



CHILDREN'S EDUCATION SOCIETY (Regd.)
THE OXFORD COLLEGE OF ENGINEERING
(Recognised by the Govt. of Karnataka, Affiliated to Visvesvaraya Technological University, Belagavi.
Approved by A.I.C.T.E. New Delhi.
Recognised by UGC Under Section 2(f)
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2.1.2 Average percentage of seats filled against reserved categories (SC, ST, OBC, Divyangjan, etc. as per applicable reservation policy) during the last five years (exclusive of supernumerary seats)

2.1.2.1. Number of actual students admitted from the reserved categories year-wise during the last five years


HEI Input:

2020-21	2019-20	2018-19	2017-18	2016-17
254	101	255	210	249

Findings of DVV:

Please provide the "Copy of letter issued by state govt. or Central Government indicating the reserved categories to be considered as per the state rule"

Ans: Copy of letter issued by State Govt. and Karnataka Unaided Private Engineering Colleges Association (KUPECA) indicating the reserved categories to be considered as per the state rule is attached.


PRINCIPAL
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The Oxford College of Engineering
Bommanahalli, Hosur Road
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CONSENSUAL AGREEMENT BETWEEN GOVERNMENT OF KARNATAKA AND THE KARNATAKA UNAIDED PRIVATE ENGINEERING COLLEGES' ASSOCIATION (KUPECA) IN THE MATTER OF REGULATING ADMISSIONS AND FEE STRUCTURE TO THE UNDER GRADUATE COURSES IN PRIVATE PROFESSIONAL COLLEGES OF ENGINEERING/ARCHITECTURE FOR THE ACADEMIC YEAR 2020-21.

PRELIMINARY:

In the light of the pronouncements, of the Hon'ble Supreme Court of India, in cases of TMA Pai Foundation [(2002) 8 SCC 481] and, as explained in P.A. Inamdar [(2005) 6 SCC 537]; as to the permissible Regulations and restrictions imposable by the State Government: on the rights of the Managements of Private Un-aided Professional Colleges in the context of their 'rights of Management' that are guaranteed under the Constitution, and; in furtherance of the Constitutional Amendment [by 93rd Amendment Act] to Article 15 (5) of the Constitution enabling to provide for 'special provisions' for reservations, in the matter of admissions to 'professional courses' in private institutions; seeking to so provide for; under its Policy of Reservation, State of Karnataka having enacted, Act.No. 8 of 2006 regulating 'admission process' and, 'determination of fee structure' in private professional colleges and;

Whereas; in the process of enforcing / implementing them having found it necessary to further the interests of some sections of students of Karnataka entitled to the benefits of its Reservation Policy; having further agreed during the deliberations that took place between the Government and the Private Professional Institutions Associations and their representatives for 'working out' a suitable 'consensual arrangement' for admission to professional courses for 2020-21 by keeping the Act No.8 of 2006 in abeyance for 2020-21.

And whereas, with an intention to provide adequate and better access to Engineering Education to the students of the State, Government had, in the past, made appeals periodically, to the 'Karnataka Unaided Private Engineering Colleges Association' [KUPECA] seeking its co-operation, for a suitable consensual agreement as enabled/permissible under the decision of the Hon'ble Supreme Court, in P.A Inamdar's case and by the provisions of Act No.13 of 2006, 23 of 2007, 23 of 2012, 50 of 2013, 29 of 2014 and 19 of 2015

And whereas, the State Government and the managements of private professional colleges, since then, having worked out periodically under different consensual arrangements

providing for seat sharing, process of admissions and determination of fee structure; etc., at said arrangements/consensual agreements, having been given effect to, the Hon'ble Supreme Court having directed and permitted the parties to the consensual arrangement to work out the same for the started respective academic years and;

And whereas; both the parties having found it satisfactory, fair and reasonable and necessary to continue such arrangements for the ensuing academic year as well; having called for deliberations in this regard and having had extensive consultations and keeping in view the need for effectively implementing the Reservation Policy of the State as well as, facilitating better access to professional courses to the students of State and simultaneously maintain high standards and improving quality of education being imparted to the students community, have decided to provide for this 'consensual agreement'; on similar terms as before; with required modifications;

And whereas; members of KUPECA having met and deliberated on the request and resolving to adopt a policy in tune with reservation policy of the State and to participate and contribute to the welfare measures of the State; and though during the deliberations, there were several opinions as to inappropriateness of method of admissions resulting in interference with their rights of administration and the inadequacy of funding, due to issues like, implementation of seventh pay commission pay scales, implementation of new policy of imparting of free education by creating supernumerary additional intake of 5% in Engineering Colleges, etc., and the high costs for imparting quality education, keeping in view the larger interest of the students and at the same time, assurances by the Government of ensuring 'viability of the institutions' and their growth by providing appropriate minimum of funding and to take all steps that are necessary to give legal sanction for the arrangements; and keeping in view the time constraint and the need to achieve certainty, it was decided and it is agreed now between the State Government and Karnataka Unaided Private Engineering Colleges' Association [KUPECA], that following Consensual Agreement, set out in the detailed terms / conditions of agreement as hereunder, being within the framework of law, as contemplated under P.A Inamdar's decision, be implemented for the academic year 2020-21 in the under graduate courses, imparted by private institutions, as set out hereunder:

A. GENERAL:

- 1] During the deliberations of fee between the Government and KUPECA, KUPECA has agreed to continue the same fee structure as in the last year 2019-20, due to the COVID pandemic situation in the country and in the private Engineering students.



