

Government of West Bengal
Backward Classes Welfare Department
Writers' Buildings, Kolkata – 700 001
Website: www.anagrasarkalyan.gov.in

M E M O R A N D U M

No. 1465 –BCW/MR–67/10

Dated the 30th April, 2010

Guidelines for issuance of SC / ST Certificate

The Government has been considering for some time past to issue comprehensive guidelines for disposal of applications for issuance of SC /ST Certificates, including fixing up the nature of documents required for establishing eligibility for getting such certificate.

Caste Certificates are being issued to SC/ST people in accordance with the provisions of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994 and the West Bengal SC and ST (Identification) Rules, 1995. Procedure for disposal of an application for SC /ST certificate has been laid down in Rules 7A, 7B, 7C, 7D & 7E of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Rules, 1995.

Now, in compilation as well as amplification of the provisions of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994 and the West Bengal SC and ST (Identification) Rules, 1995 for issuance of Caste Certificates to persons belonging to SC and ST, the Governor is pleased to frame the following guidelines for receipt and disposal of applications for issuance of SC /ST Certificates:

1. As per Section 5 of the Act, SDOs of the Sub-Divisions concerned and ADM, South 24 Pgs as assigned by DM, South 24 Pgs, are the competent authorities for issuance of SC /ST certificates in respect of Sub-Divisions and Kolkata respectively. A format of application form (Form I) was also set up in the Rules. Another format of application (Form IA) has also been set up mainly for on-line filing of application for SC / ST certificate. Both the formats can be used for application for a caste certificate.
2. As per Section 5 of the Act, SDOs of the Sub-Divisions concerned and ADM, South 24 Pgs as assigned by DM, South 24 Pgs, are the competent authorities for issuance of SC /ST certificates in respect of Sub-Divisions and Kolkata respectively. A format of application form (Form I) was also set up in the Rules. Another format of application (Form IA) has also been
3. As regards the format for SC /ST certificate, the format set up vide amendment of the Rule vide No. 823-BCW dated 08/03/2010 shall be used. The format of certificate is appended to this Notification.
4. Application for Caste Certificate can be made on-line in the website address at www.castecertificatewb.gov.in. If such application is made on-line, the applicant will be able to download copies of the filled-in application and acknowledgement with a receipt number which he can use to obtain information on the status of his application at any time. The applicant has to personally submit the filled-in application duly signed along with documents, if any, in support of his claim on 2nd and 4th Wednesdays within 60 days from the date of filing of his on-line application. On the same date, hearing on his application will be held and copies of his documents will be verified with the originals to be brought by the applicant. After that, in deserving cases, field enquiry will be held to finally dispose of the application.

