted or conferred by any University or authority established or approved in this behalf by the Government;

(iii) "Government" means the Government of Karnataka;

3. Declaration.— It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles laid down in Part-IV in general and in particular, Article 38, clauses (b) and (c) of Article 39 and Article 46 of the Constitution.


CHAPTER II RESERVATIONS OF SEATS IN EDUCATIONAL INSTITUTIONS AND APPOINTMENTS IN SERVICES UNDER THE STATE

4. Reservation of seats.— Notwithstanding anything contained in any judgement, decree or order of any Court or other authority having regard to the social and educational backwardness of the Other Backward Classes of citizens and the persons belonging to Scheduled Castes and Scheduled Tribes the reservation in respect of an annual permitted strength in each branch or faculty for admission into educational institutions in the State for the Backward Classes of citizens and for the persons belonging to the Scheduled Castes and the Scheduled Tribes, shall be seventy three per cent.

5. Reservation in appointments or posts in the services under the State.— Notwithstanding anything contained in any law or in any judgement decree or order of any Court or other authority having regard to the social and educational backwardness of the Other Backward Classes of citizens and the persons belonging to Scheduled Castes and Scheduled Tribes, the reservation for appointments or posts in the services under the State for the Other Backward Classes of citizens and for the persons belonging to the Scheduled Castes and the Scheduled Tribes, shall be seventy three per cent.

Explanation.— For the purposes of this Act, "Services under the State" includes the services under,—

(i) the Government;


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 Darananda Sagar College of Mental Sciences
 Kumaraswamy Layout,
 Bangalore

- (ii) the Legislature of the State;
- (iii) any local authority;
- (iv) any corporation or company owned or controlled by the Government; or
- (v) any other authority in respect of which the State Legislature has power to make laws.

6. Reservation for Backward Classes and Scheduled Castes and Scheduled Tribes.— (1) The reservation referred to in Sections 4 and 5 shall, in respect of Other Backward Classes, the Scheduled Castes and Scheduled Tribes be as specified respectively in the Schedule:

Provided that no person other than the Scheduled Castes and Scheduled Tribes and Category-I (most backward) of Other Backward Classes shall be entitled for reservation, if—

- (i) either of whose parents is a Group-A or Group-B Officer in the service of the Government or holds an equivalent post in public sector undertaking or an employment under a private employer and draws a salary which is not less than that of Group-B Officer (initial stage of the pay scale of Rs.2050-3950);
 - (ii) either of whose parents is an income tax assessee/wealth tax assessee;
 - (iii) either of whose parents is assessed to sales tax;
 - (iv) either of whose parents or both together own more than ten hectares of rainfed wet land or its equivalent as specified in the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962).
- (2) The Government may, from time to time, based on the recommendations or reports made at the appropriate periods to the Government by the Karnataka State Commission for Backward Classes, by notification,

classify or sub-classify the Backward Classes specified in the Schedule or modify the Schedule for the purpose of this Act.

- (3) Every notification issued under sub-section (2) shall be laid before each House of the State Legislature in the manner specified in sub-section (2) of Section 8.

7. Reservations not to be affected.— Notwithstanding anything contained in sections 4 and 5, the claims of the students or members belonging to Other Backward Classes of citizens or the Scheduled Castes or Scheduled Tribes shall also be considered for the unreserved seats, appointments or posts which shall be filled on the basis of merit and where a student or member belonging to Other Backward Classes of citizens or the Scheduled Castes or Scheduled Tribes is selected on the basis of merit, the number of seats, appointments or posts reserved for Other Backward Classes of citizens or for the persons belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, shall not in any way be affected.

8. Power to make rules.— (1) The Government may by notification in the Official Gazette make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

9. Power to remove difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by order published in the Official Gazette make provisions not inconsistent with the provisions of this Act as appear to it be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall as soon as may, after it is made, be laid before each House of State Legislature.