- 2] In the light of the discussions held between the Government and KUPECA it was desired to work out 'consensual arrangement' in terms of implementation of the provisions of Act No.8 of 2006, to adhere to the fee fixed during the year 2019-20. Parties hereby agree, among others, providing for, hereunder spelt out, suitable and appropriate fee structure, seat sharing and admission process, by issuance of a Gazette notification incorporating 'the terms' hereunder, before the commencement of admission process, giving this arrangement by consensus, a statutory support.
- 3] That, it is agreed between the parties that, to an extent of an additional quota of 5% of total intake available in each of the Engineering colleges, as per the directions of the regulatory bodies like UGC/AICTE, shall be filled by the Government as free category students keeping in view such guidelines issued in this behalf and Government Order to be issued in this behalf.
- 4] That it is agreed between the parties that the regulatory authorities, including VTU etc. be associated in working out this 'consensual arrangement' and, State Government would issue appropriate directions as a 'policy of the Government' and, ensure that affiliating Universities take note of the terms and working of agreement for the purpose of approval of admissions etc.,

B. SEAT SHARING AND ADMISSIONS:

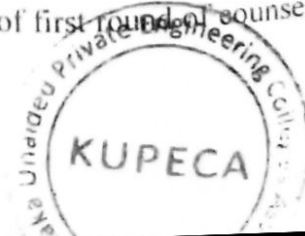
- 1] Members of KUPECA would make it available/hand-over 45% of seats, out of the total intake available, in each of their member-Engineering Colleges to the Karnataka Examinations Authority (KEA), for counselling and allocation of seats, based on merit as per ranking to be determined/assigned by the Common Entrance Test, being conducted by the Governmental agency – KEA and as per Rules framed for the purpose.
- 2] It is stipulated that, the counselling by KEA shall be conducted as per the calendar of events, prescribed by the regulating authorities- AICTE / UGC / Council of Architecture/Affiliating Universities respectively. It is stipulated that, if any seats remain unfilled/vacant, at the end of casual vacancy round of counselling by KEA, an additional round of counselling shall be held by KEA for those candidates who

gain eligibility in the qualifying supplementary examination and all seats unfilled at the end of casual vacancy round of counselling shall automatically will be taken over by KEA for counselling for students found eligible in the qualifying supplementary examination. All the balance seats would revert back to the Association / its member institutions for its appropriate counselling/allotment, to its general merit category candidates or being filled by the respective colleges as casual vacancies or as may be decided by the Association based on merit and in a transparent manner. The reversion of seats would happen after reconciliation with KEA.

- 3] Thus out of the total intake, deducting 45% of seats being handed over; effectively 55% of seats under 'sanctioned intake' in each college remain with the Managements/ KUPECA and same shall be filled as under:

a) 30% of total intake seats in each of the KUPECA member Engineering Colleges/Institutions: shall be filled by General Merit candidates, through COMED-K conducted entrance test followed by centralized counselling on an all India level basis. In case any of the COMED-K-Member Engineering Institutions for Engineering Colleges desire to have their 30% or less intake of seats to be filled through KEA, they can surrender the seats to Government / KEA, 15 days before the commencement of first round of counselling. The fees for such management-surrendered seats to the KEA shall be the Government fees.

b) The remaining 25% (15%+10%) of total intake seats in each of the COMED-K member Engineering Colleges/Institutions could be filled up from among NRIs/NRI sponsored [15%] and / or on institutional or other local preferences [10%] based on merit and in a transparent manner and if no candidate is available for this category allocated; these can be filled by any other academically eligible candidate as per norms from amongst applicant/s to the respective individual institutions; treating them on par with this category admissions as to the tuition fee liability; they can surrender the seats to Government / KEA, 15 days before the commencement of first round of counselling.



The fees for such management-surrendered seats to the KEA shall be the Government fees.

- 4] As indicated above, to an extent of an additional quota of 5% of total intake (supernumerary) available in each of the engineering colleges, as per UGC/AICTE policy directions shall be filled by the Governmental agencies, as free category students, keeping in view UGC/AICTE guidelines issued in this behalf.

C. SEAT SHARING AND ADMISSIONS IN RESPECT OF MINORITY:

EDUCATIONAL INSTITUTIONS:

Seat sharing ratio, in respect of Minority Educational Institutions (MEI) who are members of KUPECA / COMED-K shall be on par with, that of members of KRLMPCA, that may be agreed upon. It would be at the option of the MEI members of KUPECA /COMED-K; to seek and opt for the appropriate ratio, worked out with applicable fee structure either under this agreement or ratio worked out with applicable fee structure for KRLMPCA, if any; as they may choose to indicate and opt prior to the commencement of counselling process. That admission process for MEIs would be in accordance with 'preferences' available to them [minorities] as detailed in formulated policy for the MEI members of COMED-K, as was previously adopted.

D. FEE STRUCTURE:

- a) Keeping in view the deliberations that took place between the Government and the Associations of private professional managements, expressing desire to work out a 'consensual agreement' for the academic year 2020-21, in terms of power conferred under clause 4A of the Act No.8. 2006; in place of implementation of the other provisions of the Act No.8 of 2006 including there under constituted. During the deliberations of fee between the Government and KUPECA, KUPECA has agreed to continue the same fee structure as in the last year 2019-20, due to the COVID pandemic situation in the country and in the interest of the students. Accordingly parties hereby agree, to provide for a suitable and appropriate fee structure as hereunder, by issuance of a Gazette Notification under the provision of the Karnataka Educational Institutions (Prohibition of Capitation Fees) Act, 1984 and the proposed

requisite legislation/enactment with special provisions to enter into consensual agreement.

- b) It is decided after elaborate discussions and consideration of materials placed before the authorities of the Government and it is agreed that, keeping in view the interest of the student community, to retain the fee structure and seat sharing as indicated in the agreement.
- c) KUPECA considering the request by the State Government, has now resolved to extend the same gestures 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 seats made over to the Government, by the KUPECA colleges will extend the 'free ships and scholarships by way of fee concessions' from the fees actually being charged by each of the KUPECA Institutions for the current year; by way of scholarships, under this consensual arrangement; out of additional fees receivable from the category of students falling under NRIs and others.
- d) That, KEA and COMED-K allotted candidates would pay all the fees at the time of allotment of seats; and/ or while seeking admission under the allotment, as may be prescribed and notified. Fee structure shall be binding on all the students admitted by the respective colleges; through COMED-K and KEA for the 2020-21 batch; every year till the completion of their study. Appropriate Mechanism will be put in place to transfer fees to colleges for Government subsidized category of students, so that Management does not take fees from such students.
- e) Following average and uniform fee structure, worked out by the parties, based on assessment of need for imparting quality education, to meet the appropriate standards of education, with appropriate benefit of concessions would govern the admissions for the batch of students, being admitted for the under graduate courses for the academic year 2020-21.
- f) This consensual agreement regarding fee structure for 2020-21 shall prevail over and supersede any fee structure notified/to be notified by the State Government pursuant to any report of any committee appointed on this behalf.

