No. 22/132/2013-1GS-III HARYANA GOVERNMENT GENERAL ADMINISTRATION DEPARTMENT (General Services-III Branch)

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Dated: Chandigarh, the 22nd March, 2022

- All the Administrative Secretaries to Government Haryana. 1.
- All Heads of Departments in the State. 2.
- All the CAs/MDs of all Boards/ Corporations/ Public Sector Undertakings. 3.
- All the Divisional Commissioners in Haryana State, 4. 5.
- The Registrar of Punjab & Haryana High Court, Chandigarh. 6.
- All the Deputy Commissioners & Sub Divisional Officers (Civil). 7.
- The Registrars of all the Universities in the State of Haryana.

Regarding the issue of Caste Certificates (including certificates for Scheduled Subject: Caste, Deprived Scheduled Caste, Backward Class, Other Backward Class, Tapriwas, Vimukat Jati, and Nomadic Tribe) through SARAL portal.

Sir/Madam,

I am directed to invite your attention to Government instruction No. 22/132/2013-1GS-III dated 21.03.2014 regarding issuance of caste certificate wherein various competent authorities to verify and issue caste certificates were notified along with other terms & conditions and formats of the caste certificates.

The Haryana Parivar Pehchan Act, 2021, provides for the assignment of the Parivar 2. Pehchan Number (PPN) as a unique identifier number to each family. The database, namely Family Information Data Repository (FIDR), contains PPN along with corresponding information generally required for determining eligibility for, or the provision of any scheme, service, subsidy or benefit provided/implemented by or on behalf of the State Government/any Government agency/local authority. State Government has been empowered under section 8 of the Act to prescribe Parivar Pehchan Number (PPN) as a requirement for the purpose of determining above mentioned eligibility or provision. The verified information linked with PPN available in Family Information Data Repository (FIDR) has now made it feasible to issue Caste Certificates over the counter through the SARAL portal.

In view of the above, Government has decided to issue revised instructions/guidelines 3. in supersession of all the previous instructions issued till now, as under:-

Portal for the issue of Caste Certificate.-(i)

> The Caste Certificate shall now be issued to eligible residents of Haryana based on PPN through the SARAL portal (https://saralharyana.gov.in/) facsimile signed by ADC-cum-DCRIO (Additional Deputy Commissioner-cum-District Citizen Resources Information Officer) or Head of the Department/Organisation, as the case may be. These caste certificates shall include :-

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- a) Scheduled Caste certificate
- b) Deprived Scheduled Caste certificate
- c) Backward Class certificate
- d) Other Backward Class certificate
- e) Tapriwas Caste certificate
- f) Vimukt Jati (Denotified Tribes) certificate
- g) Nomadic Tribes certificate

These certificates will be issued on the basis of verified data on caste and income contained in the FIDR. The Standard Operating Procedures (SOP) for issuing Caste Certificates along with the formats of Caste Certificates shall be issued by the Citizen Resources Information Department.

(ii) Person who is entitled to obtain a Caste Certificate.—

Following persons are entitled to obtain a Caste Certificate :-

- (a) A person who is a resident of State of Haryana by birth; or
- (b) A male person (including his children) who is an employee in the service of Haryana Government or any of its Boards/ Corporations/ Statutory Authorities/ Universities etc. provided he belongs to any of the notified castes/tribes by birth; and
- (c) A female person who is an employee in the service of Haryana Government or any of its Boards/ Corporations/ Statutory Authorities/ Universities etc. provided she belongs to any of the notified castes/tribes by birth.
- Note.— A child born at a place outside Haryana shall also be eligible to obtain caste certificate from Haryana provided his father has been issued Caste Certificate by the competent authority as per provision in the instructions of Haryana Government. However, a child born in Haryana State shall not be eligible to get caste certificate on basis of birth-place/birth certificate of Haryana, if his father has been issued Caste Certificate by a State other than Haryana.

(iii) Caste Certificate in cases of Migration.---

Where a person migrates from one State to another, he can claim to belong to a notified caste only in relation to the State to which he originally belonged and not in respect of the State to which he has migrated.

(iv) Caste Certificate to person who claims through Marriage.-

No person who is not a member of a notified caste/tribe by birth will be deemed to be a member of that notified caste/tribe merely because he or she had married a person belonging to that notified caste/tribe. On the other hand a person who is a member of a notified caste/tribe will continue to be a member of that notified caste/tribe even after his or her marriage with a person who does not belong to a notified caste/tribe.