SCHEDULE

(See Section 6)

Sl. No.	Class of persons	Percentage of reservation
1	2	3
1.	Scheduled Castes	18 per cent
2.	Scheduled Tribes	5 per cent
3.	Category-I (Most Backward)	7 per cent
4.	Category-II (a) (relatively more Backward)	20 per cent
5.	Category-II (b) (More Backward)	6 per cent
6.	Category-III (a) (Backward)	7 per cent
7.	Category-III (b) (Relatively Backward)	10 per cent
Total		73 per cent

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Kumaraswamy Layout,
Bangalore - 560 072

The Constitution (Scheduled Castes) Order, 1950¹

[C.O. 19]

S.R.O. 385, dated 10th August, 1950.- In exercise of the powers conferred by clause (1) of Article 341 of the Constitution of India, the President, after consultation with the Governors and Rajpramukhs of the State concerned, is pleased to make the following Order, namely:-

1. This order may be called the Constitution (Scheduled Castes) Order, 1950.

2. Subject to the provisions of this Order, the castes, races or tribes or parts of, or groups within castes or tribes specified in ²[Parts to ³[XXII] [XXIII] ⁴XXIV of the Schedule to this Order shall, in relation to the States to which those Parts, respectively, relate, be deemed to be Scheduled Castes so far as regards member thereof resident in the localities specified in relation to them in those Parts of that Schedule.

⁵[3. Notwithstanding anything contained in paragraph 2, no person who professes a religion different from the Hindu ⁷[The Sikh or the Buddhist] religion shall be deemed to be a member of a Scheduled Castes.]

1. Published with the Ministry of Law Notification No. S.R.O. 385, dated the 10th August, 1950, Gazette of India, Extraordinary, 1950, Part II, Section 3, Page 163.
2. Substituted by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956.
3. Substituted by Act No. 18 of 1987, Section 19 and First Schedule, for "XXI" w.e.f. 30-5-1987.
4. Substituted by Act No. 28 of 2000, Section 19 and Third Schedule (w.e.f. 1-11-2000).
5. Substituted by Act No. 29 of 2000, Section 24 and Fifth Schedule (w.e.f. 9-11-2000).
6. Substituted by Act No. 63 of 1956, Section 3 and First Schedule, Paragraph 3.
7. Substituted by Act No. 15 of 1990, Section 2 for "or the Sikhs".

PRINCIPAL
Dayananda Sagar College of Dental Sciences
Kumaraswamy Layout,
Bangalore - 560 078.

¹4. Any reference in this Order to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division as constituted on the 1st day of May, 1976.]

²[THE SCHEDULE

PART VII

Karnataka

1. Adi Andhra
2. Adi Dravida
3. Adi Karnataka
4. Adiya (in Coorg district)
5. Ager
6. Ajila
7. Anamuk
8. Aray Mala
9. Arunthathiyar
10. Arwa Mala
11. Baira
12. Bakad
13. Vant (in Belgaum, Bijapur, Dharwar and North Kanara District)
14. Bakuda
15. Balagai
16. Bandi
- ³[17. Banjarava, Lambani, Lambada, Lambadi, Lamani, Sugali, Sukali]
18. Bathada
19. Beda Jangam, Budga Jangam
20. Bellara
21. Bhangi, Mehtar, Oigana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar, Zadmalli
22. Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chambhar, Chamgar, Haralayya, Harali, Khalpa, Machigar, Mochigar, Madar, Madig,