5. When an application is made physically, the offices receiving applications will enter all the applications in the same website and then follow the same principle for disposal. In the manual receipt issued by the office the same instruction of inviting the applicant for hearing on 2nd or 4th Wednesdays within 60 days from the date of application and to come personally with all original documents furnished in support of his claim shall be mentioned.
6. This system will work when the on-line application starts. Before that, the existing system of receipt of applications and disposal will be followed.
7. As regards recommendation for issuance of Caste certificates, BDOs in respect of concerned Blocks are the Recommending Authorities. In respect of municipal areas excluding Kolkata, such officers not below the rank of a Deputy Magistrate, as assigned by the SDO, are the Recommending Authority. In Kolkata, District Welfare Officer, Kolkata is the Recommending Authority.
8. Application for Caste certificate can be submitted by applicants living in Block areas to the concerned Block Offices, and by applicants living in municipal areas within a Sub-Division, to the concerned SDO offices. For Kolkata, such applications can be submitted to the office of the District Welfare Officer, Kolkata, who may also arrange to receive application in Borough offices of the Kolkata Municipal Corporation also. Concerned offices receiving applications shall invite the applicants for hearing on 2nd or 4th Wednesdays within 60 days from the date of application and ask them to come personally with all original documents furnished in support of their claims.
9. Now, for disposal of an application for Caste Certificate for SC / ST, five criteria are required to be fulfilled. These are:
 - a. The applicant must be a citizen of India.
 - b. He is a permanent resident of West Bengal since 1950.
 - c. He is an ordinary resident at the address currently residing.
 - d. He belongs to the said caste / tribe.
 - e. His identity.
10. As per Government of India order, valid all over the country, an SC/ST person migrated from one State to another, can claim to belong to a SC/ST only in relation to the State to which he originally belonged to and not in respect of the State to which he has migrated. A person migrated to West Bengal from other States after 1950, is not entitled to the benefits provided by the State Government to the persons belonging to SC or ST, though the caste/tribe he or she belongs to is listed as SC / ST in this State.
11. No person who was not a SC/ST by birth will be deemed to be a member of a SC/ST merely because he or she has married a person belonging to a SC/ST. Similarly a person who is member of a SC/ST would continue to be a member of that SC/ST even after his or her marriage with a person who does not belong to a SC/ST.
12. The person claiming to be a SC should profess the Hindu, the Sikh or the Buddhist religion. The person claiming to be a ST may profess any religion.
13. It is often alleged that the issuing authorities claim numerous documents in order to prove a single criterion. To remove any confusion on the requirement of documents to prove any of the criteria mentioned at point 9 above, it is clarified that any one of the documents listed below against each of the items shall be sufficient to prove that criterion. These are:
 - a. For Citizenship-
 - i. Citizenship Certificate.
 - ii. Voter I card of self or parent(s)
 - iii. Authenticated Voter list of self or parent(s)

- iv. PAN Card of self or parent(s)
- v. Birth Certificate from Competent Authority
- vi. Caste certificate of parent(s)
- vii. Any Govt. Document proving citizenship.

Note: Validity of any of these documents can only be questioned only when there is valid reason to believe that such document might have been procured through misrepresentation of facts.

- b. For Permanent residence-
 - i. Land deed or land tax receipt
 - ii. Voter list proving residence since 1950
 - iii. Birth Certificate proving residence since 1950
 - iv. Ration Card proving residence since 1950
 - v. Caste certificate of parent(s)
 - vi. Any Govt. Document proving permanent residence since 1950.

- c. For local residence-
 - i. Land deed or land tax receipt
 - ii. Voter I card of self or parent(s)
 - iii. Certificate from Competent Authority
 - iv. Caste certificate of parent(s)
 - v. Birth Certificate
 - vi. Ration Card
 - vii. Rent receipt
 - viii. Pass Book of a Nationalised Bank, Gramin Bank, Post Office or Co-operative Bank
 - ix. BPL Card
 - x. Any Govt. Document proving local residence

- d. Caste identity –
 - i. Caste certificate of any paternal blood relation and proof of such relation
 - ii. Copy of old land deed (prior to 1950) specifying community name in that document
 - iii. Any Govt. Document proving caste identity

- e. For identity -
 - i. Admit Card
 - ii. Voter I card
 - iii. PAN Card
 - iv. Birth Certificate from Competent Authority
 - v. Identity Card by employer/ educational Institution
 - vi. Pass Book of Bank Account
 - vii. BPL Card
 - viii. Any Govt. Document proving identity

14. In the lists above, certificate from Prodhana, Chairman of Municipality or Councillor of Municipal Corporation, MLA, MP etc. has not been included. In case of non-availability of certificates as mentioned at 13 (a) to (e), any of these certificates together with reports of enquiry and hearing are to be taken into consideration for determination of eligibility.

