

Order 2344

CONFIDENTIAL  
CABINET MATTER

38/C

NT OF NATIONAL CAPITAL TERRITORY OF DELHI  
NERAL ADMINISTRATION DEPARTMENT  
SECRETARIAT, I.P. ESTATE, NEW DELHI-02

8/10

No.F.3/2/2011-GAD/CN-2333-2344

Dated: 27/07/11

CABINET DECISION NO. 1792 DATED: 25/07/2011  
TABLED ITEM

**Sub:** Proposal for mentioning of name Balmiki in Caste Certificates in place of Chuhra (Balmiki).

**Decision:** The Cabinet considered the note of Divisional Commissioner / Secretary (Revenue). The Cabinet was informed that the Scheduled Caste Certificates are being issued by the Government of NCT of Delhi as per the notification issued under "The Constitution (Scheduled Castes) (Union Territories) Order, 1951". The Council of Ministers deliberated on the issue and decided that all such references to the caste names mentioned in this order which have derogatory connotation should be removed forthwith while issuing certificates to the applicants and Government of NCT of Delhi should also move the Ministry of Home Affairs, GOI to carry out suitable amendments in this order so as to remove all words in the caste names which have derogatory connotation attached to the reference to caste in this order. The Cabinet approved the following amendment be carried out in caste names in "The Constitution (Scheduled Caste) (Union Territories) Order, 1951":-

- i) At serial number 8, the word 'Bhangi' may be substituted with 'Balmiki'.
- ii) At serial number 10, the word 'Chamar/Chanwar' may be deleted.
- iii) At serial number 12, the word 'Chuhra' may be deleted.
- iv) At serial number 20, the word 'Kanjar' may be deleted.

Contd.../2-

S-12 (H01)  
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1/8  
SDM II (H0)

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OS (HCS)

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Sh. Manoj

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The Cabinet also decided that pending amendment of 'The Constitution (Scheduled Caste) (Union Territories) Order, 1951', the Deputy Commissioners of the districts be directed to take necessary steps while issuing Caste Certificates to the applicants.

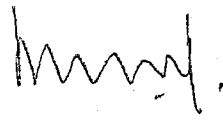
Sd/-  
(P.K. TRIPATHI)  
SECRETARY TO THE CABINET

No.F.3/2/2011-GAD/CN-2333-2344

Dated: 27/07/11

Copy forwarded to the following:-

1. Pr. Secretary to Lt. Governor, Delhi.
2. Pr. Secretary to the Chief Minister, Delhi.
3. Secretary to Minister of Health, Govt. of NCT of Delhi.
4. Secretary to Minister of Education, Govt. of NCT of Delhi
5. Secretary to Minister of Food & Supplies, Govt. of NCT of Delhi.
6. Secretary to Minister of PWD, Govt. of NCT of Delhi.
7. Secretary to Minister of Social Welfare, Govt. of NCT of Delhi
8. Secretary to Minister of Industries, Govt. of NCT of Delhi.
- 9/ Secretary (Revenue), Govt. of NCT of Delhi: with the request to upload ATR on CDMS.
10. OSD to Chief Secretary, Govt. of NCT of Delhi, Delhi.
11. Hindi Officer, Language Department: for translation.
12. Guard file.

  
(B. V. SELVARAJ)  
JOINT SECRETARY TO THE CABINET

27.7

F. ( )/SC/DC/2011  
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
(REVENUE DEPARTMENT)

Minister in-charge : Dr. A.K. WALIA  
Minister of Revenue

Secretary-in-charge : DHARMENDRA  
Secretary (Revenue)-  
-cum- Divisional  
Commissioner

Note for the Council of Ministers

Subject: Proposal for mentioning of name Balmiki in caste certificates in place of Chuhra (Balmiki)

1 The Revenue Department is in receipt of representations (Annexure-I & II) from various quarters wherein it has been represented by the Balmiki community that the caste certificates of Balmiki Community are being issued under the name of Chuhra (Balmiki) by GNCTD since 2011 which were being issued under the name of Balmiki from so many long years. The representation have objected to the use of word CHUHRA in the scheduled caste certificate as the same is derogatory. The community feels that the mention of the same in caste certificates being issued to the Balmiki community is cause of stigmatizing and singling the community out in the society.

2 The Hon'ble Chief Minister has also taken this issue seriously and has directed to stop the usage of the word in the caste certificates forthwith and directed to ensure that certificates issued have only the name Balmiki written and also directed to correct wherever it has not been applied (Annexure-I)

3 The Constitutional Provision as per Article 341 of the Constitution of India (Annexure-III) dealing with "Scheduled Castes" stipulates (1) the President may with respect to any State or Union Territory and where it is a State, after consultation with the Governor thereof, by public notification, specify the castes, races, or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State

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or Union Territory, as the case may be. (2) Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under Clause(1) any caste, race or tribe or part of or group within any castes, race or tribe, but save as aforesaid, a notification issued under the said clauses shall not be varied by any subsequent notification.

4 .Accordingly, a list of Scheduled Castes has been notified for Delhi (Annexure-IV) wherein 49 castes have been notified. The Balmiki community finds its mention at Sl. No. 14 which reads as Chura (Balmiki). As , it is evident from clause (2) of Article 341 as mentioned above, the Parliament is the Competent body to effect any alteration in notified lists in any manner once the notification is issued. Technically, it may be appreciated that the term Chura (Balmiki) has got constitutional sanction and the usage of the term in the caste certificate is correct.

5 .However, the Revenue Department had been issuing the caste certificates under the name of Balmiki earlier. It has again issuing the certificate under the name of Chuhra (Balmiki) which is technically correct and valid as per law. The same is causing resentment amongst the members of the community.

6 In order to effect any changes in the nomenclature of the constitutionally mentioned name of the Scheduled Castes after publication of notification requires the consent of the Parliament. The matter for effecting necessary changes in the name of the Balmiki Community may be taken up with Ministry of Home Affairs, GOI separately but simultaneously by the Department for the welfare of SC/ST/OBC/Minority.

7. In the light of the above details & directions of Hon'ble Chief Minister, Delhi , it is proposed that the caste certificates for the Balmiki Community may be issued under the name of Balmiki in place of Chuhra (Balmiki) pending the approval of the Parliament to effect the requisite name for the Balmiki Community.

8. **Comments of the Law Justice & Legal Affairs Department:**

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9. Comments of the Department for the welfare of  
SC/ST/OBC/Minority:

10. Comments of the Services Department:

11 The Council of Ministers is requested to kindly consider and approve  
the proposal as detailed in Para NO.7.

12. This Cabinet note has the approval of the Minister-in charge i.e.  
Hon'ble Minister of Revenue.

(DHARMENDRA)  
SECRETARY (REVENUE) -CUM-  
DIVISIONAL COMMISSIONER