1. Substituted by Act No. 108 of 1976, Section 3 and First Schedule, for Paragraph 4 (w.e.f. 27-7-1977).

2. Substituted by Act No. 108 of 1976, Section 3 and First Schedule, for the former Schedule (w.e.f. 27-7-1977).

3. Substituted by Act No. 51 of 2000, Section 2 and the First Schedule, for entry 17

124 THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

Mochi, Muchi, Telegu Mochi, Kamati Mochi, Ranigar,
Rohidas, Rohit, Sangar

123. Bhovi, Od, Odde, Vaddar, Waddar, Voddar, Woddar

24. Bindla

25. Byagara

26. Chakkiliyan

27. Chalavadi, Chulvadi, Channayya

28. Chandala

29. Chenna Dasar, Holaya Dasar

30. Dakkal, Dokkalwar

31. Dakkaliga

32. Dhor, Kakkaya, Kankaya

33. Dom, Dombara, Paidi, Pano

34. Ellamalwar, Yellammalawandlu

35. Ganti Chores

36. Garoda, Garo

37. Godda

38. Gosangi

39. Halleer

40. Halsar, Haslar, Hulasvar, Halasvar

41. Handi Jogis

42. Hasla

43. Holar, Valhar

44. Holaya, Holef, Holeya

45. Holeya Dasari

46. Jaggali

47. Jambuvulu

48. Kadaiyan

49. Kalladi

50. Kepmaris

51. Kolupulvandlu

52. Koosa

53. Koracha, Koracher

54. Korama, Korava, Koravar

55. Kotegar, Metri

56. Kudumban

57. Kuravan

58. Lingader

59. Machala

60. Madari

61. Madiga

62. Mahar, Taral, Dhegu Megu

63. Mahyavanshi, Dhed, Vankar, Maru-maru-vonkar

64. Maila

65. Mala

66. Mala Dasar

67. Mala Hannai

68. Mala Jangam

69. Mala Masti

70. Mala Sale, Netkani

71. Mala Sanyasi

72. Mang, Matang, Minimadig

73. Mang Garudi, Mang Garodi

74. Manne

75. Masthi

76. Mavilan

77. Meghwal, Menghvar

78. Moger

79. Mukri

80. Mundala

81. Nadia, Hadi

82. Nalkadaya

83. Nalakeyava

84. Nayadi

85. Pale

86. Pallan

87. Pambada

88. Panchama

89. Panniandi

90. Paraiyan, Paraya

91. Paravan

92. Ranceyar

93. Samagara

94. Sumban

95. Sapari

96. Silleyathas

97. Sindholhu, Chindollu

98. Sudugadu Siddha

99. Thoti

100. Tirgar, Tirbanda

101. Valluvan.

PRINCIPAL
Dayananda Sagar College of Mental Sciences
Kumaraswamy Layout,
Bangalore - 560 075

The Constitution (Scheduled Tribes) Order, 1950

S.R.O. 510, dated 6th September, 1950. The following Order made by the President is published for general information:

In exercise of the powers conferred by Clause (1) of Article 342 of the Constitution of India, the President, after consultation with the Governors and Rajpramukhs of the States concerned, pleased to make the following Order, namely:

1. This Order may be called the Constitution (Scheduled Tribes) Order, 1950.

2. The tribes or tribal communities or parts of, or groups within, tribes or tribal communities specified in Part I to [XIX] or the Schedule to this Order shall, in relation to the States to which those Parts respectively relate, be deemed to be Scheduled Tribes so far as regards members thereof resident in the localities specified in relation to them respectively, in the Parts of that Schedule.

3. Any reference in this Order to a State or to a district or other territorial division thereof shall be construed as reference to the State, district or other territorial division constituted on the 1st day of March, 1976.

1. Published with the Ministry of Law Notification No. S.R.O. 510, dated the 6th September, 1950, Gazette of India, Extraordinary, 1950, Part II, Section 3, Page 597.

2. Substituted by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956.

3. The figure "XVIII" has been successfully substituted by Act No. 8 of 1987, Section 19 and Second Schedule (w.e.f. 30-5-1987) By Act No. 28 of 2000, Section 20 and Fourth Schedule (w.e.f. 1-11-2000) by Act No. 29 of 2000, Section 25 and Sixth Schedule (w.e.f. 9-11-2000) and Act No. 30 of 2000, Section 24 of Sixth Schedule (w.e.f. 15-11-2000) to read as above.

4. Substituted by Act No. 108 of 1976, Section 4 and Second Schedule, for paragraph 3 (w.e.f. 27-7-1977).

THE SCHEDULE PART VI KARNATAKA

1. Adiyar
2. Barda
3. Bavacha, Bamcha
4. Bhil, Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhargalla, Bhilala, Pawara, Vasava, Vesave
5. Chenchu, Chenchwar
6. Chodhara
7. Dubla, Talavia, halpati
8. Ganti, Ganta, Gavti, Mavchi, Padvi, Valvi
9. Gond, naikpod, Rajgond
10. Gowdalu
11. Haktipikki
12. Hasalaru
13. Irular
14. Iruliga
15. Jenu Kuruba
16. Kadu Kuruba
17. Kammara (in South Kanara district and Kollegal taluk of Mysore district)
18. Kaniyan, Kanyan (in Kollegal of Mysore district)
19. Kathodi, Katkari, Dhor Kathodi, Dhor Katkari, Son Kathodi, Son Katkari
20. Kattunayakan
21. Kokna, Kokni, Kukna
22. Koli Dhor, Tokre Koli, Kolcha, Kolgha
23. Konda Kapus
24. Koraga
25. Kota
26. Koya Bhine Koya, Rajkoya

NOTIFICATIONS

SOCIAL WELFARE SECRETARIAT

Sub: Reservations for admission to the Educational Institutions as per Article 15(4) and Employment as per Article 16(4) of the Constitution of India and New Creamy Layer Policy Orders - reg.

