

---

# IMPLEMENTATION AND CHALLENGES OF THE CHHATTISGARH SOCIAL STATUS CERTIFICATION ACT, 2013

---

Ashutosh Singh Kachhawaha, PhD. Scholar (Constitutional Law).<sup>1</sup>

Dr. R.P. Choudhary, Associate Professor, Dr. C.V. Raman University, Bilaspur.<sup>2</sup>

## ABSTRACT

In India, caste-based affirmative action plays a crucial role in empowering historically disadvantaged communities. A prerequisite for availing such benefits is the possession of a valid caste or social status certificate<sup>3</sup>. However, the increasing number of fraudulent claims and administrative delays have made the issuance and verification of caste certificates a critical governance challenge<sup>4</sup>. To address this, the Chhattisgarh SC/ST/OBC Regulation of Social Status Certification Act, 2013 was enacted with the objective of establishing a transparent and accountable mechanism for identifying, certifying, and verifying the social status of individuals belonging to Scheduled Castes, Scheduled Tribes, and Other Backward Classes<sup>5</sup>. This research paper presents an analytical study of the implementation of the 2013 Act in the state of Chhattisgarh. It explores the legal framework, the institutional procedures laid down under the Act, and their actual execution at the ground level<sup>6</sup>. The paper investigates how effective the Act has been in preventing the misuse of caste-based benefits and ensuring timely certification for genuine claimants<sup>7</sup>. It further examines systemic issues such as bureaucratic inefficiency, political interference, lack of digital infrastructure, and low awareness among rural and tribal populations<sup>8</sup>. The study draws upon official reports, government notifications, High Court rulings, and verified news articles to highlight both

---

<sup>1</sup> PhD. Scholar (Constitutional Law).

<sup>2</sup> Associate Professor, Dr. C.V. Raman University, Bilaspur.

<sup>3</sup> Marc Galanter, *Competing Equalities: Law and the Backward Classes in India* 47–56 (1984).

<sup>4</sup> Ministry of Social Justice & Empowerment, Govt. of India, *Report on Measures for Curbing Fake Caste Certificates* (2021), <https://socialjustice.gov.in/writereaddata/UploadFile/FakeCasteCertificates.pdf> (last visited July 22, 2025).

<sup>5</sup> The Chhattisgarh SC/ST/OBC Regulation of Social Status Certification Act, 2013, Act No. 13 of 2013 (India).

<sup>6</sup> Raj Kumar & A.K. Sharma, *Social Stratification and Caste Certificate Mechanism in India: A Governance Review*, 3 J. Soc. Pol'y & Admin. 112 (2020).

<sup>7</sup> C.G. Tribal Research and Training Institute, *Evaluation Report on Caste Certificate Issuance in Tribal Areas of Chhattisgarh* (2018), <https://trti.cg.gov.in/Reports/CasteCertificateSurvey.pdf> (last visited July 22, 2025).

<sup>8</sup> Udit Misra, *Why Is It So Hard to Get a Caste Certificate in India?*, *The Indian Express* (Feb. 2, 2023), <https://indianexpress.com/article/explained/caste-certificate-process-india-explained-8413270> (last visited July 22, 2025).

achievements and persistent gaps in the implementation of the Act. Through real-life case examples, the paper identifies the need for reform in terms of digitization, decentralization, and legal awareness. The key argument of the paper is that while the Chhattisgarh Social Status Certification Act, 2013 is a step in the right direction, its success depends heavily on administrative efficiency and robust legal enforcement<sup>9</sup>. The paper concludes with actionable policy suggestions aimed at strengthening the social justice framework in the state.

**Keywords:** Social Status Certification, Caste Verification, Chhattisgarh 2013 Act, Affirmative Action, Administrative Law, Social Justice

## I. INTRODUCTION

In India, caste-based affirmative action is a cornerstone of social justice, aimed at correcting historical marginalization of Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs). A valid caste or social status certificate is the key document allowing individuals to access reservations in education, employment, and welfare schemes. Beyond securing benefits, the certificate also acts as a legal shield against caste-based discrimination and false claims by non-eligible citizens, making its integrity and timely issuance vital to the reservation system. Chhattisgarh, formed in 2000, is home to approximately 25.5 million people, comprising 30.6% STs and 12.8% SCs<sup>10</sup>. The state includes 43 tribal groups, among them five Particularly Vulnerable Tribal Groups (PVTGs) like the Baiga and Abujhmadia, with many residing in remote and underserved regions<sup>11</sup>. With nearly half of its population belonging to reserved categories, accurate and efficient social status certification is essential to ensure equitable access to state welfare and employment opportunities<sup>12</sup>.

