

THE OXFORD DENTAL COLLEGE



Copy of letter issued by State Government

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Copy of letter issued by State Government



**Consensual agreement between GOI & Karnataka
Religious and Linguistic Minority Professional Colleges
Association (KRLMPCA) in the matter of regulating
admissions**

BDS 2021-22

CONSENSUAL AGREEMENT BETWEEN GOVERNMENT OF KARNATAKA AND KARNATAKA RELIGIOUS AND LINGUISTIC MINORITY PROFESSIONAL COLLEGES ASSOCIATION (KRLMPCA) IN THE MATTER OF REGULATING ADMISSIONS AND FEE STRUCTURE FOR THE UNDER GRADUATE COURSES IN PRIVATE PROFESSIONAL COLLEGES OF DENTAL SCIENCES FOR THE ACADEMIC YEAR 2021-22.


1. PREAMBLE:

Whereas Karnataka legislature, having enacted Act No. 8/2006 as amended by Act No. 39 of 2015 and Act No. 22/2017, enabling the State Government to enter in to Consensual Arrangement with Private Professional Colleges, regulating seat sharing, admission process and fee structure; and in furtherance thereof, after due deliberations and negotiations, consensus having been arrived at; and taking note of changed circumstances in the mean time, having reiterated the consensus in terms hereunder stated, this agreement is being entered in to, between GOVERNMENT OF KARNATAKA and KARNATAKA RELIGIOUS AND LINGUISTIC MINORITY PROFESSIONAL COLLEGES ASSOCIATION, herein after referred as "KRLMPCA" (for its member Private Minority Unaided Professional Colleges) in the State;

And whereas, in the light of the pronouncement of the Hon'ble Supreme Court in TMA Pai Foundation case [(2002) 5 SCC 481], it is permissible for the managements of Private Unaided Professional Colleges and the State Governments to enter into Consensual Agreements, with respect to seat sharing, admission process and determination of fee structure arrangements;

AND whereas the KRLMPCA, keeping in view its social commitments and responsibilities, and with a desire to participate in effectively sub-serving state's reservation policy, and to further the interests of the students from Karnataka, as to their admission as well as fee fixation, had entered into Consensual Agreements under Act No. 13/2006 from the academic year 2006-07. For the subsequent years [2007-08 till 2020-21], Consensual Agreements were entered into and worked out, and had been ratified pursuant to which Act No. 28/2007, 23/2011, 50/2013 and 29/2014 had come to be enacted by the State Government to provide for recognition/implementation of the Consensual Agreements. Similar Consensual Agreement was entered into between the parties to the agreement in the year 2020-21 in pursuant to the Act No. 8/2006 and 39/2015. The Consensual Agreement entered into between KRLMPCA as well as the State Government were also placed before the Hon'ble Supreme Court for few years and the Hon'ble Court had permitted the working of the said Consensual Agreements.


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The Dental Council of India on 30.05.2012 under Section 20 of the Dentist Act, 1948, amended Dental Regulations by mandating NEET as an eligibility criteria to Dental Courses.

AND whereas, the Hon'ble Supreme Court in Review Petition 1956/2013 and connected cases, by its order dated 11.04.2016 was pleased to recall the Judgment dated 18.07.2013 passed in NEET cases [CMC VELLORE (2014) 2 SCC 305] where under Notifications dated:21.12.2010 and 15.02.2012 were set aside and had directed the matters to be heard afresh. However, the Hon'ble Supreme Court in W.P. No. 261/2016 by its order dated 06.05.2016 has been pleased to hold that, no examination shall be permitted to be held for grant of admission to MBBS or BDS by any Private College or Association or any Private/Deemed Universities.

The Hon'ble Supreme Court in W.P. No. 293/2016 (Mihir Abhujit Pathak Vs. Medical Council of India) was also pleased to hold that; prima facie it did not find any infirmity in the NEET regulations on the ground that, it affects the right of the States or the Private Institutions. Special provisions for reservation of any category are not subject matter of NEET nor rights of minorities are in any manner affected by NEET. It held NEET only provides for conducting entrance test for eligibility for admission to the BDS course.

The Dental Council of India has issued an amendment Notification on 12th July, 2017 with regard to Common Counselling and as per this amendment, the counseling for admission to BDS course in a State / Union Territory, including, Dental Education Institutions established by the State Government, University established by an Act of State/Union Territory Legislature, Trust, Society, Minority institutions shall be conducted by the State/Union Territory Government. Furthermore the Hon'ble Supreme Court in SIA (C) No(s). 30386/2016 by order dated 28.08.2017 in the case of Akshita Singh Vs. Uoi in C/w. WP (C)No.267/2017 in the case of Dar-Ul-Salam have stipulated the procedure with respect to filling up of the stray vacant seats from amongst the list of un-allotted students furnished by KEA and the eligible candidates from the larger NEET list.

And whereas the KRLMPCA has brought to the notice of the Government, the inadequacies of funds due to implementation of the 7th Pay Commission and the high cost of imparting Education in Private Dental Colleges; and need for determination of appropriate fee structure to meet the costs of imparting quality Education; and the Government having taken note of the same and keeping in view the time constraint has desired to address this issue by consensus, the members of the KRLMPCA have come forward to enter into this Consensual Agreement in the interest of Student community. KRLMPCA has placed the actual cost of education involved in imparting education before the Government, KRLMPCA, and the

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Government have also agreed to a fee structure to be followed for 2021-22. This Consensual Agreement overrides any agreement of fee structure made for 2020-21 in previous Consensual Agreement.


And whereas the surrender of the seats by KRLMPCA to the State Government would take care of implementation of the Reservation policies of the State Government, namely; reservation of seats under Article 371(J) as well as Article 15 (5) of the Constitution of India. The State Government shall implement the above referred Reservation policy from the seats surrendered by the members of the KRLMPCA to the State Government. In so far as Private Dental Colleges located in Hyderabad-Karnataka Region, Article 371(J) shall be implemented.