- Read:** 1. G.O. No. SWD 150 BCA 94 dated 17.9.94
 2. G.O. No. SWD 251 BCA 94 dated 31.1.95
 3. G.O. No. SWD 394 BCA 94 dated 14.2.96
 4. Letter No. KSCBC:MS/Reports/2000-01 dated 14.12.2000 of the Members Secretary, Karnataka State Commission for Backward Classes.

Preamble:

In the Govt. Order dated 17.9.94 read (1) above, Govt. have formulated reservation policy for Scheduled Castes and Scheduled Tribes and other Backward Classes for admissions to professional courses for the year 1994-95 as per the lists of castes enclosed thereto as follows:

CATEGORY-I	4%
CATEGORY-II(A)	15%
CATEGORY-II(B)	4%
CATEGORY-III(A)	5%
CATEGORY-III(B)	5%
SCHEDULED CASTES	15%
SCHEDULED TRIBES	3%

2. Under the said order dated 17.9.1994 it has also been stated that no person other than belonging to Scheduled Castes, Scheduled Tribes and Category-I of Backward Classes shall be entitled to the benefit of reservation for admission to professional courses unless he/she satisfied the conditions of the creamy layer specified there under.

3. In G.O. dated 31.1.1995 read at Sl. No.2 above, the aforesaid reservation and creamy layer policy envisaged in the order dated 17.9.1994 read at Sl.No.(1), has been made

27. Kodiya, Melakudi
 28. Kuruba (in Coorg district)
 29. Kurumians
 30. Maha Malasar
 31. Malaikudi
 32. Malasar
 33. Malayekandi
 34. Maleru
 35. Maratha (in Coorg district)
 36. Marati (in South Kanara district)
 37. Meda 1["Medari, Gauriga, Burud"]
 38. Naikda, Nayaka, Cholivala Nayaka, Kapadia nayaka, Mota Nayaka
 Nana Nayaka, 2[Naik, Nayak, Beda, Bedar and Valmiki]
 39. Palliyan
 40. Paniyan
 41. Pardhi, Advichincher, Phanse Pardhi 3["Haranshikari"]
 42. Rathawa
 44. Sholaga
 45. Soligaru
 46. Toda
 47. Varli
 48. Vitilia, Kotwalia, Barocha
 49. Yerava
 50. Siddi (in Uttar Kannada district)"]

PRINCIPAL
 Dayananda Sagar College of Dental Sciences
 Kumaraswamy Layout,
 Bangalore - 560 078.

1. Inserted by Act No. 10 of 2003, Section 4 and Second Schedule
 2. Inserted by Act No. 30 of 1991, vide Section 2
 3. Inserted by Act No. 10 of 2003, Section 4 and Second Schedule
 4. Inserted by Act No. 10 of 2003, Section 4 and Second Schedule.

applicable to the employment too, under Article 16(4) of the Constitution of India.

4. In G.O. dated 14.2.1996 read at Sl.No.30 above the Creamy Layer Policy existed as on 1.1.1995 for the purpose of admission to the professional courses was also made applicable to employment with retrospective effect from 1.1.1994.

5. In Writ Petition No.438/94 the Hon'ble Supreme Court of India have passed an interim order stating that the reservation in any case should not exceed 50%. Similar writs bearing No.417/94, and 694/94 are pending disposal before the Hon'ble Supreme Court. Therefore, in G.O. No. SWD 61 BCA 95 dated 28.12.1995 the currency of the 50% reservation specified in G.O. dated 17.9.1994 and 13.1.95 has been extended till the final decision in W.P.No. 438/94, 471/94 and 694/94 is taken by Hon'ble Supreme Court.

6. Now the Karnataka State Commission for Backward Classes have submitted special report and 71 advices vide their letter dated 4.12.2000 read at Sl.No.4 above. Pending consideration of the entire report, the Government have examined in detail the Creamy Layer Policy contained in the Special Report and 71 Advices, relating to inclusions, deletions, correction of spellings etc., and have made the following orders.