15. It is to be mentioned here that the applicant has the right to apply even without any documentary proof in support of his claim and no application shall be rejected merely on the ground of non-availability of documentary evidences about caste identity, residence or citizenship. In such cases, certificates from the Proddhan of the local Gram Panchayat, Chairman of the local Municipality or the local Councillor of the Municipal Corporation along the findings of the enquiry shall be considered to be sufficient.
16. There is no age restriction for being eligible to apply for caste certificate. So no age proof for this purpose will be necessary,
17. Since Caste Certificates to persons belonging to SC /ST are being issued for a long time, majority of applicants may have one or more paternal blood relatives who have already obtained caste certificate(s) from competent authorities. In case an applicant produces such certificate as proof of caste identity, the issuing authority shall issue caste certificate to the applicant, if his identity and relation to the holder of caste certificate produced as proof is established and the caste certificate is also verified.
18. There are, of course, a number of applicants who are first generation applicants and as such, are unable to produce caste certificate of paternal blood relation as a proof of caste identity. In those cases, their caste identity is to be decided on field enquiry and public hearing. In such cases, to facilitate easy identification, an affidavit from the applicant in the format attached to this order, may be obtained wherein the applicant is to declare his eligibility to obtain Caste certificate. Unless there is any contrary evidence received during field enquiry and hearing, normally the affidavit shall be acceptable for ascertaining his class status and eligibility.
19. It is often alleged that an applicant is asked to furnish declarations by five or even ten persons of the applicant's locality certifying the applicant's caste identity. Sometimes such declaration is demanded from Teachers or Govt. Officials. This causes undue harassment to the applicants. It is hereby clarified that such declaration is not needed for disposal of an application for caste certificate. Where documentary proof as to eligibility to obtain caste certificate is not available, field enquiry or public hearing is to be held. In such enquiry / hearing, evidences from local persons are to be recorded. Depositions from local persons may also be taken. An application for caste certificate without any documentary proof or with insufficient documentary proof submitted along with the application is to be disposed of as per findings of the field enquiry/hearing together with affidavit and certificate from local Panchayat/Municipality.
20. To facilitate timely disposal of all applications for caste certificates, special camps are to be held at regular intervals. In such camps, receiving of applications, public hearing and distribution of certificates are to be made. Camps are to be organised in such a manner so that all applications are disposed of within eight weeks from the date of submission of such application. Such camps are to be organised in all the High and Higher Secondary Schools, as most of the applicants for caste certificates are School or College students.
21. Ordinarily, an application for caste certificate is to be disposed of within eight weeks from the date of its submission. The applicant has a right to know the status of his application, once filed. Hence, if demanded, status of his application has to be provided to the applicant.
22. A new format of application form for caste certificate (with minor modifications on the existing format) has been developed and communicated to all concerned. Both the formats can be used for

filing application for caste certificate. The format is also available in the BCW Department website www.anagrasarkalyan.gov.in. The website may be visited regularly to find out the latest developments in this matter. All major policy decisions in respect of caste certificates including latest lists of SC, ST and OBCs are available in the website.

23. A person migrated from other State/Union Territory to the State of West Bengal after publication of the Presidential Orders on Scheduled Castes and Scheduled Tribes can also apply for Caste Certificate, though he is not entitled to benefits given to Scheduled Castes and Scheduled Tribes by the State of West Bengal. In such case, the prescribed authority may issue the Scheduled Caste/Tribe Certificate to such person on production of the genuine certificate issued to his father/mother by the prescribed authority of the State of the father's mother's origin except where the prescribed authority feels that detailed enquiry is necessary through the State of origin before issue of the certificate. The certificate will be issued irrespective of whether the Caste/Tribe in question is scheduled or not in West Bengal. Such certificate is to be issued in a different format, also appended to this Memorandum.



Sk. Nurul Haque
Principal Secretary

to the Government of West Bengal



GOVERNMENT OF WEST BENGAL

OFFICE OF THE SUB-DIVISIONAL OFFICER

_____ **SUB-DIVISION**

DIST. - _____

CASTE/TRIBE CERTIFICATE

Certificate No. - _____

Date : _____

This is to certify that _____ son/daughter of

_____ **of village _____**

P.O. _____ P.S. _____

in the district _____ of the state of _____ belongs to the _____

_____ **which is recognized as _____ under the Constitution (Scheduled Caste) Order 1950 and the Constitution (Scheduled Tribes) Order 1950 as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) order 1956, and the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976.**

_____ **and his family ordinarily reside(s) in the village**

_____ **of the _____ district of the state of _____**

Place :

Date :

Applicant's recent
colour passport
size photograph
downloaded

Office
Seal

Sub-Divisional Officer

Note: The expression 'ordinarily resident' used here shall have the same meaning as in section 20 of the Representation of the People Act, 1950 (43 of 1950)".