2. GENERAL:


- a) The parties herein are entering into this Consensual Agreement, in terms of the Act No. 8/2006 as amended by Act No. 39 of 2015 & Act No. 22/2017. The Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 empowers the State Government to enter into Consensual Agreement with KRLMPCA. This agreement is valid for the academic year 2021-22.
- b) That it is agreed between the parties that, the Regulatory Authorities and RGHS etc. shall be associated in working out this Consensual Arrangement and State Government would issue appropriate directions/make appropriate requests, as a policy of the Government and, ensure that such authorities recognize and agree to working of this agreement; for the purpose of approval of admissions, levy of tuition fees etc. in accordance with terms of this agreement. It shall be the responsibility of the State Government that the RGHS implements this Consensual Agreement for the academic year 2021-22.
- c) The State Government shall constitute a State Common Entrance Test Committee for the purpose review of counseling/admission in Private Dental Colleges. in the said Committee, the Government shall include one representative of the KRLMPCA.

3. SEAT SHARING:

- a. The member institutions of KRLMPCA, imparting studies in Under Graduate Education in their respective institutions, would make available/hand-over 25% of seats out of the total intake available, in each of their member - Dental Colleges. The Counseling and allocation of the above seats shall be on the


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back of inter-se merit determined under the NEET Examination with subsidized fee as agreed in this agreement.

- b. 55% of the total intake in Dental Colleges shall be filled by General merit students, who are eligible under the NEET exam, on the basis of inter-se merit. As per the Karnataka Professional Education Institutions (Recognition of Minority Educational Institutions Terms and Conditions) (Professional Education) Rules, 2016 and the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 as amended by Act No. 39/2015 & 22/2017, out of institution quota in an institution, not less than sixty six percent of the seats shall be filled by minority students within the State belonging to minority to which the institution belongs to.

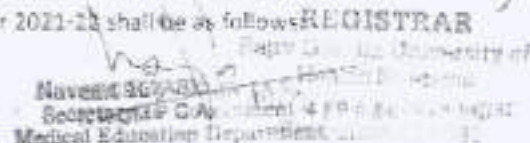
Provided that not less than 50% of the institution seats shall be filled by the Karnataka Students and if sufficient number of Karnataka students are not available, such seats may be filled by others.

- c. 15% of the total intake in Dental Colleges shall be filled up from students who are NRIs which includes NRI's children or their wards, OCI's, PIO's and foreigners through the counseling conducted by the designated authority, i.e. Karnataka Examination Authority, in case of non-availability of candidates in any of the categories above, the seats would be filled up by the colleges from the list of un-allotted students furnished by KEA and any other eligible candidates/students as prescribed by the Dental Council of India in accordance with the judgment of the Hon'ble Supreme Court in SLA (C) No(s) 30336/2016 by order dated 28.08.2017 in the case of Akshita Singh V/s Uoi in C/w WP (C) No.267/2017 in the case of Dar-Us-Siam and the fee for such students also shall be on par with the relevant category.
- d. For 5% of the total intake in Dental Colleges the fee structure will be higher as per the fee structure communicated by the respective private colleges to the designated authority.

4. FEE STRUCTURE:

- a) Whereas the Government has considered the contentions of the association and also the interest of the students, it has been agreed by the parties and decided that there should be the same fees for 2021-22 as that of the year 2020-21. Accordingly, the fee structure indicating the tuition fee that would be levied for the UG Dental Course in respect of KRLMPCA institutions under various categories for the academic year 2021-22 shall be as follows:


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Summary of fee structure and percentage of BDS seats

Category	Gout. Quota in Private colleges 25% (G)	Private seats 55% (P)	NRI, OCI, PIO & foreigners 15% (N)	Other Quota seats 5% (O)
Fee	Rs.83,358/- per year	Not Exceeding Rs.6,66,023/- per year.	The details of fees component wise shall be entered in KEA portal in advance.	

- b) The tuition fee mentioned in the above table along with University fees to be collected by the Counseling authorities after allotment. The respective colleges are entitled to collect other fees, which shall not exceed Rs. 15,000/- per annum, hostel and transportation fees if opted by the students may be collected.
- c) Apart from this, in case any member institution is providing skill lab facility or similar facility/facilities, the respective colleges can collect reasonable fees which shall not exceed Rs.30,000/- per annum. However, the fees for above items shall be informed to Government in advance by the colleges so that the same could be notified in the website of KEA.
- d) The KRLMPCA, considering the request by the State Government, have now resolved to extend the same gestures as were extended for previous year, by way of 'scholarship to Socially And Economically Weaker Sections and others, and participate in Social Welfare Measures/Schemes of the Government. Therefore, it is proposed and provided that, for 'all UG Course seats' made over to the Government for grant of admission in accordance with its reservation policy, the members of KRLMPCA colleges will extend 'the freehips and scholarships by way of fee concessions' from the fees actually being charged by each of the KRLMPCA institutions for the current year; by way of scholarships under this Consensual Arrangement, out of fees receivable from the category of students falling under NRI and higher fee category. The 'Fee Matrix' indicating the actual tuition fee that would be levied for the UG Dental Courses in respect of KRLMPCA institutions, under allocations by KEA/concerned colleges for 2021-22, shall be as per the table above.
- e) KEA allotted candidates for UG Courses would pay the fees at the time of allotment of seats; and/or while seeking admission under the allotment as may be prescribed and notified. The KEA shall inform the students prior to the admissions that the admission is subject to payment of fees as published

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by the Karnataka Examination Authority. Fee structure shall be binding on all the students admitted by the respective colleges. KEA shall transfer 100% of tuition fees collected from the students to respective colleges and 100% of university fees to RGUHS within 30 days from the last date of admission.