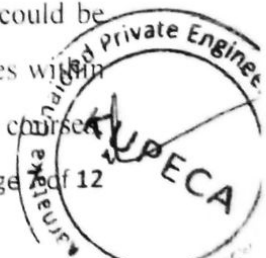


- g) These 'Fees' prescribed are to be notified by the Government in the official gazette and are payable by respective category of students, per year, throughout the course and are as under:

E. COSTS ASSESSED AND FEE PAYABLE:

- a) KEA candidates [45% of intake/seats] shall be extended an appropriate scholarship/free ship by the private managements, out of funding through fee structure worked out for NRIs and other category; and effectively the fees after such concessions, shall be: Rs.58,806/- p.a. or Rs.65,340/ p.a. as may be applicable, as opted by different colleges, before the commencement of the counselling.
- b) COMED-K candidates [30% of seats]: Not exceeding Rs.2,01,960 p.a. or Rs.1,43,748/- p.a. as may be applicable, as opted by different colleges, before the commencement of the counselling.
- c) NRIs & NRI sponsored or others in the said category [25% of seats]: an upper limit of fees payable, including development fees for the entire course and, modalities of payment shall be notified by each of the private institutions, and fees shall be collected accordingly. Such notification shall be issued on or before 20th September 2020.
- d) In consideration of few rural or mofusil based Institutions' requests; it is agreed that; there shall be two types of fees: leviable-
- i) In the event of private managements, opting for an upper limit fee of Rs.2,01,960/- p.a. for COMEDK candidates, the fee for Government sponsored students shall be Rs. 58,806/- p.a.
- ii) In the event of private managements opting for an upper limit fee of Rs.1,43,748/- p.a. for COMEDK candidates, the fee for govt. sponsored students shall be Rs.65,340/- p.a.
- iii) COMED-K candidates (30%) likewise fall either under opted category Rs.2,01,960/- p.a.*- or Rs.1,43,748/- p.a.*: linked to tuition fee to be collected from Govt. sponsored candidates, as above.

[Note:* It is agreed that, these are the upper limits of the fees that could be charged; the individual colleges, seeking otherwise, would fix the fees within these limits and notify appropriately. It is agreed that for engineering courses



the managements of colleges, may fix different fees for different subjects/disciplines, depending on the subject within the aforesaid upper limits].

The colleges shall submit a detailed report with the particulars of the candidate wise fees to Commissioner, Department of Collegiate and Technical Education.

Summary of fee structure and percentage of seats:

[Effective in terms of stipulation as above]

ENGINEERING & ARCHITECTURE

A – Govt. CET	B – COMED-K	C – NRI & others
Total Seats – 45%	Total Seats - 30%	Total Seats– 25%
i. Rs. 65,340/- p.a. ✓	i. Not exceeding Rs. 1,43,748/- p.a.	-an upper limit of fees payable including development fees for the entire course shall be notified by each of the private institutions and fees shall be collected accordingly.
ii. Rs. 58,806/- p.a.	ii. Not exceeding Rs. 2,01,960/- p.a.	
[Rs. 65,340/- p.a. or Rs. 58,806/- p.a. as the case may be linked to upper limit of fees stipulated for COMEDK candidates- Rs. 1,43,748/- p.a. or Rs. 2,01,960/- p.a.]	[Rs. 1,43,748/- p.a. or Rs. 2,01,960/- p.a. as the case may be linked to upper limit of fees stipulated for KEA, as may be opted for by colleges]	

F. MODALITIES FOR ADMISSIONS:

- Seats lying vacant under Government quota as on the last day of the casual vacancy round of the counselling be taken up for allotment for supplementary students by KEA at Government-prescribed fees. In the additional round of counselling, after any seats remaining vacant shall be handed over to the concerned colleges after reconciliation.
- The counselling by the KEA shall be completed by 1st November 2020. However, last date for joining shall be notified to the candidates of KEA stipulating a date before the mandatory/last date of admissions: as fixed by the Universities concerned or by the regulating authorities whichever is earlier; to enable the Managements to fill up remaining 'unfilled seats', which shall be their entitlement. The KEA shall ensure that 15 days time is available to the Management. No extension of dates



shall be permissible, except with the express consent of the concerned Universities/regulatory authorities.

- c] All Professional Colleges; shall grant admissions on receipt of admission order issued by the counselling authorities of KEA or COMED-K; and on submission of documents pertaining to qualification etc., to the concerned colleges. A joining time shall be granted by the counselling authorities to facilitate the students to report at the college and, complete other admission formalities. The respective colleges shall report to the KEA about details of students who have reported for admission to the college or otherwise before the commencement of the casual vacancy round.
- d] Candidates who select seats have to submit the required 'fees' in the form prescribed to the respective Counselling Agencies or in favour of selected institution as may be stipulated. Any concessions or exemptions from payment of fees under any scheme over and above, as worked out, as per fee structure above, will become payable forthwith by the respective agencies granting such concessions.
- e] Default in reporting by the date fixed by the Counselling Agencies, within the stipulated time would result in cancellation of seats. Surrender and forfeiture/penalty clause as per the rules and regulations of Government / KEA / COMED-K are strictly made applicable respectively, to such of the candidates.
- f] State Government seeking to implement and provide for its reservation policy in furtherance of Article 15(5) of the Constitution of India and desiring to take by itself the responsibility to identify the candidates and provide for such reservations to SC, ST, OBC and any other category, in terms of the law or requirements, making it applicable to aforesaid handed over/transferred seats, namely 45% of seats in Engineering stream respectively and same shall be deemed discharge of any such requirements/compliance without need to so separately provide for, under management's admissions.
- g] Reservation to the candidates under Hyderabad-Karnataka region as stipulated in Government Orders is applicable to all the candidates whether under Government Quota or COMED-K quota.



