

[Extract from the Punjab Govt. Gaz., dated the 25th November, 2011]

**GOVERNMENT OF PUNJAB**  
**DEPARTMENT OF WELFARE**  
**(RESERVATION CELL)**

**Notification**

The 12th September, 2011

**No. 9/12/2003-RC-1/759.**—In partial modification in the Notification No. 9/12/2003-RC-1, dated 10th December, 2004, the Governor of Punjab is pleased to reconstitute a State Level Scrutiny Committee consisting of the following members to verify the Social Status Certificates :—

- |    |   |    |                 |
|----|---|----|-----------------|
| 1. | Special/Additional/Joint Secretary to Government of Punjab Department of Welfare of SCs and BCs                   | .. | Chairperson     |
| 2. | Deputy Secretary/Under Secretary/ Superintendent (Reservation Cell), Department of Welfare of SCs and BCs, Punjab | .. | Convener-Member |
| 3. | An IAS/PCS Officer of the Revenue Department (not below the rank of Joint Secretary to Govt. Punjab)              | .. | Member          |

Apart from the above, the Committee may also associate the concerned officer of the Welfare Department as and when required.

**Functions of the Committee :**

2. (i) The Director Welfare on receipt of the report from the District Welfare Officer, if he finds claim for Social Status to be "not genuine" or "doubtful" or spurious or falsely or wrongly claimed, shall issue show cause notice, supplying a copy of the report of District Welfare Officer, to the candidate through registered post with Acknowledgement due, or through the Head of the concerned Educational Institution/Department in which the candidate is studying or employed or direct to the concerned candidate for any other purpose. The notice should indicate that the representation or reply, if any, would be made within two weeks from the date of the receipt of the notice, and in no case, on request, not more than 30 days from the date of the receipt of the notice. In case the candidate seeks any opportunity of hearing and claims an inquiry to be made in that behalf, the Director Welfare, on receipt of such representation/reply, shall convene the meeting of the committee, and the Special/Additional/Joint Secretary as Chairperson shall give reasonable opportunity to the candidate/parents/guardian to adduce all evidence in support of their claim. A public notice by beat of drum or any other convenient mode may be published in the village or locality and if any person or association opposes such a claim, an opportunity to adduce evidence may be given to him/it. After giving such opportunity, either in person or through counsel, the Committee may make such inquiry as it deems expedient and consider the claims *vis-a-vis* the objections raised by the candidate or opponent and pass an appropriate order with brief reasons in support thereof.
- (ii) In case the report is in favour of the candidate and his/her claim is found to be genuine and true, no further action need to be taken except where the report of the particulars given and procured are found to be false or fraudulently obtained and in the latter event, the same procedure as is envisaged in para 2. (i) be followed.

- (iii) Notice contemplated in para 2 (i) above should be issued to the parents/guardian also, in case the candidate is minor, to appear before the committee with all evidences in their/his support of the claim for the Social Status Certificate.
- (iv) The inquiry should be completed as expeditiously as possible preferably by day to day proceeding within such period not exceeding two months. If after inquiry, the caste Scrutiny Committee finds the claim to be false or spurious, they should pass an order cancelling the certificate issued and confiscate the same. It should communicate, within one month from the date of conclusion of the proceedings, the result of the inquiry to the parents/guardian and/or the applicant.
- (v) In case, the certificate obtained or the Social Status claimed is found to be false, the parents/guardian/the candidate should be prosecuted for making false claim. If the prosecution ends in conviction and sentence of the accused, it could be regarded as any offence involving moral turpitude and disqualification for elective posts or offices under the State or the Union or election to any Local Body, Legislature or Parliament.
- (vi) As soon as the finding is recorded by the Scrutiny Committee holding that the certificate obtained was false, on its cancellation and confiscation simultaneously, it should be communicated to the concerned Educational Institution or the Appointing Authority through registered post with Acknowledgement due, with the request to cancel the admission or the appointment or the election. The principal etc. of the Educational Institution responsible for making the admission or the Appointing Authority should cancel the admission/appointment/election without any further notice to the candidate and debar the candidate for further study or to continue in office in the post or to contest the election.
- (vii) The Hon'ble Supreme Court of India in the case of **Kumari Madhuri Patil and another versus Additional Commissioner, Tribal Development and others**, AIR 1995 SC94 has, *inter alia*, further laid down that the order passed by the Committee shall be final and conclusive subject to the proceedings under Article 226 of the Constitution of India.

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