5. MODALITIES OF ADMISSIONS:


- a) A 'Seat Matrix' shall be drawn in consultation with respective institutions and notified in terms of 'Seat Matrix Order' issued by the Government.
- b) In view of the making over of 25% of its total available seats in UG Dental Courses, the Government of Karnataka, hereby exempts the members of the KRLMPCA from the obligation, if any, of providing for reservations for either SCs, STs or Other backward classes separately, since the Government of Karnataka itself is providing for requisite reservations, in seats now available to the Government out of aforesaid 25% of seats in UG Dental Courses in the institutions/colleges of Private Managements as required under Article 15 (5) of the Constitution which enables the State Government to make special provisions for Schedule Caste or Schedule Tribes in Private Educational Institutions. The KRLMPCA also need not make separate reservations under Article 371(j) of the Constitution of India, which provides for reservation for people from Hyderabad-Karnataka Region, except in respect of institutions located in the said Region.
- c) It is stipulated that the counseling by the KEA shall be conducted as per the calendar of events, prescribed by the regulating authorities namely the MCI/NMC and affiliating University respectively. In the event of a conflict/variation in calendar of events published, the calendar of events mandated by the Apex Bodies, or Orders of the Courts would prevail and apply.
- d) It is agreed that KEA, the designated authority for counseling, shall conduct counseling and allocation for seats in Private Institutions under KRLMPCA based on merit, as per NEET ranking. There shall be two rounds of counseling followed by two mop up rounds as prescribed by DCI which shall be done by the KEA and after completion of the mop up rounds, if any seats remain unfilled or stray seats if any fall vacant would revert back to KRLMPCA/its member institutions for filling up the vacant seats from the list of un-allotted students furnished there KEA portal and if such students are not available then the KRLMPCA/its member institutions shall fill up from the students eligible/qualified in NEET in accordance with order passed by the Hon'ble Supreme Court in SLA (C) No(s) 30336/2016 by order dated 28.08.2017 in the case of Akshita Singh Vs. Uoi in C/w. WP (C) No.267/2017 in the case of **DAVID**


[Signature]
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Slam. All admissions approval of admitted candidates shall be done through single KEA portal only

- e) All categories of students, including NRI seats, shall be open for option entry from the first round of counseling. Furthermore, a representative of the Association shall also be part of the Counseling process conducted by the KEA in order to assist in the smooth admission process.
- f) All member professional colleges shall grant admissions on receipt of allotment letters issued by the KEA. The documents of the candidate shall be deposited at KEA for their admissions. The details of the fee inclusive of all components shall be furnished to the State Government in advance so that the same can be informed to the students prior to the date of counseling. Once the admission has been done, the KEA cannot cancel the seats after the last date of counseling without the prior consent of the respective colleges.
- g) It is agreed that the KEA shall ensure that the online portal shall be kept open to register any candidate after mop-up round followed by verification of documents for one day for any vacant seats or surrendered seats in case of any NEET qualified candidate available for admission. Further, the KEA shall also ensure that the KEA online portal should be allowed to take any admission for any vacant seats or surrendered seats from the list submitted by KEA. Any cancellation of seats after mop-up round shall be at Karnataka Examination Authority with proper ID proof (Government Authenticated) in-person with prescribed penalty.
- h) Any grievances, in the matter of counseling/admissions made by KEA will be redressed by the authorities of the Monitoring Committee under the chairmanship of Director of Medical Education Directorate strictly in terms, and within the scope of this agreement.
- i) A copy of the admissions, if any, made by the Private Colleges in respect of unfilled seats shall be forwarded to the Admission Overseeing Committee and any grievances raised by the students so admitted shall be redressed by the said committee, which shall keeping in view the terms of the agreement; shall make such orders as are necessary and same shall be binding on respective institutions. The committee shall afford an opportunity of being heard to the respective institutions, if the grievances are as to the admission process by the member institution, before any directions are issued by the said committee.
- j) To prevent any dispute or litigation in the matter of admission, the decision of the Admission Overseeing Committee headed by a retired High Court Judge shall be final with regard to admission process.


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- k) The Government would ensure implementation of the Consensual Arrangement as per the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 as amended by Act No. 39/2015 & Act No. 22/2017 and facilitate working out this consensual arrangement. Notwithstanding the delay in steps being taken as above; this 'Consensual Arrangement' binds all the Governmental authorities, including the students that may be admitted in terms of this agreement for the academic year 2021-22 and Government shall ensure the implementation thereof.

SIGNED BY AND BETWEEN THE GOVERNMENT OF KARNATAKA, RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES and KARNATAKA RELIGIOUS AND LINGUISTIC MINORITY PROFESSIONAL COLLEGES ASSOCIATION (KRLMPCA) by its respective authorized functionaries, on this 19th day of January 2022; at Bengaluru.


On behalf of and
For Karnataka Religious and Linguistic
Minority Professional Colleges
Association.


(S. Safi Ahmad)
Secretary, KRLMPCK
SECRETARY
KARNATAKA RELIGIOUS AND LINGUISTIC
MINORITY PROFESSIONAL COLLEGES ASSOCIATION

On behalf of and
For Rajiv Gandhi University of Health
Sciences.


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(N.M. Nagaraj)
Registrar (Admin), RGUHS.
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Banjara Hills, Bengaluru.

On behalf of and
For Government of Karnataka


(Naveen Raj Singh)
Secretary to Government
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Naveen Raj Singh, I.A.S.,
Secretary to Government
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**Copy of letter issued by state govt. indicating
the reserved categories to be considered as
per the GOI rule**

Venkatappa - FPA
EAT-nd.
**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)

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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]

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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]

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.

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

to.—

- (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.

✓ [4-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

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.

[4-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.

1. Section 4-D substituted by Act No. 8 of 2004, w.e.f. 23-2-2004.

¹[3] ~~****~~]

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 within 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).

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

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

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

6-E. 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 1 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 or other legal proceedings shall be against any person for anything which is done in good faith or intended to be done under this Act.

12. Removal of difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders not inconsistent with the provisions of this Act, as the State Government may consider necessary for removing the difficulty.

13. Power to make rules.—(1) The State Government may make rules for carrying out the purposes of this Act.

(2) Until such rules are made under sub-section (1) any executive order made by the State Government relating to such reservation shall be deemed to be rules made under this Act.

¹(3) 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 expiry of the session in which it is so laid or the session immediately following the session or successive sessions aforesaid both Houses agree in making any modifications 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.]