(v) Caste Certificate in case of Adoption of child.—

Great care has to be exercised in dealing with cases where a person claims to be a member of a notified caste/tribe on the ground that he/she has been adopted by a person of that notified caste/tribe. The validity of the adoption has to be clearly established before any caste certificate can be given. It is for the party to prove his/her claim by cogent and reliable evidence:

- (a) While deciding whether an adoption is valid, the certificate issuing authority should satisfy himself that all the requirements of law have been complied with. He should also take into account the behaviour of the child after adoption whether he physically lives with and is supported by his adoptive parents and receives no financial help from his original parents. In case these conditions are not satisfied, the certificate should be refused.
- (b) In addition, it should be verified that all other conditions for a valid adoption, including the physical transfer of the adopted person to the family of the adoptive parents and that he has severed all ties with the original parents are fulfilled.
- (c) Further, in case of a person who is a Hindu, Buddhist or Sikh or any other person governed by the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), the requirements of valid adoption are given in Sections 6 to 11 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956) as amended from time to time. The actual giving and taking of the child in adoption is a mandatory requirement and thereafter the adopted child is deemed to be the child of his or her adoptive father or mother for all purposes and the child severs all ties with the family of his or her birth. Ordinarily, no child who has attained the age of 15 years or who is married can be given in adoption unless there is a custom or usage applicable to the parties.
- (d) Where the case relates to an adoption in case of a Hindu, Buddhist or Sikh or any other person governed by the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), who is married or of the age of 15 years and above, the certificate shall be required to be given by the District Magistrate who shall, after making due enquiries as to the validity of the adoption and as to whether such adoption is permitted by a custom or usage applicable to the parties, make an endorsement to that effect on the certificate. Such custom or usage should have been continuously and uniformly observed for a long time and obtained the force of law among the Hindus of that particular area, or that community, group or family provided that the custom or usage is certain and not unreasonable or opposed to public policy and in the case of custom or

usage in respect of a particular family, that the custom or usage has not been discontinued.

- (vi) Caste Certificate in case of Conversion and Reconversion of religion by a Scheduled Caste person.—
 - (a) Where a Scheduled Caste person gets converted to a religion other than Hinduism or Sikhism or Buddhism and then reconverts himself back to Hinduism or Sikhism or Buddhism, he will be deemed to have reverted to his original Scheduled Caste, if he is accepted by the members of that particular caste as one among them.
 - (b) In the case of a descendant of a Scheduled Caste convert, the mere fact of conversion to Hinduism or Sikhism or Buddhism will not be sufficient to entitle him to be regarded as a member of the Scheduled Caste to which his forefathers belonged. It will have to be established that such a convert has been accepted by the members of the caste claimed as one among themselves and has thus become a member of that caste.

(vii) Determination/Verification of Caste of a person.—

The determination/verification of the caste of a person shall be done strictly in accordance with the notifications of the Government of India in case of Scheduled Castes and Other Backward Classes; and in accordance with notifications of the Welfare of Scheduled Castes and Backward Classes Department, Haryana in case of Deprived Scheduled Castes, Backward Classes, De-notified Tribes (Vimukt Jatis and Tapriwas Jatis) and Nomadic Tribes.

(viii) Verification when a person claims of Caste by birth.-

Where a person claims to belong to a Scheduled Caste, Deprived Scheduled Caste, Other Backward Class, Backward Class, De-notified Tribe (Vimukt Jatis and Tapriwas Jatis) or Nomadic Tribe by birth, it should be verified :

- (i) That the person and his/her parents actually belong to the community claimed;
- (ii) That this community is included in the Presidential Orders specifying the Scheduled Castes in relation to the concerned State; or is notified as Other Backward Class by the Ministry of Social Justice and Empowerment, Government of India; or notified as Deprived Scheduled Caste, Backward Class, De-notified Tribe (Vimukt Jatis and Tapriwas Jatis) or Nomadic Tribe by the Government of Haryana.
- (iii) That the person belongs to that State in respect of which the community has been scheduled/notified.

- (vi) If the person claims to be a Scheduled Caste or Deprived Scheduled Caste, he should profess Hinduism or Sikhism or Buddhism religion.
- (v) A person claiming to belong to a Backward Class, Other Backward Class, Denotified Tribe or Nomadic Tribe may profess any religion.

(ix) Authorities competent to verify the caste.—

The following authorities will now be competent to verify the caste of person who is a resident of State of Haryana :-

Sr. No	Category of Resident	Verifying Authority
1.	A resident of any Rural area in the State	Designated Officers notified by Citizen Resources Information Department
2.	A resident of any Urban area in the State (Municipal Committee / Municipal Council/ Municipal Corporation)	Designated Officers notified by Citizen Resources Information Department
3.	A male employee (including his children) serving on regular basis in connection with the affairs of the State of Haryana in any Department/ PSU / Statutory Authority/ University, etc.	As per record available in Human Resource Management System (HRMS)
4	A female employee serving on regular basis in connection with the affairs of the State of Haryana in any Department/ PSU/ Statutory Authority/ University, etc.	As per record available in Human Resource Management System (HRMS)

Government has also decided that in case of issuance of wrong caste certificate carelessly or deliberately without proper care or verification, action would be taken against the concerned official/s under the relevant provisions of the Indian Penal Code in addition to the action under the appropriate disciplinary rules applicable to them.

