

GOVERNMENT OF KARNATAKA

No. SWD 328 SAD 95.

Karnataka Government Secretariat,
M.S. Building,
Bangalore, Dated. 5-5-1995.

C I R C U L A R

Sub: Implementation of the Judgement of the Hon'ble High Court of Karnataka in W.P.No.18012/89 etc., regarding issue of caste certificates to Beda Jangam, Mala Jangam Budga Jangam Castes.

Ref: 1. Govt. Notification No.S.L 300 SAD 95(P), dated 8th September 1995.

2. Govt. Order No.SWL 300 SAD 95 (P) dt. 12-9-1995.

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In compliance of the orders of the Hon'ble High Court of Karnataka dt. 27-1-95 in writ petition Nos. referred to above, Govt. has constituted a State-Level Scrutinising Committee for the purpose of disposing of the social status claims of applicants belonging to Beda-Jangam, Budga Jangam and Mala Jangam etc., vide G.O.No. SWL 300 SAD 95 (P) dt.12-9-95. This State Level Scrutinising Committee consists of the following.

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| 1. Addl. Secretary to Government,
(Litigation-3), D.L.P.A. | Chairman |
| 2. Director of Social welfare | Member |
| 3. Deputy Director of Social Welfare
(E & T) Directorate of Social
Welfare | Member |

The State Level Scrutinising Committee should strictly follow the procedures as laid down in the orders of the High Court while disposing of these cases. This Committee is not bound to follow the circular instructions issued in No.SWL 305 SAD 78 dt. 22-7-78 and 5-8-78 and in No. SWL 205 SAD 92 dt. 18-1-1995 issued in respect of issue of caste certificates to Beda Jangam, Budga Jangam and Mala Jangam castes. It has to decide the cases un-hampered by the above circulars as ordered by the High Court.

The State Level Scrutinising Committee should also consider and decide the cases where certificates have been

issued, cancelled, suspended or whether any certificates have been issued pursuant to the interim orders granted by the High Court or applications for issue of caste certificates pending before the authorities or cases where prosecution has been launched on the basis of C.O.D. reports, irrespective of whatever may have been the stage of proceedings. Even the cases where endorsements have been issued to the applicants that they do not belong to Beda Jangam caste etc., should also be considered by the said Scrutinising Committee without following the circulars referred to above. The cases pertaining to Beda Jangam etc. castes pending before the District Caste Verification Committees, and, on appeal of such cases, before the Divisional Commissioners should be transferred to the State Level Committee.

On receipt of the applications, the Director of Social Welfare should refer them to the Civil Right Enforcement Directorate for verification. The CRED should get the cases verified as indicated in para 5 of the Supreme Court judgment incorporate in the orders of the High Court. On receipt of the verification report, the Director of Social Welfare should take action as stated in para 6 and 7 of the Supreme Court judgement referred to in the orders of the High Court. The Committee will pass final orders on the cases placed before it by Director of Social Welfare.

Further, the caste certificate issuing authorities i.e. the Tahasildars, should dispose of the applications pending before them for issue of Beda Jangam, Budga Jangam and Mala Jangam caste certificates expeditiously by following the guidelines prescribed by the Government of India vide their letter No. BC 12925/2/76-SCT-I dt. 22-3-77. and issue caste certificates if they really belong to Beda Jangam etc. castes, as mentioned in the list of Scheduled Castes/Scheduled Tribes published by Government of India. They will be personally held responsible for issue of caste certificates to ineligible persons. They should not follow the circulars issued by the Government in respect of issue of caste certificates to

Beda Jangam, Budga Jangam and Mala Jangam castes vide Circular Nos. SWL 305 SAD 78 dt. 22-7-78 and 5-8-78 and in No. SWL 205 SAD 92 dt. 18-1-1995, while disposing of the cases as per the order of High Court in W.P.No.18012/89 dated 27th January 1995.

E. Krishnamurthy
(E. KRISHNAMURTHY)
Under Secretary to Government,
Social Welfare Department.

TO:

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2. Additional Chief Secretary to Government of Karnataka.
3. All the Divisional Commissioners in Karnataka.
4. The Additional Director General of Police, Civil Rights Enforcement Cell, Bangalore.
5. The Registrar, High Court of Karnataka, Bangalore.
6. The Additional Secretary to Government (Litigation-3), Department of Law and Parliamentary Affairs, Vidhana Soudha, Bangalore.
7. The Director of Social Welfare, Bangalore.
8. The Private Secretary to the Minister for Social Welfare, Vidhana Soudha, Bangalore.
9. The Deputy Director, Social Welfare Department, (Employment and Training) Bangalore.
10. All the Deputy Commissioners in Karnataka.
11. All the Assistant Commissioners in Karnataka.
12. All the Tahsildars in Karnataka.
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