1. Sub-section (3) inserted by Act No. 7 of 2004.

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

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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" ¹means a Committee and an Additional Committee] constituted under Rule 4;
- (5) "Caste and Income Verification Committee" ²means 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

or association opposes the claim of the applicant such person or association shall also be given an opportunity to produce evidence during the enquiry.

- (d) The Tahsildar may require the assistance of any officer for the purpose of satisfying himself regarding the genuineness of the claim made by the applicant.
- (e) Where the applicants or parents/guardians are inhabitants in an area which is not within the territorial jurisdiction of the Tahsildar, he may make a reference to the District Social Welfare Officer concerned in the case of persons belonging to the Scheduled Castes and Scheduled Tribes or to the District Officer of Backward Classes, in the case of persons belonging to the Backward Classes, to provide such professional assistance as available with them.
- (f) The Tahsildar may also call for further information, document or material if he deems it necessary.
- (g) The Tahsildar may after holding the enquiry in the manners specified above either issue Caste Certificate or Income and Caste Certificate in Forms D, E or F as may appropriate or reject the claim within a period of two months from the date 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 11-11-1993, 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.

- (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 consist of the following members, namely,—

- (i) The Deputy Commissioner of the District who shall be the Chairman;
 (ii) The Deputy Secretary (Administration) of the Zilla Panchayat;
 (iii) The concerned Tahsildar of the Taluk;
 (iv) The District Backward Classes and Minorities Officer who shall be the member secretary.]

[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.]

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

[5-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.

6-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.]

7. 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.]

7-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.]

[8. 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.

[9-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. SWTI 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 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.

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.]

²[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
residing at (full address).....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

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
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

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
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 (whether occupation
is Govt./Semi-Govt./Public Sector/Private one)
5. Present Address of the Candidate
6. Permanent Address of the Candidate

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
- | | |
|----------------|------------------------------|
| Year and Class | Name and Place of the school |
|----------------|------------------------------|
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)
- Pay scale
 - Particulars of Land
 - 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:

FORM D

(See Rule 3-A(2)(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
.....son/daughter/ 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 (Jammu 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

* The Constitution (Nagaland) Scheduled Tribes Order

2. Shri/Smt./*Kum and/or
his/her family ordinarily reside(s) in Village/Town*
..... of District/Division* of the
State/Union Territory* of

Signature

Tahsildar

Place:

Designation

Date:

(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 12025/2/76-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.

FORM E

[See Rule 3-A(2)(3)]

Certificate to be issued to a candidate belonging to Backward Classes

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

..... 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
son/daughter/wife of Sri/Smt. 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.

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

Place: Tahsildar
Date: 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: Signature of the Parent/Guardian Signature of the Candidate
Date:

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

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. of and Date of appointment	Mode of recruitment direct recruitment/ deputation	Name of the candidate and Sl. 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 to be reserved for SC/STs/ABCDE (Course-wise) (As per the existing G.O.)	Admissions made in each course 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)

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.)		Shortfall if any in respect of SCs STs	Remarks
			SCs	STs		

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.)				
			I	IIA	IIB	IIIA	IIIB
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Application received for admission					No. of seats filed by				
I	IIA	IIB	IIIA	IIIB	I	IIA	IIB	IIIA	IIIB
(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.

Shortfall in admission if any					Shortfall for reasons
I	IIA	IIB	IIIA	IIIB	
(19)	(20)	(21)	(22)	(23)	(24)

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.

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)**

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**CHAPTER II
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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 10th november, 1992 in *Indra Sawhney' -Vs- Union of India (AIR 1992 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

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 such 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 Judgment of Vasanth Kumar and another Vs. State of Karnataka and the Judgment 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;

- (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

♦♦♦♦

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] ⁴[XXIII] ⁵XXIV 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.

⁶[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 Sikh".

¹[4. 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.]

¶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
- ²[17. Banjara, 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 61 of 2000, Section 2 and the First Schedule, for entry 17.

- Mochi, Muchi, Telegu Mochi, Kamati Mochi, Ranigar,
Rohidas, Rohit, Samgar
- ¹[23. Bhovi, Od, Odde, Vaddar, Waddar, Voddar, Woddar]
24. Bindla
25. Byagara
26. Chakkiliyan
27. Chalavadi, Chalvadi, Channayya
28. Chandala
29. Chenna Dasar, Holaya Dasar
30. Dakkal, Dokkalwar
31. Dakkaliga
32. Dhor, Kakkayya, Kankayya
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, Holer, Holey
45. Holey Dasari
46. Jaggali
47. Jambuvulu
48. Kadaiyan
49. Kalladi
50. Kepmaris
51. Kolupulvandlu
52. Koosa
- ²[53. Koracha, Korachar
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 Dasari
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. Raneyar
93. Samagara
94. Samban
95. Sapari
96. Sillekhyathas
97. Sindhollu, Chindollu
98. Sudugadu Siddha
99. Thoti
100. Tirgar, Tirbanda
101. Valluvan.

1. Substituted by Act 61 of 2002, Section 2 and the First Schedule, for entry 23

2. Substituted by Act 61 of 2002, Section 2 and the First Schedule, for entry 53 and 54.

The Constitution (Scheduled Tribes) Order, 1950¹

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 ²[Parts I to ³]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 there resident in the localities specified in relation to them respectively, in the Parts of that Schedule.

³[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, Bhangalia, Bhilala, Pawara, Vasava, Vesave
5. Chenchu, Chenchwar
6. Chodhara
7. Dubla, Talavia, halpati
8. Ganti, Gamta, Gavit, Mavchi, Padvi, Valvi
9. Gond, naikpod, Rajgond
10. Gowdalu
11. Hakkipikki
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

27. Kodiya, Melakudi
28. Kuruba (in Coorg district)
29. Kurumans
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. Palliyar
40. Paniyan
41. Pardhi, Advichincher, Phanse Pardhi ³["Haranshikari"]
42. Rathawa
44. Sholaga
45. Soligar
46. Toda
47. Varli
48. Vitilia, Kotwalia, Barocha
49. Yerava
- ⁴50. Siddi (in Uttar Kannada district)"

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.

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

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.3(i) 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.