- h] Fee Regulatory Committee/Admission Overseeing Committee shall ensure the implementation of 'fee structure'; consensually arrived at, as indicated above and, also to ensure the implementation of the regulations, as entered into in the 'consensual agreement' now arrived at. It shall receive the complaints and resolve the disputes/differences, if any, among all the stake holders, affording opportunity of being heard to the other party. All assistance will be extended by KUPECA institutions to any statutory committees for smooth implementation of the Act.
- i] All the seats, remaining unfilled at the end of final round of counselling and prescribed joining time, by all the agencies shall be made over to the respective private professional colleges, to be filled up from amongst other eligible general merit candidates seeking admission to individual colleges, so as to avoid any wastage of available seats.
- j] Government will ensure that, any kind of intervention, regarding the 'consensual agreement', thereby disrupting these arrangements are appropriately addressed.

G. ADDITIONAL CONDITIONS:

- 1] Any member college could surrender additional or all the available seats in the respective quota, to the KEA or COMEDK, in writing with copy to The Additional Chief Secretary to Government, Higher Education/COMED-K before the commencement of the first round of counselling.
- 2] All lateral entry diploma students admitted by government agencies under government's 20% quota shall pay same fees as payable by KEA general merit category students (Rs.53,460 p.a.or Rs.59,400 p.a.).
- 3] All first year vacant seats in the same branch can be offered to diploma students at the 3rd semester level, as lateral entry admissions as per the order of the Hon'ble High Court of Karnataka in W.P.No. 25265/2012 c/w W.P.No.25265/2009 & 27399/2010.
- 4] No mutual transfer of seats will be done by KEA/ Commissioner, Collegiate and Technical Education /Government after the final round of counselling.

- 5) KEA counselling for supplementary students is to be available only to supplementary exam students, but the admission formalities shall be completed by 15.11.2020.
- 6) Reconciliation of seats shall be completed after completion of final round of counselling by KEA, on default, all vacancies shall be deemed to have been reconciled as vacant seats to be filled by private managements as vacant seats, on reconciliation.
- 7) Those admissions through KEA to private colleges shall be only of Karnataka students [as of previous years].

H. OTHER ISSUES:

- a) It is agreed that, government would make further and requisite legislation, if required to implement this consensual agreement and issue necessary notifications and facilitate working out this consensual agreement. Notwithstanding the delay in steps being taken as above; this 'consensual agreement' binds the parties, including the students admitted in terms of this agreement for the academic year 2020-21 and government shall ensure the implementation thereof.
- b) To avoid any unnecessary litigation as to and in the matter of 'consensual agreement' now being entered into between Government and KUPECA relating to the seat sharing, admission process and/or fee structure for the batch of students, being admitted for the academic year 2020-21 through COMED-K or governmental UGET and or, any other issues connected with it, the parties agree to place it before the Hon'ble Supreme Court, as in previous years and, seek approval thereof; by consenting to continuation of such arrangement seeking requisite interim orders as sought in previous years; and also issue requisite notifications in furtherance of this agreement.
- c) If the student drops down his studies in the middle of the course, the institutions shall not retain student's marks cards and other essential original certificates and should follow the AICTE guidelines' norms in this regard

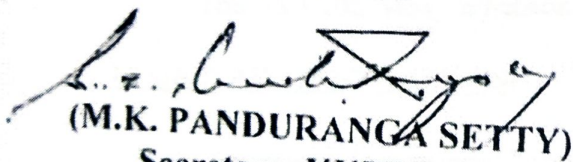


- d) All professional Institutions should mandatorily take the approval of the AICTE for Technical Courses. They should also take the approval of the concerned affiliated body and the State Government for affiliation.
- e) Without any reasons, the Professional Institutions should admit all the candidates who are allotted by KEA. If there is no demand for the course/courses or if there are no admissions in that particular course, such courses should be closed by the concerned Institutions before 15.09.2020 in the interest of students

Note- Counselling by KEA, wherever these terms appear in this consensual agreement shall mean and include 'counselling by online by KEA'.

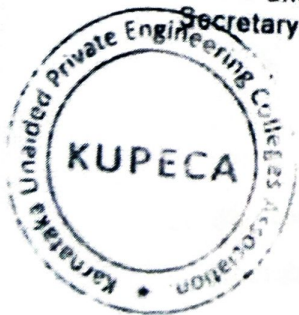
Signed by and between THE GOVERNMENT OF KARNATAKA and THE KARNATAKA UNAIDED PRIVATE ENGINEERING COLLEGES' ASSOCIATION [KUPECA], on this the 2nd September 2020 at Bangalore.

**On behalf of and
for KUPECA**

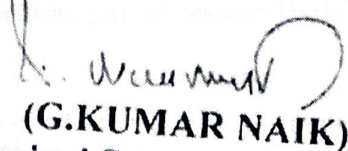

(M.K. PANDURANGA SETTY)

Secretary, KUPECA

M K Panduranga Setty
Secretary, KUPECA



**On behalf of and
for Government of Karnataka**


(G.KUMAR NAIK)

**Principal Secretary to Govt.,
Department of Higher Education**



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Venkatatappa - FPA
EST - m.
**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]

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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 is 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.
- ¹[(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

1. Clause (8) inserted by Act No. 8 of 2004, w.e.f. 23-2-2004.

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.

✓ ¹[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

1. Section 4-A to 4-D inserted by Act No. 27 of 1997, w.e.f. 8-2-2000.

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) *****]

²[4-E. Tahsildar and the Verification Committee to exercise the powers of the Civil Court.]—Tahasildar 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 moto or on an application made to him with in the prescribed period, call for and examine the records relating to any decision made or order passed by the Tahasildar 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).

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

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

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:-

- review of the implementation of the provisions of this Act and the rules made thereunder as far as possible twice a year;
- suggest measures for the removal of difficulties in such implementation or for the improvement thereof; and
- 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 of 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" ¹[means a Committee and an Additional Committee] constituted under Rule 4;
- (5) "Caste and Income Verification Committee" ²[means 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[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.