**Government Order No. SWD 225 BCA 2000,
dated 30th March 2002**

After careful consideration of the above proposal the Government are pleased to make the following orders:

1. The quantum of Reservation Specified in G.O. dated 17.9.1994 and 31.1.1995 read at Sl.No.(1) & (2) respectively is continued for admission to Educational Institutions and Employment.
2. The revised list of Backward Classes enclosed to this order as at Annexure-I, order is brought into force with immediate effect. This Creamy Layer Policy does not apply to II(B), III(A) and III(B) shall be entitled to reservation in the manner specified in the new comprehensive Creamy Layer Policy.

PRINCIPAL

Dayananda Sagar College of Dental Sciences
Kumaraswamy Layout,
Bangalore - 560 078.

ANNEXURE-1

CATEGORY-I

Sl. No.	Name of the Caste	
1	Agamudi	(f)
2	Ambalakaran	(g)
	Ambalakarma	(h)
	Muirasi	(i)
	Mutracha	(j)
3	Beggaru	(k)
4	Bavandhi	(l)
5	Bavaji	(m)
	Ailit	(n)
	Bairagi	(o)
	Bavani	(p)
	Byragi	(q)
	Daurigosayi	(r)
	Davari	(s)
	Gosayi	(t)
	Gusai	(u)
	Helava	(v)
(k)	Helova	(w)
	Holeva	(x)
(l)	Nandiwala	(y)
(m)	Pichigunta	(z)
(n)	Pichiguntala	(aa)
(o)	Pichiguniala	(ab)
(p)	Bava	(ac)
(q)	Byaragi	(ad)
(r)	Besitha	(ae)
(a)	Ambiga/Ambi	(af)
(b)	Barki/Barika	(ag)
(c)	Besihar	(ah)
(d)	Bhoyi	(ai)
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	(d)	Talkari	(h)	Nalava
	(e)	Bhompira	(i)	Pairanela
	(f)	Uchillian	(a)	Ghisade
8		Bharaju	(b)	Ghisadi
9	(a)	Bogadi	(a)	Gonga Mane
	(b)	Begadi	(b)	24 Mane Telugu Shetty
	(c)	Bagali	(c)	Goni Chetty
	(d)	Bogadi	(d)	Sadusetty
10	(a)	Budubuduki	(e)	Salaparu
	(b)	Bududki	(a)	Gurav
	(c)	Chiheti	(b)	Tamballa
	(d)	Devani	(c)	Tambli
	(e)	Garadi		Gurkha
	(f)	Giddiki	(a)	Halawaku Vakkal
	(g)	Joshi	(b)	Halawaku Vakkal
	(h)	Kichagara	(c)	Aite Vokkalu
	(i)	Kalikyata	(d)	Gam Gavada
	(j)	Modiga	(e)	Gam Vokkal
	(k)	Pansa	(f)	Gram Vokkalu
	(l)	Panasa	(g)	Halaki Vokkalu
	(m)	Plingale	(h)	Kere Vokkalu
	(n)	Sadajoshi	(i)	Kunchavakkal
	(o)	Bududkala	(j)	Shivakkal
11		Chunchar	(k)	Vakkal
12	(a)	Dasari	(l)	Gavada
	(b)	Dasaru	(m)	Gam Gawda
	(c)	Chakravadya-Dasa	(n)	Gram Vakkal
	(d)	Dang-Dasar	(a)	Hawadiga
	(e)	Dombi-Dasaru	(b)	Hawgar
13	(a)	Devadasi	(c)	Howgar
	(b)	Basavi	(a)	Jangala
	(c)	Bhavin	(b)	Telugu Jangama
	(d)	Bogam	(c)	Pakanathi Jangama
	(e)	Ganika	(a)	Jogi
	(f)	Kelavanti	(b)	Brahma Kapali
	(g)	Nal	(c)	Jogar