ANNEXURE-I

CATEGORY-I

Sl. No.	Name of the Caste
1	Agamudi
2	(a) Ambalakaran
	(b) Ambalakamma
	(c) Mutras
	(d) Mutracha
3	Baggaru
4	Bavandhi
5	(a) Bavaji
	(b) Aji
	(c) Bakagi
	(d) Bavani
	(e) Byragi
	(f) Daingossayi
	(g) Devani
	(h) Gosayi
	(i) Gusai
	(j) Heleva
	(k) Helova
	(l) Holeva
(m)	Nandiwala
(n)	Pichigunta
(o)	Pichiguntala
(p)	Pichiguntala
(q)	Bava
(r)	Byaragi
6	(a) Bestha
	(b) Ambiga/Ambi
	(c) Banki/Banka
	(d) Besthar
	(e) Brooy

(f)	Rajabhoi
(g)	Bunde-Beshiar
(h)	Daaji
(i)	Daavel
(j)	Gabi
(k)	Galadakonkani
(l)	Gangemakkalu
(m)	Gangakula
(n)	Gangamatha
(o)	Gangamaithashta
(p)	Gangaputra
(q)	Gowimatha
(r)	Bunde-Beshia/Gunde Bestha
(s)	Harakanitha
(t)	Jalagera
(u)	Kabbera/Kabber
(v)	Kabbaliga
(w)	Kabuli
(x)	Kahar
(y)	Kharvi/Korkan Kharvi
(z)	Koli
(aa)	Kolimahadev
(ab)	Maddar
(ac)	Meenagar
(ad)	Mogaveera
(ae)	Moger
(af)	Mukkavan
(ag)	Parvasa
(ah)	Sivayar
(ai)	Sunagara
(aj)	Thonya
(ak)	Pagi
7	(a) Bhamia
	(b) Bhompia
	(c) Paradeshi-Bhampia

	(d)	Takari
	(e)	Bhompira
	(f)	Uchisan
8		Bhatraju
9	(a)	Bogad
	(b)	Begadi
	(c)	Bogali
	(d)	Bogadi
10	(a)	Budubuduki
	(b)	Bududki
	(c)	Chheta
	(d)	Devani
	(e)	Garadi
	(f)	Giddiki
	(g)	Joshi
	(h)	Kichagara
	(i)	Killiyata
	(j)	Modiga
	(k)	Pansa
	(l)	Panasa
	(m)	Pingale
	(n)	Sadajoshi
	(o)	Budbukala
11		Chunchar
12	(a)	Dasari
	(b)	Dasaru
	(c)	Chakravadya-Dasa
	(d)	Dang-Dasar
	(e)	Dombi-Dasaru
13	(a)	Devadasi
	(b)	Basavi
	(c)	Bhavin
	(d)	Bogam
	(e)	Ganika
	(f)	Kalavani
	(g)	Nal

	(h)	Natava
	(i)	Paramela
14	(a)	Ghisado
	(b)	Ghisad
15	(a)	Goniga Mane
	(b)	24 Mane Telugu Shetty
	(c)	Goni Chetty
	(d)	Sadusetty
	(e)	Salapanu
16	(a)	Gurav
	(b)	Tambala
	(c)	Tambli
17		Gurkha
18	(a)	Halawakki Vakkal
	(b)	Halawakki Vakkal
	(c)	Atte Vokkalu
	(d)	Gam Gawada
	(e)	Gam Vokkal
	(f)	Gram Vokkalu
	(g)	Halakki Vokkalu
	(h)	Kare Vokkalu
	(i)	Kunchavakkal
	(j)	Shiwakkal
	(k)	Vakkal
	(l)	Gavada
	(m)	Gam Gawda
	(n)	Gram Vakkal
19	(a)	Hawadiga
	(b)	Hawgar
	(c)	Howgar
20	(a)	Jangala
	(b)	Telugu Jangama
	(c)	Pekanathi Jangama
21	(a)	Jogi
	(b)	Brahma Kapai
	(c)	Jagar

	(d)	Jogin
	(e)	Kapai
	(f)	Raval
	(g)	Ravaha
	(h)	Sanjogi
	(i)	Sanyasi
	(j)	Joger
	(k)	Naiha Panthi
22	(a)	Kanjrbhal
	(b)	Kanjar
	(c)	Khanjar Bhal
23	(a)	Kashikapadi
	(b)	Kashikapdi
	(c)	Trumali
24	(a)	Katabar
	(b)	Katabu
25	(a)	Kahk
	(b)	Aray
	(c)	Are Kasai
	(d)	Art Kakkalu
	(e)	Kalal Khasik
	(f)	Kasab
	(g)	Kasai
	(h)	Maratti
	(i)	Suryavamsha Kshatriya
26		Kodagu Kapala
27	(a)	Kolari
	(b)	Kalayiri
	(c)	Koleri
28	(a)	Kolla
	(b)	Kollala
29	(a)	Kolari
	(b)	Kotary
	(c)	Kottary
	(d)	Kottari

30		Kudubi
31		Kumbi Marati (Uttara Kannada District)
32	(a)	Kurbi
	(b)	Kulwadi
33	(a)	Kurma
	(b)	Kurmi
34	(a)	Ladaru/Ladara/Ladar
	(b)	Lad/Kshatriya Lad/Sugandhi Lad
	(c)	Yelegal
35		Malayn
36	(a)	Medara
	(b)	Balter
	(c)	Buned
	(d)	Gaunga
	(e)	Gounga
	(f)	Gowni
	(g)	Gowimaraaha
	(h)	Gowriga
	(i)	Medan
	(j)	Burud
37		Mudhar
38		NairvNary
39		Otari
40		Panlor
41	(a)	Pangual
	(b)	Pangusal
42		Panka
43	(a)	Raya Rawath
	(b)	Ravat
44		Rainudas
45		Sansia
46		Satarkar
47		Siddi
48	(a)	Sikkalgara