¹[(2) The Income Certificate issued under Section 4-A shall be valid for a period of five years.]

²[**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;

³[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 consists 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:]

¹[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.

¹[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 ²[*****] 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 ³[*****] 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 ⁴[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 Case 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.]

¹[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.

²[9-A. Scrutinising Committee.—*****.]

³[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 ⁴[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.
- ¹[(iii) all educational institutions also shall maintain a register to show receipt of applications from applicants of different categories in Form No. 3-A.]

²[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.]

¹[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)
 - i. Pay scale
 - ii. Particulars of Land
 - iii. 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
ofVillage/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
Date: Signature of the Candidate

[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)

1. Form 3-A substituted by Notification No. SWD 132 SAD 97, dated 8-2-2000 w.e.f. 8-2-2000.

Total No. of Applications received from						
Sch. Caste	Sch. Tribe	Category				
		1	2-A	2-B	3-A	3-B
(4)						

Signature

FORM 4

(a) Details of vacant posts in each cadre:

Sl. No.	Name of the Post	Sanctioned strength	No. of SC/STs recruited	No. of Posts vacant	Mode of recruitment Year/Date	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(b) Details of Recruitment made from to:

Sl.No.	Name of the Post	Agency sponsoring to Recruitment Authority	Classification of vacancies			Date of selections
		EE/K.P.S.C./Others	Total Posts	SC ST	Total No. of SC/STs	
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Classification of candidates selected		Recruitment to be made as per existing G.O.		Shortfall in reservation		Reasons for deviation
SC	ST	SC	ST	SC	ST	
(8)	(9)	(10)	(11)	(12)	(13)	(14)

Signature

FORM 5
Annual Report

(a) Details of vacant posts in each cadre:

Sl.No.	Name of the post	Sanctioned strength	No. of Backward Classes recruited	No. of Posts vacant	Mode of Recruitment year/date	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(b) Details of Recruitment made from to:

Sl. No	Name of the post	Agency sponsoring to recruitment authority	Total Posts	Classification of vacancies					Total BCs	Date of Selections
				A	B	C	D	E		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

Classification of candidates selected	Recruitment to be made as per Existing G.O.	Shortfall in Reservation	Reasons for deviation
ABCDE	ABCDE	ABCDE	
12 13 14 15 16	17 18 19 20 21	22 23 24 25 26	27

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.) SCs STs	No. of seats filled by SCs STs	Shortfall if any in respect of SCs STs	Remarks

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 filled 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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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 16th november, 1992 in *Indra Sawhney' -Vs- Union of India* (AIR 1993 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 each 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 Judgement of Vasanth Kumar and another Vs. State of Karnataka and the Judgement 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 Sawhaneys 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".

¹4. 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.]

²[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
- ³[17. Banjar, Lambani, Lambada, Lambadi, Lamani, Sugali, Sukali]
18. Bathada
19. Beda Jangam, Budga Jangam
20. Bellara
21. Bhangi, Mehtar, Olgana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar, Zadmalli
22. Bhambi, Bhambhi, Asadar, 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 2002, 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, Chelvadi, 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. Sillekyathas
 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.

⁴[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. Adiyani
2. Barda
3. Bavacha, Bamcha
4. Bhil, Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia Mewasi Bhil, Rawal Bhil, Tadvil Bhil, Bhangalia, Bhilala, Pawara, Vasava, Vesave
5. Chenchu, Chenchwar
6. Chodhara
7. Dubla, Talavia, halpati
8. Gamti, 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. Palliyan
40. Paniyan
41. Pardhi, Advichincher, Phanse Pardhi ³["Haranshikari"]
42. Rathawa
44. Sholaga
45. Soligaru
46. Toda
47. Varli
48. Vitilia, Kotwalia, Barocha
49. Yerava
- ⁴[50. 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 Casts 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

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.

CATEGORY-I

Sl. No.	Name of the Caste	
1	Agamudi	(f) Rajabhoi
2	(a) Ambalakaran	(g) Bunde-Beshiar
	(b) Ambalakarma	(h) Daalji
	(c) Mulrasi	(i) Daavat
	(d) Mulracha	(j) Gabit
3	Baggaru	(k) Galadakankani
4	Bavandhi	(l) Gangemakkalu
5	(a) Bavaji	(m) Gangakula
	(b) Ait	(n) Gangamatha
	(c) Bairagi	(o) Gangamathasha
	(d) Bavani	(p) Gangaputra
	(e) Byragi	(q) Gowrimatha
	(f) Daurigosayi	(r) Bunde-Bestha/Gunde Bestha
	(g) Davari	(s) Harakanthra
	(h) Gosayi	(t) Jalagara
	(i) Gusai	(u) Kabbera/Kabber
	(j) Helava	(v) Kabbaliga
	(k) Helova	(w) Kabbili
	(l) Holvea	(x) Kahar
	(m) Nandiwala	(y) Kharvi/Konkan Kharvi
	(n) Pichigunta	(z) Koli
	(o) Pichiguntala	(aa) Kolimahadev
	(p) Pichiguntala	(ab) Maddar
	(q) Bava	(ac) Meenagar
	(r) Byaragi	(ad) Mogaveera
6	(a) Bestha	(ae) Moger
	(b) Ambiga/Ambi	(af) Mukkavan
	(c) Barki/Banika	(ag) Panvara
	(d) Besthar	(ah) Siviya
	(e) Bhoiy	(ai) Sunagara
		(aj) Thoreya
		(ak) Pagi
		(a) Bhamla
		(b) Bhompla
		(c) Paradeshi-Bhampla