	(d)	Joglin				
	(e)	Kapali				
	(f)	Raval				
	(g)	Ravala				
	(h)	Sanjogi				
	(i)	Sanyasi				
	(j)	Joger				
	(k)	Natha.Panithi				
22	(a)	Kanjirhat				
	(b)	Kanjar				
	(c)	Khanjar Bhat				
23	(a)	Kashikapadi				
	(b)	Kashikapadi				
	(c)	Tinimali				
24	(a)	Kalabar				
	(b)	Karabu				
25	(a)	Kalik				
	(b)	Aray				
	(c)	Are Kasai				
	(d)	Ari Kaitkelu				
	(e)	Kalai Khalik				
	(f)	Kasab				
	(g)	Kasai				
	(h)	Maratri				
	(i)	Suryavamsha Kshatriya				
26		Kotsagu Kapala				
27	(a)	Kolari				
	(b)	Kalayiri				
	(c)	Koleri				
28	(a)	Kolla				
	(b)	Kollala				
29	(a)	Kolari				
	(b)	Kotary				
	(c)	Kotary				
	(d)	Kotari				
30						Kudubi
31						Kurnar Marati (Uttara Kannada District)
32	(a)					Kurbi
	(b)					Kulwadi
33	(a)					Kurma
	(b)					Kurni
34	(a)					Ladarul adaral Ladar
	(b)					Lad/Kshatriya
	(c)					Lad/Sugandhi Lad
						Yolegal
35						Malaya
36	(a)					Modara
	(b)					Baiter
	(c)					Bumed
	(d)					Gauriga
	(e)					Gouriga
	(f)					Gowri
	(g)					Gowimaraitha
	(h)					Gowriga
	(i)					Medari
	(j)					Burud
37						Mudhar
38						Naur/Nairy
39						Olati
40						Pamlor
41	(a)					Pargual
	(b)					Pangusal
42						Panika
43	(a)					Raya Rawath
	(b)					Raval
44						Reinudat
45						Sunsta
46						SatarKar
47						Siddi
48	(a)					Sikkaligata

(l)	Kurovan	(ak)	Viswa Brahmin
(a)	Viswakarma	(al)	Thalian
(b)	Achari	(am)	Aksali
(c)	Akkasale	(an)	Kamasal
(d)	Ausala	(ao)	Badagi
(e)	Badigar	(a)	Aghori
(f)	Baciwadia	(b)	Karakarmunda
(g)	Bailapalar		
(h)	Bailu Akkasali		
(i)	Bailu Kamimara		
(j)	Bogara		
(k)	Chaptegar	(a)	Alan
(l)	Charodi	(b)	Alhari
(m)	Konkani Achar		
(n)	Daivagnya Brahmin		
(o)	Gejigara	(a)	Bathal
(p)	Kambar	(b)	Battal
(q)	Kammalan	(c)	Balter
(r)	Kammara		
(s)	Kamsala	(a)	Bhaal
(t)	Kamsan	(b)	Bohrot
(u)	Kanchagar		
(v)	Kanchora		
(w)	Kanchoni	(a)	Bagadi
(x)	Kanchugara	(b)	Bagadi
(y)	Kansar	(c)	Bagdi
(z)	Kasar	(a)	Chaliyan
(aa)	Luhar	(b)	Teruvan
(ab)	Mesia	(c)	Chaliya
(ac)	Panchal		
(ad)	Pallar		
(ae)	Sipi		
(af)	Sohagar		
(ag)	Sonar	(a)	Jingar
(ah)	Somy	(b)	Ghadi
(ai)	Sular	(c)	Gadiga
(aj)	Tacehan	(a)	Gunagi
		(a)	Ghadi

32	Ghadshi Pnglo		
33	Gosavi	(a)	
34	Gosain	(b)	
	Gujar	(a)	
	Guzar	(b)	
35	Gurava	(a)	
	Gurou	(b)	
36	Gabbil	(a)	
	Gapil	(b)	
	Garabit	(c)	
	Darajia	(d)	
37	Handevazir		
38	Handervut		
39	Honniyar		
40	Hoovadiga	(a)	
	Hugar	(b)	
	Hoogar	(c)	
	Maalgar	(d)	
	Mali	(e)	
	Phooli Mali	(f)	
	Phul Mali	(g)	
	Phulari	(h)	
	Phoolari	(i)	
	Jeer	(j)	
41	Kadu Konkani		
42	Kankudumbi		
43	Karava		
44	Khatik	(a)	
	Katuka	(b)	
	Katuga	(c)	
45	Bogar		
46	Kasbin		
47	Kolayiri	(a)	
	Kolyiri	(b)	
48	Kanisan	(a)	
	Balyaya (D.K. & Udupi Dist)	(b)	