	(b)	Shikalgar
	(c)	Shikkalgar
49	(a)	Somavamshe Arya Kshatriya
	(b)	Chitara
	(c)	Chitrager
	(d)	Digwan
	(e)	Jeeragara
	(f)	Najabund
	(g)	Nalabund
	(h)	Tambat
50		Takankar
51	(a)	Tewar
	(b)	Kalan
	(c)	Kallar
	(d)	Maravar
52	(a)	Tilan
	(b)	Tirali
53	(a)	Uppara
	(b)	Beldar
	(c)	Chunar
	(d)	Garadi
	(e)	Goundi
	(f)	Kalu Kufiga Uppara
	(g)	Lorari
	(h)	Melu Sakkreyavaru
	(i)	Melusakkare
	(j)	Nanada Uppara
	(k)	Padl/Padl
	(l)	Padlhi
	(n)	Sagara
	(o)	Sunnagara
	(p)	Sunna Uppara
	(q)	Uppalga
	(r)	Uppalga Shetty
	(s)	Uppalyan

	(t)	Uppera
	(u)	Yakalara
	(v)	Yekkali
54		Vasudev
56	(a)	Veer
	(b)	Voeramasi
	(c)	Vir
57		Yeraku
58	(a)	Yerkala
	(b)	Erakala
	(c)	Kakadi
	(d)	Koragar
	(e)	Kormasetty
	(f)	Kunchi
	(g)	Korwan
	(h)	Yerukala
59	(a)	Balpatar
	(b)	Bailapatar
	(c)	Bhapatar
60	(a)	Bajania
	(b)	Bajenia
61		Balasanthoshi
62		Bazigar
63		Dena
64	(a)	Bhardi
	(b)	Bhargi
65	(a)	Chara
	(b)	Chhar
	(c)	Chhara
66	(a)	Chapper Band(Musim)
	(b)	Chapper Banda
67		Chitrakathiposhi
68		Darvesu
69		Dhol
70	(a)	Durgamurga
	(b)	Burburcha

71	(a)	Modikara
	(b)	Modkar
72	(a)	Gondai
	(b)	Ghondali
	(c)	Gondaliga
	(d)	Gondhal
	(e)	Gondhall
73		Vagri
74	(a)	Javeri
	(b)	Jawan
75		Johari
76	(a)	Kamali
	(b)	Kaman
77	(a)	Kanjan
	(b)	Kanjir
78	(a)	Kalkari, Kelkeri
	(b)	Khelkan
79	(a)	Kohali
	(b)	Kohaligi
80		Masania Yogi
81		Full Mali
82		Saranla
83	(a)	Sarordi
	(b)	Saroda
84		Vadi
85		Bedaru
86	(a)	Golla
	(b)	Yadav
	(c)	Asihanagolla
	(d)	Yadava
	(e)	Adavigolla
	(f)	Gopala
	(g)	Gopali
	(h)	Gouli
	(i)	Gauli
	(j)	Gavali

	(k)	Gavli
	(l)	Anubaru
	(m)	Alanabaru
	(n)	Hanabar
	(o)	Kavadi
	(p)	Kolayan
	(q)	Konar
	(r)	Konnur
	(s)	Krishna Gavali
	(t)	Krishna Golla
	(u)	Maniyani
	(v)	Urak
	(w)	Telugu Gowda (Chickmagalur & Hassan Dist.)
87	(a)	Banjan
	(b)	Binjan
	(c)	Vanjara
	(d)	Wanjari
	(e)	Lambadi
	(f)	Gore or Goria
88	(a)	Bendar
	(b)	Berad
	(c)	Boya
	(d)	Nakamakkalu
	(e)	Nalkwadi
	(f)	Palegar
	(g)	Remoshi
	(h)	Talawara/Talwar Boya
	(i)	Vaimkakkalu
	(j)	Vedan
	(k)	Parvara Nayaka
	(l)	Myasa Nayaka
	(m)	Urs Nayaka
	(n)	Byada
	(o)	Haranshikari

	(p)	Chigari Betagar
	(q)	Vaghn
	(r)	Wagin
	(s)	Nirshikari
	(t)	Bargi
	(u)	Beoni
	(v)	Phasachari
	(w)	Hirshikari
89		Daven
90	(a)	Garudi
	(b)	Garudga
	(c)	Garadga
91		Paradhis
92	(a)	Ginni Woddar
	(b)	Tudug Woddar
	(c)	Kallu Voddar
	(d)	Mannu Voddar
	(e)	Bhandi Voddar
93	(a)	Bhoi
	(b)	Boyi
	(c)	Hanikanhra
	(d)	Kharia
	(e)	Bovi
94	(a)	Pinjara
	(b)	Pinjan
	(c)	Nadal
	(d)	Ladal
	(e)	Dudekula
	(f)	Mansoori
	(g)	Mansuri
95		S.C. Converts to Christianity

CATEGORY-II (A)

S.N		Name of the Caste
1	(a)	Agasa
	(b)	Chakala

	(c)	Dhobi
	(d)	Madwala
	(e)	Mannan
	(f)	Parit
	(g)	Flajaka
	(h)	Sekala
	(i)	Vannan
	(j)	Velluhedan
	(k)	Sekajavadu
2		Banna (Kodagu Dist)
3	(a)	Devadiga
	(b)	Deval
	(c)	Moyil
	(d)	Padiar
	(e)	Serogara
	(f)	Servegar
	(g)	Sheregar
	(h)	Suplig
4	(a)	Idiga
	(b)	Bandhan
	(c)	Belchad
	(d)	Bilava
	(e)	Poojari
	(f)	Deevar
	(g)	Hala Kshatriya
	(h)	Desha Bhandari
	(i)	Devar
	(j)	Deveramakkalu/Divara Makkalu
	(k)	Ediga
	(l)	Eliga
	(m)	Ezhava
	(n)	Gamala
	(o)	Goundla
	(p)	Halepaikaru
	(q)	Hale Pak
	(r)	Ilavan