(x) Online Service for verification of Caste based on PPN.—

Residents seeking to verify their caste in PPN may visit https://meraparivar.haryana.gov.in/ReportGrievance portal. Once the request for verification of caste category and/or caste is made by the resident on this portal, designated officers will verify and mark the same as verified in the FIDR for the resident.

(xi) Clarification in case of doubt.—

In case of any doubt regarding caste/tribe of a person, the matter will be referred to the Welfare of Scheduled Castes and Backward Classes Department of the State of Haryana, and the clarifications given by the said Department alone shall be valid.

(xii) Competent Authorities for Issuance of Caste Certificate.—

Caste certificates shall be issued on provision of PPN through SARAL portal <u>https://saralharyana.gov.in/</u> to eligible residents of Haryana by ADC-cum-DCRIO (Additional Deputy Commissioner-cum-District Citizen Resources Information Officer) through his facsimile signature on the certificate and to the employees of the State of Haryana by the Head of the Department/Organization concerned through his facsimile signature on the certificate.

(xiii) Validity of a Caste Certificate.—

- (i) A Caste Certificate once issued (in its standard format) shall be valid for the life-time of the person so long as such caste/tribe is not removed or modified in the notifications issued by the Welfare of Scheduled Castes and Backward Classes Department, Haryana.
- (ii) Where a Caste Certificate is requested for specific use outside the context of Government of Haryana, it shall be issued in the format prescribed by the Government of India.
- (iii) Certificates which include income and/or assets based information like creamy layer criteria shall become invalid after the validity period prescribed on the said certificate. Such certificates shall be valid for the current financial year, i.e. till coming 31st March (included) from the date it has been issued.
- (iv) A Caste Certificate may also become invalid if after due process, it has been concluded that the caste was incorrectly mentioned on the certificate or wrongly verified in the FIDR, due to any reason whatsoever.

(xiv) Grievance Redressal and Correction Process.—

If an applicant is not in agreement with his caste category/caste contained in the FIDR, then he/she may lodge his/her grievance for correction on the Grievance Module of the Parivar Pehchan Number portal https://meraparivar.haryana.gov.in/ReportGrievance.

(xv) General Terms and Conditions.—

- (a) The Caste Certificate is usable without any restriction wherever it is accepted (i.e., subject to the criteria laid down by the entity accepting the certificate) and hence no usage/applicability restrictions shall be mentioned on the certificate.
- (b) From the effective date of this order, only the caste certificates issued through SARAL portal in the formats prescribed by the Citizen Resources Information

Department based on PPN and corresponding verified data contained in the FIDR shall be valid caste certificates.

- (c) A Caste Certificate obtained by means of any fraud, misrepresentation or concealment of facts or by some other illegal means shall be declared as invalid and the benefit availed by the candidate/applicant shall be withdrawn and legal action including criminal case will be initiated against the applicant for misrepresenting the facts and playing fraud, as well as against the officials/authorized persons for incorrect/ wrong verification by collusion or otherwise. In such an event, the caste and caste category shall be marked as NOT VERIFIED in the FIDR.
- (d) Mere issuance of a Caste certificate does not entitle a person holding such certificate to any benefit that may be admissible under various Government Schemes implemented from time to time. Hence, it is important that the authority concerned examines the applicant's entitlement to any specific benefit in accordance with the instructions on the subject at any given point of time. For instance, a person from the Backward Class may not be entitled to certain benefits if he falls within the creamy layer as defined from time to time. Accordingly, the Caste Certificates shall address ONLY the caste of the certificate holder. Other eligibility criteria for a particular scheme shall be addressed separately by the authority extending any such benefit.
- (e) All Haryana Government organisations (including Departments, Educational Institutions, Boards, Corporations and Societies) are required to accept the Caste Certificate in its standard format prescribed by the Citizen Resources Information Department from time to time.

4. Further, it is directed that no Government Department of Haryana shall obligate any Haryana resident to submit caste related proof documents if he/she provides PPN and his/her caste and caste category is marked as verified in Family Information Data Repository (FIDR).

5. These instructions/guidelines may kindly be brought to the notice of all the concerned for strict compliance.

Yours faithfully,

Under Secretary General Administration, for Chief Secretary to Govt. Haryana.

Endst. No. 22/132/2013-1GS-III

- 32/2013-1GS-III
 Dated : Chandigarh, the 22nd March, 2022

 A copy is forwarded to the following for information and action where necessary:
- 1. Secretary, Haryana Public Service Commission, Panchkula.

2. Secretary, Haryana Staff Selection Commission, Panchkula.

Under Secretary General Administration, for Chief Secretary to Govt. Haryana.

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