Format for Affidavit by the Applicant for his / her own SC /ST Certificate

(To be sworn in before the 1st Class Judicial Magistrate / Executive Magistrate on NJ stamp paper of Rs.10/-)

I, Shri / Smtson / daughter of Shri
....., presently residing at
(Address).....

....., have applied for SC / ST certificate for myself and hereby declare that:-

- 1. I am a citizen of India;
- 2. I am a permanent resident of West Bengal since 1950, the permanent address being
.....;

Or

My forefathers have been living in this State since 1950 / have migrated to this State before 1950, the permanent address being
.....;

- 3. I am a resident of the address declared above;
- 4. I belong to caste / tribe which is recognized as Scheduled Caste / Scheduled Tribe in West Bengal;

I further certify that the information given above in respect of myself is fully correct and I take full responsibility of the accuracy of this statement. If at any point of time a part of the statement is found to be incorrect, I shall have to forfeit the benefit received and shall also be liable to be punished under Section 193 of the Indian Penal Code.

Format for Affidavit by Parent for his / her ward's SC / ST Certificate

(When the applicant is a minor)

(To be sworn in before the 1st Class Judicial Magistrate / Executive Magistrate on NJ stamp paper of Rs.10/-)

I, Shri / Smtson / daughter of Shri
....., presently residing at
(Address).....
....., have applied for SC / ST
certificate for my son / daughter / ward and hereby declare that:-

1. My son / daughter / ward is a citizen of India;
2. My son / daughter / ward is a permanent resident of West Bengal since 1950,
the permanent address being
.....
.....;

Or

Forefathers of my son / daughter / ward have been living in this State since
1950 / have migrated to this State before 1950, the permanent address being
.....
.....;

3. My son / daughter / ward is a resident of the address declared above;
4. My son / daughter / ward belongs to caste / tribe which is
recognized as Scheduled Caste / Scheduled Tribe in West Bengal;

I further certify that the information given above in respect of my son / daughter /
ward is fully correct and I take full responsibility of the accuracy of this statement.
If at any point of time a part of the statement is found to be incorrect, My son /
daughter / ward shall have to forfeit the benefit received and both my son /
daughter / ward and I shall be liable to be punished under Section 193 of the
Indian Penal Code.

Form of certificate to be issued to persons belonging to a Scheduled Castes or Scheduled Tribes who have migrated from other State / Union Territory.

Form of Caste certificate

This is to certify that Shri/Shrimati/Kumari son/Daughter of of village/town in district/Division/Division of the State/Union Territory belongs to the Caste/Tribe which is recognised as Scheduled Caste / Scheduled Tribe under :

The Constitution (Scheduled Castes) Order, 1950.

The Constitution (Scheduled Tribes) Order, 1950.

The Constitution (Scheduled Castes)(Union Territories) Order, 1951. *

The Constitution (Scheduled Tribes) (Union Territories) Order, 1951. *

(as amended by the Scheduled Castes and Scheduled Tribes lists (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 and the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976).

The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956. *

The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959. *

The Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962. *

The Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962. *

The Constitution (Pondicherry) Scheduled Castes Order, 1964. *

The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967. *

The Constitution (Goa, Daman and Diu) Scheduled Caste Order, 1968. *

The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968. *

The Constitution (Nagaland) Scheduled Tribes Order, 1970. *

The Constitution (Sikkim) Scheduled Castes Order, 1978. *

The Constitution (Sikkim) Scheduled Tribes Order, 1978. *

2. This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati father/mother of Shri/Shrimati/Kumari of village/town..... in District/Division of the State/ Union Territory who belongs to the caste/tribe which is recognised as a Scheduled Caste / Scheduled Tribe in the State/Union Territory..... issued by the (name of prescribed authority) vide their No dated.....

Signature.....

Designation.....

(with seal of Office)

Place.....

Date.....

* Please quote specific Presidential order.