	Kanyar	(c)	
	Kanyaru	(d)	
	Kaniya	(e)	
	Kanyan (other than Kollegal Taluk)	(f)	
	Kanyan	(g)	
49	Kutuma		
50	Marla		
51	Marayan	(a)	
	Maravan	(b)	
52	Murari		
53	Nadora	(a)	
	Uppu Nadar/Upa Nadar	(b)	
	Torke Nador	(c)	
	Nador	(d)	
	Nadavar	(e)	
	Nadava	(f)	
	Uppunador/Upa Nedavar	(g)	
54	Nalki		
55	Osthan		
56	Pandaram	(a)	
	Pandar	(b)	
	Pandara	(c)	
57	Panaba		
58	Pannekara Konkani		
59	Patra		
60	Pichait		
61	Pullavan		
62	Rajapuri	(a)	
	Rajpur	(b)	
	Balavalikar	(c)	
63	Saniyaar		
64	Shanan		
65	Sudir	(a)	
	Sudra	(b)	
	Kulewadi Marali	(c)	
66	Sutsali		
67	Tachayiti		

68		Tilvi		
69	(a)	Gavandi	(d)	Bili Magga
	(b)	Govandi	(e)	Thogalar/Thogalaru/Thogalgai/Thogataveera/Thogataveera/Thogataveera/Kshatriya/Thogata Pushpanjali.
70		Velluvan		
71	(a)	Yeklar		
	(b)	Yaklar		
	(c)	Egalika		
72	(a)	Gatti/Gattiyavaru	(f)	Soniga
	(b)	Poledavu/Poledavaru	(g)	Jam Khana
73		Gudivate	(h)	Ayri
74	(a)	Darji	(i)	Avir
	(b)	Bhavasara Kshatriya	(j)	Sale/Patta Sale
	(c)	Chippi	(k)	Padma Sale/Padma Shali/Padma Sali
	(d)	Chippiga	(l)	Saale/Pattasali
	(e)	Simpi	(m)	Kaikolar/Sengundhar
	(f)	Shimpi	(n)	Neikar
	(g)	Sai	(o)	Jadar
	(h)	Miral	(p)	Jandra
	(i)	Rangani	(q)	Swakula Sali/Swakula Sale
	(j)	Rangrez		
	(k)	Nilari		
	(l)	Namdev		
	(m)	Namdev Simpi	77	(a) Pattegar
	(n)	Rangare		(b) Patvekari
	(o)	Neetagar		(c) Pattegar
75	(a)	Devariga		(d) Somavamsa
	(b)	Devang		Sahasrajuna Kshatriya
	(c)	Koshti	78	(a) Ganiga
	(d)	Hulgar/Hulkar		(b) Tell
	(e)	Jed		(c) Gandia
	(f)	Winkar		(d) Vaniyan
	(g)	Julohi		(e) Jyothi Nagar/Jyothi Negara Vysya
	(h)	Hulkar		
	(i)	Hatagar	79	
	(a)	Neygi		Anma Kodava
	(b)	Kuruhina Setty	80	
	(c)	Kurmi	81	
			82	
				(a) Andi
				(b) Andipandaram

83		Baandhi		
84	(a)	Bolahalata		Malawa
	(b)	Ballata		Maleya
85	(a)	Bhalial		Anyan
	(b)	Bhatia	(a)	Raju Kshatriya
86		Chakkon	(b)	Raju-Raju
87		Dogra	(c)	Rajuwar/Rajavar/
88		Gulli		Rachevar
89		Hindu Sadru/Sadaru/Sadumata/Sadukula/Sadar/Sadu		Somavamsa Kshatriya
		Gowda/Sadu		Stanika
		Gowdar/Sadara/Sadav/Sadara Gowda	(a)	Tulu
90	(a)	Jetti/Jatti	(b)	Tuluva
	(b)	Mallaru Malia Kshatriya		Ustama (Dharwar, Belgaum, Bijapur, Gadag Dist.)
	(c)	Mushiga		
91	(a)	Kalavanthi		
	(b)	Bhogam/Teluga		
92	(a)	Kanakan		
	(b)	Kanakar		
	(c)	Kanunika		
93	(a)	Kotegara		
	(b)	Koleyar		
	(c)	Kofhati		
	(d)	Kottegara		
	(e)	Kotteyara		
	(f)	Kumara kshatriya		
	(g)	Kumara		
		Paruthi/Komarpant/Komar		
		paik Kshatriya		
		Komarpant		
	(h)	Rama Kshatriya		
	(i)	Rama Raj Kshatriya		
	(j)	Serugara (North Kanara)		
	(k)	Servgar (South Kanara)		
	(l)	Kole Kshatriya		
94		Kshatriya/Kshatri		