	(s)	Kalal
	(t)	Malayali Betava
	(u)	Nadar
	(v)	Namadhari
	(w)	Thiyar/Thiyya
	(x)	Iiga
	(y)	Goonda
	(z)	Tiyar-Thiyyan
5		Kodagu Heggade (Kodagu Dist)
6	(a)	Kumbara
	(b)	Chakrasali
	(c)	Ganaga
	(d)	Ganagi
	(e)	Koyava
	(f)	Kula
	(g)	Kufala
	(h)	Kumbar
	(i)	Kumbard
	(j)	Kummara
	(k)	Kusavan
	(l)	Moolya
	(m)	Sajan Kumbara
	(n)	Khumara
	(o)	Kumbhar
	(p)	Khumbhar
	(q)	Kulalar
7	(a)	Kuruba
	(b)	Bharwad
	(c)	Dhanagar
	(d)	Goraya
	(e)	Halumetha
	(f)	Kurab
	(g)	Kuruban
	(h)	Kurumba
	(i)	Kurub
	(j)	Kurumban
8	(a)	Nayinda

	(b)	Paryala (D.K. & Udipi)
	(c)	Ambattan
	(d)	Bajantni
	(e)	Bandan
	(f)	Chounya
	(g)	Hadapada
	(h)	Hajama
	(i)	Kavulian
	(j)	Kelasi
	(k)	Kshaurika
	(l)	Kshowad
	(m)	Mahale
	(n)	Mangala
	(o)	Melagara
	(p)	Nadiga
	(q)	Naptha
	(r)	Navalg
	(s)	Navi
	(t)	Nayanaja Kshatriya
	(u)	Nhavi
	(v)	Vajantri (U.K. Dist.)
	(w)	Savitha
	(x)	Nayanaja Kshatri
	(y)	Nadig
	(z)	Kshownik
	(aa)	Kshownka
9		Buddhists
10	(a)	Tigala
	(b)	Agri Vamsha Kshatriya
	(c)	Agriyani
	(d)	Agrikula Kshatriya
	(e)	Dhammaraja Kapu
	(f)	Palli
	(g)	Shambhukula Kshatriya
	(h)	Thigala
	(i)	Vanniar
	(j)	Vannikula Kshatriya
	(k)	Tigler

	(l)	Kuroven
11	(a)	Viswakarma
	(b)	Achari
	(c)	Akkasale
	(d)	Ausala
	(e)	Badigar
	(f)	Bediwadia
	(g)	Balepetar
	(h)	Bailu Akkasali
	(i)	Bailu Kammaru
	(j)	Bogara
	(k)	Chaplegar
	(l)	Charodi
	(m)	Konkani Achar
	(n)	Dairagnya Brahmin
	(o)	Gejjgara
	(p)	Kambar
	(q)	Kammalan
	(r)	Kammara
	(s)	Kamsala
	(t)	Kamsan
	(u)	Kanchagar
	(v)	Kanchora
	(w)	Kanchori
	(x)	Kanchugara
	(y)	Kansar
	(z)	Kasar
	(aa)	Luhar
	(ab)	Mesta
	(ac)	Panchal
	(ad)	Pattar
	(ae)	Silpi
	(af)	Sohagar
	(ag)	Sonar
	(ah)	Sony
	(ai)	Sutar
	(aj)	Tacehan

	(ak)	Viswa Brahmin
	(al)	Thattan
	(am)	Aksai
	(an)	Kamasal
	(ao)	Badagi
12	(a)	Aghori
	(b)	Karakamunda
13		Agnani
14		Ambalavasi
15		Anduran
16	(a)	Atari
	(b)	Athar
17		Bahunpi
18		Bakadra
19	(a)	Baihal
	(b)	Baital
	(c)	Balter
20		Bawlar
21	(a)	Bhaal
	(b)	Bohrot
22		Binapatta
23		Bingi
24	(a)	Bagadi
	(b)	Bagaadi
	(c)	Bagdi
25	(a)	Chalyan
	(b)	Teruvan
	(c)	Chaliya
26		Chamboli
27		Chambukuli
28		Meshta
29		Jingar
30	(a)	Ghadi
	(b)	Gadiga
	(c)	Gunagi
31	(a)	Ghadsi

	(b)	Ghadshi
32		Pingle
33	(a)	Gosave
	(b)	Gosani
34	(a)	Gujar
	(b)	Guzar
35	(a)	Gurava
	(b)	Guruu
36	(a)	Gabbil
	(b)	Gapil
	(c)	Gaabil
	(d)	Dasaija
37		Handevazir
38		Handevul
39		Honniyar
40	(a)	Hoovadiga
	(b)	Hugar
	(c)	Hoogar
	(d)	Maagar
	(e)	Mali
	(f)	Phool Mali
	(g)	Phul Mali
	(h)	Phulari
	(i)	Phoolani
	(j)	Jeer
41		Kadu Konkani
42		Kankudumbi
43		Kanva
44	(a)	Khatik
	(b)	Katuka
	(c)	Keluga
45		Bogar
46		Kasbin
47	(a)	Kolayin
	(b)	Kolyin
48	(a)	Kanisan
	(b)	Balyaya (D. K. & Udipi Dist)

	(c)	Kaniyar
	(d)	Kaniyanu
	(e)	Kaniya
	(f)	Kaniyan (other than Kollegal Taluk)
	(g)	Kanyan
49		Kutuma
50		Marfa
51	(a)	Marayan
	(b)	Maravan
52		Murari
53	(a)	Nadora
	(b)	Uppu Nedar/Upa Nador
	(c)	Torke Nador
	(d)	Nador
	(e)	Nadavar
	(f)	Nadava
	(g)	Uppunador/Upa Nadavar
54		Nalki
55		Osthan
56	(a)	Pandaram
	(b)	Pandar
	(c)	Pandara
57		Panaba
58		Pannekara Konkani
59		Palra
60		Pichali
61		Pullavan
62	(a)	Rajapur
	(b)	Rajpur
	(c)	Balavalikar
63		Saniyaar
64		Shanan
65	(a)	Sudir
	(b)	Sudra
	(c)	Kulawadi Marali
66		Sutsali
67		Tachayin