	(d)	Takari
	(e)	Bhomptra
	(f)	Uchillian
8		Bhatraju
9	(a)	Bogad
	(b)	Begadi
	(c)	Bagali
	(d)	Bogadi
10	(a)	Budubuduki
	(b)	Bududki
	(c)	Chhetri
	(d)	Devari
	(e)	Garadi
	(f)	Giddidki
	(g)	Joshi
	(h)	Kichagara
	(i)	Killikyata
	(j)	Modiga
	(k)	Pansa
	(l)	Panasa
	(m)	Pingale
	(n)	Sadajoshi
	(o)	Budbudkala
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)	Kalavant
	(g)	Nat

	(h)	Natuva
	(i)	Patramela
14	(a)	Ghisade
	(b)	Ghisadi
15	(a)	Goniga Mane
	(b)	24 Mane Telugu Shetty
	(c)	Goni Chetty
	(d)	Sadusetty
	(e)	Salaparu
16	(a)	Gurav
	(b)	Tamballa
	(c)	Tambli
17		Gurkha
18	(a)	Halawakki Wakkal
	(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)	Pakanathi Jangama
21	(a)	Jogi
	(b)	Brahma Kapali
	(c)	Jogar

	(d)	Jogtin
	(e)	Kapali
	(f)	Raval
	(g)	Ravalia
	(h)	Sanjogi
	(i)	Sanyasi
	(j)	Joger
	(k)	Natha Panthi
22	(a)	Kanjirbhat
	(b)	Kanjar
	(c)	Khanjar Bhat
23	(a)	Kashikapadi
	(b)	Kashikapdi
	(c)	Tirumali
24	(a)	Katabar
	(b)	Katabu
25	(a)	Katik
	(b)	Aray
	(c)	Are Kasai
	(d)	Ari Katikelu
	(e)	Kalal Khatik
	(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)	Kotari
	(b)	Kotary
	(c)	Kottary
	(d)	Kottari

30		Kudubi
31		Kumbri Marati (Uttara Kannada District)
32	(a)	Kunbi
	(b)	Kulwadi
33	(a)	Kurma
	(b)	Kurmi
34	(a)	Ladaru/Ladara/Ladar
	(b)	Lad/Kshatriya Lad/Sugandhi Lad
	(c)	Yelegal
35		Malaya
36	(a)	Medara
	(b)	Batter
	(c)	Burned
	(d)	Gauriga
	(e)	Gouriga
	(f)	Gowri
	(g)	Gowrimaratha
	(h)	Gowriga
	(i)	Medari
	(j)	Burud
37		Mudhar
38		Nairi/Nairy
39		Otari
40		Pamlor
41	(a)	Pangual
	(b)	Pangusal
42		Panika
43	(a)	Raya Rawath
	(b)	Ravat
44		Reinudas
45		Sansia
46		Satarkar
47		Siddi
48	(a)	Sikkaligara

	(b)	Shikalgar
	(c)	Shikkaligar
49	(a)	Somavamsha Arya Kshatriya
	(b)	Chitara
	(c)	Chitragar
	(d)	Digwan
	(e)	Jeeragara
	(f)	Najabund
	(g)	Nalabund
	(h)	Tambat
50		Takankar
51	(a)	Tewar
	(b)	Kalari
	(c)	Kallar
	(d)	Maravar
52	(a)	Tilari
	(b)	Tirali
53	(a)	Uppara
	(b)	Beldar
	(c)	Chunar
	(d)	Gavadi
	(e)	Goundi
	(f)	Kallu Kutiga Uppara
	(g)	Lonari
	(h)	Meiu Sakkreyavaru
	(i)	Melusakkare
	(j)	Namada Uppara
	(k)	Padit/Padti
	(j)	Padithi
	(n)	Sagara
	(o)	Sunnagara
	(p)	Sunna Uppara
	(q)	Uppaliga
	(r)	Uppaliga Shetty
	(s)	Uppaliyan

	(l)	Uppera
	(u)	Yakalara
	(v)	Yekkali
54		Vasudev
56	(a)	Veer
	9b)	Veeramasti
	(c)	Vir
57		Yeralu
58	(a)	Yerkala
	(b)	Erakala
	(c)	Kaikadi
	(d)	Koragar
	(e)	Kormasetty
	(f)	Kunchi
	(g)	Korwari
	(h)	Yerukala
59	(a)	Bailpatar
	(b)	Bailapatar
	(c)	Biiapatar
60	(a)	Bajania
	(b)	Bajenia
61		Balasanthoshi
62		Bazigar
63		Deria
64	(a)	Bhardi
	(b)	Bhargi
65	(a)	Chara
	(b)	Chhar
	(c)	Chhara
66	(a)	Chapper Band(Muslim)
	(b)	Chapper Banda
67		Chitrakathijoshi
68		Darvesu
69		Dholi
70	(a)	Durgamurga
	(b)	Burburcha

71	(a)	Modikara
	(b)	Modikar
72	(a)	Gondali
	(b)	Ghondali
	(c)	Gondaliga
	(d)	Gondhali
	(e)	Gondhalli
73		Vagri
74	(a)	Javeri
	(b)	Jawari
75		Johari
76	(a)	Kamatti
	(b)	Kaman
77	(a)	Kanjari
	(b)	Kanjir
78	(a)	Kalkari, Kelkari
	(b)	Khelkari
79	(a)	Kolhati
	(b)	Kolhatigi
80		Masania Yogi
81		Full Mali
82		Saranta
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)	Atanabaru
	(n)	Hanabar
	(o)	Kavadi
	(p)	Kolayan
	(q)	Konar
	(r)	Konnur
	(s)	Krishna Gavali
	(l)	Krishna Golla
	(u)	Maniyani
	(v)	Urali
	(w)	Telugu Gowda (Chickmagalur & Hassan Dists.)
87	(a)	Banjari
	(b)	Brinjari
	(c)	Vanjara
	(d)	Wanjari
	(e)	Lambaid
	(f)	Gore or Goria
88	(a)	Bendar
	(b)	Berad
	(c)	Boya
	(d)	Naikamakkalu
	(e)	Naikwadi
	(f)	Palegar
	(g)	Remoshi
	(h)	Talawara/Talwar Boya
	(i)	Valmikimakkalu
	(j)	Vedan
	(k)	Parivara Nayaka
	(l)	Myasa Nayaka
	(m)	Urs Nayaka
	(n)	Byada
	(o)	Haranshikari