CATEGORY-II (B)

Name of the Caste	
1	Muslim

CATEGORY-III (A)

Sl.No.	Name of the Caste
1	(a) Vokkaliga
	(b) Vakkaliga
	(c) Sarpa Vokkaliga
	(d) Halikar Vokkaliga
	(e) Namdhari Vokkaliga
	(f) Gangadkar Vokkaliga
	(g) Das Vokkaliga
	(h) Reddy Vokkaliga
	(i) Marasu Vokkaliga
	(j) Reddy
	(k) Halikar
	(l) Kunchiiga
	(m) Gouda/Gowda
	(n) Kapu

(c)	Hoggade
(d)	Kamma
(e)	Reddy
(f)	Gowder
(g)	Namachari Gowda
(h)	Uppna Kolaga/Pitama Kolaga
(i)	Kodagaru
(j)	Baliya
(k)	Balajiga/Banajiga/Gowda Banajiga
(l)	Naidu
(m)	Telaga Baliya/Telaga Banajiga
(n)	Setty Baliya/Setty Banajiga/Banajiga Setty
(o)	Dasara Baliya/Dasara Banajiga/ Dasara Baeajiga/ Dasa Banajiga
(p)	Kasban
(q)	Munnur/Munnar/ Munnur Kapu
(r)	Balegara/Bala Banajiga/Bale Chetty/Banagara
(s)	Reddy (Baliya)
(t)	Janappan
(u)	Uppar (Baliya)
(v)	Tuleru (Baliya)

(b)	Lingayath Sub-groups of Helava, Ambiga, Bhoji, Gangamatha, Sunagara, Agasa, Madivala, Kumbara, Kuruba, Bajanihi, Bandari, Hadapada, Kshaurika, Navelig, Navi, Akkasate, Badigar, Kammaru, Kamsala, Panchal, Medara, Uppara, Cowli
(c)	Maratha, Marala
(d)	Are Kshatri, Are Maratha, Aya Maratha
(e)	Aya, Ayanu
(f)	Konkan Maratha
(g)	Kshatriya Maratha
(h)	Kulavadi
(i)	Christian
(j)	Buni/Bani
(k)	Parvara Bani
(l)	Jains (Digambaras)
(m)	Salani
(n)	Chaitada Srivaishnava/ Chaitada Vaishnava/ Saitada Vaishnava/ Saitada Srivaishnava
(o)	Kadri Vaishnava
(p)	Sameraya
(q)	Saitadaval
(r)	Saitadavan
(s)	Vaishnava

ANNEXURE-II TO G.O. No. SWD 225 BCA 2000
DATED 30th MARCH 2002

NEW COMPREHENSIVE CREAMY LAYER

Under Article 15(4) and 16(4) of the Constitution of India, the following persons shall not be eligible for reservation of seats of posts categorized under IIA, IIB, IIIA and IIIB.

NOTE:

1. This rule will not apply to direct recruitments to posts which insist on a prescribed period of service in a lower post or experience in a post profession or occupation as a qualification or eligibility.
2. This rule applied to son(s) or daughter(s) of the persons specified below:

1	(a) President of India (b) Vice President of India (c) All functionaries holding Cabinet rank in Government of India or Government of any State or Union Territory. (d) Chairmen of Council of States and the State Legislative Councils (e) Governors of States (f) Speakers of Lok Sabha and Legislative Assemblies (g) Judges of Supreme Court and High Courts (h) Chairmen of Public Service Commission (i) Attorney General of India (j) Advocate General (k) Chief Election Commissioner (l) Comptroller and Auditor General of India (m) Members of Parliament atleast for a period of five years- during the period of their office (n) Members of State Legislature atleast for a period of five years - during the period of their office
2	The candidate and either of whose parents/guardian is a

CATEGORY-III (B)

Sl. No.	Name of the Caste
1	(a) Veerashaiva Lingayath