68		Tivi
69	(a)	Gavandi
	(b)	Govandi
70		Vettuvan
71	(a)	Yeklar
	(b)	Yaklar
	(c)	Egalika
72	(a)	Gatti/Gattiyavaru
	(b)	Poladava/Poladavaru
73		Gudigara
74	(a)	Dari
	(b)	Bhavasara Kshatriya
	(c)	Chippi
	(d)	Chippiga
	(e)	Simpi
	(f)	Shimpi
	(g)	Sai
	(h)	Mrai
	(i)	Rangan
	(j)	Rangrez
	(k)	Nitari
	(l)	Namdev
	(m)	Namdev Simpi
	(n)	Rangare
	(o)	Noelagar
75	(a)	Devanga
	(b)	Devang
	(c)	Koshti
	(d)	Hulgavi/Hulkar
	(e)	Jed
	(f)	Winkar
	(g)	Julohi
	(h)	Hulkar
	(i)	Halagar
76	(a)	Neygi
	(b)	Kuruhina Setty
	(c)	Kumi
	(d)	Bai Mogga
	(e)	Thogata/Thogatana/ Thogaliga/ Thogataveera/ Thogatagere/ Thogataveera Kshatriya/Thogata Pushpanjali
	(f)	Soniga
	(g)	Jam Khana
	(h)	Ayri
	(i)	Avr
	(j)	Sale/Patta Sale
	(k)	Padma Sale/Padma Shali/Padma Sali
	(l)	Saale/Pattasali
	(m)	Kaikolan/Sengundhar
	(n)	Nekar
	(o)	Jadar
	(p)	Jandra
	(q)	Swakula Sali/Swakula Sale
77	(a)	Pattegar
	(b)	Pattekari
	(c)	Pattegar
	(d)	Somavamsha Sahasraajuna Kshatriya
78	(a)	Ganiga
	(b)	Tali
	(c)	Ganda
	(d)	Vanyan
	(e)	Jyothi Nagara/Jyothi Nagara Vysya
79		Amma Kodava
80		Anappa
81		Rajapur
82	(a)	Andi
	(b)	Andipandaram

83		Baandhi
84	(a)	Bolahalala
	(b)	Ballala
85	(a)	Bhanal
	(b)	Bhadra
86		Chakkari
87		Dogra
88		Gull
89		Hindu Sadru/Sadaru/ Sadumala/Sadkula/ Sadaru/Sadu Gowda/Sadu Gowda/Sadara/Sadaru/ Sadaru Gowda
90	(a)	Jetti/Jatti
	(b)	Malanu/Mala Kshatriya
	(c)	Mushiga
91	(a)	Kalavanthi
	(b)	Bhogam/Teluga
92	(a)	Kanakan
	(b)	Kanakar
	(c)	Karunka
93	(a)	Kotegara
	(b)	Koreyar
	(c)	Kothali
	(d)	Kottegara
	(e)	Kotteyara
	(f)	Kumara kshatriya
	(g)	Kumara Panth/Komarpant/Komar paik Kshatriya Komarpant
	(h)	Rama Kshatriya
	(i)	Rama Raj Kshatriya
	(j)	Serugara (North Kanara)
	(k)	Servgar (South Kanara)
	(l)	Kote Kshatriya
94		Kshatriya/Kshatri
95		Atalwa
96		Maleya
97		Aryan
98	(a)	Raju Kshatriya
	(b)	Raju-Raju
	(c)	Rajawar/Rajavari/ Rochewar
99		Somavamsha Kshatriya
100		Stanika
101	(a)	Tulu
	(b)	Tulava
102		Ushama (Dharwar, Belgaum, Bjjapur, Gadag Dist.)

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) Hallikar Vokkaliga
	(e) Namchari Vokkaliga
	(f) Gangadkar Vokkaliga
	(g) Des Vokkaliga
	(h) Reddy Vokkaliga
	(i) Marasu Vokkaliga
	(j) Reddy
	(k) Hallikar
	(l) Kunchiliga
	(m) Gowda/Gowda
	(n) Kapu

(a)	Hingayth
(b)	Kanna
(c)	Reddy
(d)	Gowder
(e)	Kannadhas Gowda
(f)	Uzara Kolga/Panna Kolga
2	Kodaguru
2	(a) Balga
(b)	Balaga/Banaga/Gowda Banaga
(c)	Nadu
(d)	Telaga Balga/Telaga Banaga
(e)	Sally Balga/Sally Banaga/Banaga Sally
(f)	Dosara Balga/Dosara Banaga/Dosara Banaga/ Dasa Banaga
(g)	Kasben
(h)	Mannur/Mannur/ Mannur Kapu
(i)	Balagaru/Balo Banaga/Balo Balaga/Balo Chelly/Banagaru
(j)	Reddy (Balga)
(k)	Janappa
(l)	Uppa (Balga)
(m)	Tukra (Balga)

CATEGORY-III (B)

Sr No	Name of the Caste
1	(a) Vaishnavas Lingayath

	(a)	Lingayath Sub-groups of Hirawa, Ambaga, Bhoyn, Ganganahla, Sunappa, Agas, Malvala, Kumbasa, Kuruba, Bajantla, Bantari, Hodagada, Kotsanku, Nesig, Rav, Akatala, Badga, Agnara, Kensala, Panchal, Medara, Uppara, Gowli
2	(a)	Maratha, Marath
	(b)	Ara Khatit, Ara Maratha, Arya Maratha
	(c)	Arya, Aryaru
	(d)	Konken Maratha
	(e)	Khatiya Maratha
	(f)	Kulavadi
3		Chitaban
4	(a)	Burji/Bant
	(b)	Pavara Bant
5		Jains (Jagambas)
6	(a)	Saras
	(b)	Chellada Sivaswami/ Chellada Vaidhava/ Sakkada Vaidhava/ Sakkada Sivaswami
	(c)	Kadi Vaidhava
	(d)	Samraya
	(e)	Sakkadava
	(f)	Sakkadavan
	(g)	Vaidhava

ANNEXURE-II TO G.O. No. SWD 225 HGA 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 categorised under IIA, IIB, IIIA and IIIB.

NOTE:

- 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.
- This rule applied to sons(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