	(p)	Chigari Betagar
	(q)	Vaghn
	(r)	Wagiri
	(s)	Nirshikari
	(t)	Bargi
	(u)	Baori
	(v)	Phasachari
	(w)	Hirshikari
89		Daveri
90	(a)	Garudi
	(b)	Garudiga
	(c)	Garadiga
91		Paradhis
92	(a)	Girini Waddar
	(b)	Tudug Woddar
	(c)	Kallu Vaddar
	(d)	Mannu Voddar
	(e)	Bhandi Voddar
93	(a)	Bhoi
	(b)	Boyi
	(c)	Harikanthra
	(d)	Kharia
	(e)	Bovi
94	(a)	Pinjara
	(b)	Pinjari
	(c)	Nadaf
	(d)	Ladaf
	(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)	Madivala
	(e)	Mannan
	(f)	Parit
	(g)	Rajaka
	(i)	Sakala
	(i)	Vannan
	(j)	Velluthedan
	(k)	Sakajavadu
2		Banna (Kodagu Dist)
3	(a)	Devadiga
	(b)	Devali
	(c)	Moyili
	(d)	Padiar
	9e	Seregara
	(f)	Servegar
	(g)	Sheregar
	(h)	Suplig
4	(a)	Idiga
	(b)	Bandhari
	(c)	Belchad
	(d)	Billava
	(e)	Poojari
	(f)	Deevar
	(g)	Hala Kshatriya
	(h)	Desha Bhandari
	(i)	Devar
	(j)	Devaramakkalu/Divara Makkalu
	(k)	Ediga
	(l)	Eliga
	(m)	Ezhava
	(n)	Gamalla
	(o)	Goundla
	(p)	Halepaikaru
	(q)	Hale Paik
	(r)	Illavan

	(s)	Kalal
	(t)	Malayali Billava
	(u)	Nadar
	(v)	Namadhari
	(w)	Thiyan/Thiyya
	(x)	Iliga
	(y)	Goondla
	(z)	Tiyan-Thiyyan
5		Kodagu Heggade (Kodagu Dist)
6	(a)	Kumbara
	(b)	Chakrasali
	(c)	Gunaga
	(d)	Ganagi
	(e)	Koyava
	(f)	Kula
	(g)	Kulala
	(h)	Kumbar
	(i)	Kumbard
	(j)	Kummara
	(k)	Kusavan
	(l)	Moolya
	(m)	Sajjan Kumbara
	(n)	Khumara
	(o)	Kumbhar
	(p)	Khumbhar
	(q)	Kulalar
7	(a)	Kuruba
	(b)	Bharwad
	(c)	Dhanagar
	(d)	Goraya
	(e)	Halumatha
	(f)	Kurab
	(g)	Kuruban
	(h)	Kurumba
	(i)	Kurub
	(j)	Kurumban
8	(a)	Nayinda

	(b)	Pariyala (D.K. & Udupi)
	(c)	Ambattan
	(d)	Bajanthri
	(e)	Bandari
	(f)	Chounya
	(g)	Hadapada
	(h)	Hajama
	(i)	Kavutian
	(j)	Kelasi
	(k)	Kshaunka
	(l)	Kshowrad
	(m)	Mahale
	(n)	Mangala
	(o)	Melagara
	(p)	Nadiga
	(q)	Napitha
	@	Navalig
	(s)	Navi
	(t)	Nayanaja Kshatriya
	(u)	Nhavi
	(v)	Vajantri (U.K. Dist.)
	(w)	Savitha
	(x)	Nayanaja Kshatri
	(y)	Nadig
	(z)	Kshowrik
	(aa)	Kshowrika
9		Buddhists
10	(a)	Tigala
	(b)	Agni Vamsha Kshatriya
	(c)	Agnivanni
	(d)	Agnikula Kshatriya
	(e)	Dharmaraja Kapu
	(f)	Palli
	(g)	Shambhukula Kshatriya
	(h)	Thigala
	(i)	Vanniar
	(j)	Vannikula Kshatriya
	(k)	Tigler

	(l)	Kurovan
11	(a)	Viswakarma
	(b)	Achari
	(c)	Akkasale
	(d)	Ausala
	(e)	Badigar
	(f)	Badiwadla
	(g)	Bailapatar
	(h)	Bailu Akkasali
	(i)	Bailu Kammara
	(j)	Bogara
	(k)	Chaplegar
	(l)	Charodi
	(m)	Konkani Achar
	(n)	Daivagnya Brahmin
	(o)	Gejjigara
	(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)	Thaltan
	(am)	Aksali
	(an)	Kamasal
	(ao)	Badagi
12	(a)	Aghori
	(b)	Karakarmunda
13		Agnani
14		Ambalavasi
15		Anduran
16	(a)	Alari
	(b)	Alhari
17		Bahurupi
18		Bakadra
19	(a)	Bathal
	(b)	Battal
	(c)	Balter
20		Bawtar
21	(a)	Bhaal
	(b)	Bohrot
22		Binapatta
23		Bingi
24	(a)	Bagadi
	(b)	Bagaadi
	(c)	Bagdi
25	(a)	Chaliyan
	(b)	Teruvan
	(c)	Challiya
26		Chamboti
27		Chambukutti
28		Mestha
29		Jingar
30	(a)	Ghadi
	(b)	Gadiga
	(c)	Gunagi
31	(a)	Ghads

	(b)	Ghadshi
32		Pingle
33	(a)	Gosavi
	(b)	Gosain
34	(a)	Gujar
	(b)	Guzar
35	(a)	Gurava
	(b)	Gurou
36	(a)	Gabbit
	(b)	Gapit
	(c)	Gaabit
	(d)	Daalija
37		Handevazir
38		Handervul
39		Honniyar
40	(a)	Hoovadiga
	(b)	Hugar
	(c)	Hoogar
	(d)	Maalgar
	(e)	Mali
	(f)	Phool Mali
	(g)	Phul Mali
	(h)	Phulari
	(i)	Phoolari
	(j)	Jeer
41		Kadu Konkani
42		Karikudumbi
43		Karuva
44	(a)	Khatik
	(b)	Katuka
	(c)	Katuga
45		Bogar
46		Kasbin
47	(a)	Kolayiri
	(b)	Kolyiri
48	(a)	Kanisan
	(b)	Balyaya (D.K. & Udupi Dist)

	(c)	Kaniyar
	(d)	Kaniyaru
	(e)	Kaniya
	(f)	Kaniyan (other than Kollegal Taluk)
	(g)	Kanyan
49		Kutuma
50		Marta
51	(a)	Marayan
	(b)	Maravan
52		Murrari
53	(a)	Nadora
	(b)	Uppu Nadar/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		Patra
60		Pichali
61		Pullavan
62	(a)	Rajapuri
	(b)	Rajpur
	(c)	Balavalikar
63		Saniyaar
64		Shanan
65	(a)	Sudir
	(b)	Sudra
	(c)	Kulawadi Marati
66		Sutsali
67		Tachayiri

68		Tilvi
69	(a)	Gavandi
	(b)	Govandi
70		Veltuvan
71	(a)	Yeklar
	(b)	Yaklar
	(c)	Egalika
72	(a)	Gatti/Gattiyavaru
	(b)	Poladava/Poladavaru
73		Gudigara
74	(a)	Darji
	(b)	Bhavasara Kshatriya
	(c)	Chippi
	(d)	Chippiga
	(e)	Simpi
	(f)	Shimpi
	(g)	Sai
	(h)	Miral
	(i)	Rangari
	(j)	Rangrez
	(k)	Nilari
	(l)	Namdev
	(m)	Namdev Simpi
	(n)	Rangare
	(o)	Neelagar
75	(a)	Devanga
	(b)	Devang
	(c)	Koshti
	(d)	Hutgar/Hutkar
	(e)	Jed
	(f)	Winkar
	(g)	Julohi
	(h)	Hulkar
	(i)	Hatagar
76	(a)	Neygi
	(b)	Kuruhina Setty
	(c)	Kurni

	(d)	Bili Magga
	(e)	Thogata/Thogataru/ Thogatiga/ Thogataveera/ Thogatagere/ Thogataveera Kshatriya/Thogaja Pushpanjali
	(f)	Soniga
	(g)	Jam Khana
	(h)	Ayiri
	(i)	Avir
	(j)	Sale/Patta Sale
	(k)	Padma Sale/Padma Shali/Padma Sali
	(l)	Saale/Pattasali
	(m)	Kaikolan/Sengundhar
	(n)	Neikar
	(o)	Jadar
	(p)	Jandra
	(q)	Swakula Sali/Swakula Sale
77	(a)	Pattegar
	(b)	Patvekar
	(c)	Pattegar
	(d)	Somavamsha Sahasrarajuna Kshatriya
78	(a)	Ganiga
	(b)	Teli
	(c)	Gandla
	(d)	Vaniyan
	(e)	Jyothi Nagara/Jyothi Nagara Vysya
79		Amma Kodava
80		Anappan
81		Rajaput
82	(a)	Andi
	(b)	Andipandaram

83		Baandhi
84	(a)	Bolahallala
	(b)	Ballala
85	(a)	Bhatia
	(b)	Bhattia
86		Chakkani
87		Dogra
88		Gulli
89		Hindu Sadru/Sadaru/ Sadumata/Sadkula/ Sadru/Sadu Gowda/Sadu Gowdar/Sadara/Sadari/ Sadara Gowda
90	(a)	Jetti/Jatti
	(b)	Mallaru Malla Kshatriya
	(c)	Mushtiga
91	(a)	Kalavanthi
	(b)	Bhogam/Teluga
92	(a)	Kanakan
	(b)	Kanakar
	(c)	Karunika
93	(a)	Kotegara
	(b)	Koteyar
	(c)	Kothati
	(d)	Kottega
	(e)	Kotteyara
	(f)	Kumara kshatriya
	(g)	Kumara Panth/Komarpanth/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		Malawa
96		Maleya
97		Aryan
98	(a)	Raju Kshatriya
	(b)	Raju-Raju
	(c)	Rajuwar/Rajavar/ Rachevar
99		Somavamsha Kshatriya
100		Stanika
101	(a)	Tulu
	(b)	Tuluva
102		Ushama (Dharwar, Belgaum, Bijapur, 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) Namdhari Vokkaliga
	(f) Gangadkar Vokkaliga
	(g) Das Vokkaliga
	(h) Reddy Vokkaliga
	(i) Marasu Vokkaliga
	(j) Reddy
	(k) Hallikar
	(l) Kunchitiga
	(m) Gouda/Gowda
	(n) Kapu

	(o)	Heggade
	(p)	Kamma
	(q)	Reddy
	(r)	Gowder
	(s)	Namadhan Gowda
	(t)	Uppina Kolaga/Pittama Kolaga
2		Kodaganu
3	(a)	Baliya
	(b)	Balajiga/Banajiga/Gowda Banajiga
	(c)	Naidu
	(d)	Telaga Baliya/Telaga Banajiga
	(e)	Setty Baliya/Setty Banajiga/Banajiga Setty
	(f)	Dasara Baliya/Dasara Banajiga/ Dasara Banajiga/
	(g)	Dasa Banajiga Kasban
	(h)	Munnur/Munnar/ Munnur Kapu
	(i)	Balegara/Bale Banajiga/Bale Banajiga/Bale Chetty/Banagara
	(j)	Reddy (Baliya)
	(k)	Janappan
	(l)	Uppar (Baliya)
	(m)	Tuleru (Baliya)

CATEGORY-III (B)

Sl. No.	Name of the Caste
1	(a) Veerashaiva Lingayath

**ANNEXURE-II TO G.O. No. SWD 225 BCA 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 categorized under IIA, IIB, IIAA and IIIB.

NOTE:

1. 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.
2. This rule applied to son(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

PRINCIPAL

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Bommanahalli, Hosur Road
Bengaluru-560 068.