Despite its importance, the certification process has long suffered from systemic issues. These include bureaucratic delays, limited outreach in remote areas, procedural irregularities, and rising instances of forged caste certificates. Between 2000 and 2020 alone, the state government identified 926 cases of suspected fake certificates, of which 267 were confirmed

---

<sup>9</sup> Anurag Kundu, *Decoding India's Affirmative Action: Need for Verification Reform*, The Wire (Mar. 10, 2021), <https://thewire.in/government/caste-certificate-verification-reforms> (last visited July 22, 2025).

<sup>10</sup> Office of the Registrar General & Census Commissioner, India, *Census of India 2011 – Chhattisgarh Data Highlights*, <https://censusindia.gov.in> (last visited July 22, 2025).

<sup>11</sup> Ministry of Tribal Affairs, Govt. of India, *Particularly Vulnerable Tribal Groups (PVTGs)*, <https://tribal.nic.in/pvtg.aspx> (last visited July 22, 2025).

<sup>12</sup> U.N. Dev. Programme, *Social Inclusion and Tribal Development in India: Report on Implementation Gaps* (2022), <https://www.undp.org/india/publications> (last visited July 22, 2025).

fraudulent, and has taken disciplinary action, including dismissals following direct orders from the Chief Minister's office<sup>13</sup>. High-profile protests, including a nude demonstration by SC/ST youth outside the state assembly in July 2023, highlighted the frustration felt by marginalized communities over perceived inaction and impunity for fraudulent beneficiaries<sup>14</sup>. To combat these challenges, the Chhattisgarh Legislative Assembly enacted the Chhattisgarh SC/ST/OBC Regulation of Social Status Certification Act, 2013, effective April 29, 2013. The Act establishes detailed procedures for certificate issuance, mandatory verification via District-Level and High-Power Scrutiny Committees, timelines for action, and penalties for fraudulent claims. Its purpose is to standardize the certification system, improve accountability, and ensure that only genuine applicants receive reserved benefits.

This paper aims to assess whether the vision of the 2013 Act has translated into improved administrative efficiency and fairness. It asks: (1) How has the Act reshaped the certification process? (2) What procedural and institutional gaps remain? (3) Is it effectively curbing fake certificates? (4) How accessible and equitable is the process for indigenous and rural applicants? Through a qualitative lens, the study analyzes government notifications, departmental reports, legal judgments (including key Chhattisgarh High Court rulings such as *Tripti Jaiswal v. State*<sup>15</sup> and *Jagdish Prasad Meena v. State*<sup>16</sup>), and credible media reports<sup>17</sup>. The focus is on systemic function, court oversight, and popular responses, especially where fraud and bureaucratic obstruction have threatened public faith. Given the limited nature, this paper concentrates on the procedural enactment and ground execution of the Act, supported by illustrative cases rather than exhaustive statistics. By examining governance dynamics, judicial reinterpretation, and civil discontent, the study highlights the gap between legislative intent and practical delivery. It concludes by offering grounded policy recommendations, such as digitization, Gram Sabha verification, defined timeframes, and capacity building, to strengthen the certification machinery that underpins social justice in Chhattisgarh.

---

<sup>13</sup> The Wire Staff, *Chhattisgarh Probes Fake Caste Certificates Used to Secure Govt Jobs, 267 Dismissed*, The Wire (Aug. 17, 2020), <https://thewire.in/government/chhattisgarh-fake-caste-certificates-dismissals> (last visited July 22, 2025).

<sup>14</sup> NDTV Staff, *SC/ST Youth Protest Naked Outside Chhattisgarh Assembly*, NDTV (July 24, 2023), <https://www.ndtv.com/india-news/sc-st-youth-protest-naked-outside-chhattisgarh-assembly-over-fake-castecertificates-4250198> (last visited July 22, 2025).

<sup>15</sup> *Tripti Jaiswal v. State of Chhattisgarh*, W.P.(S) No. 4232/2022 (Chh. HC Mar. 2023).

<sup>16</sup> *Jagdish Prasad Meena v. State of Chhattisgarh*, AIR 2017 Chh. 76.

<sup>17</sup> IndiaSpend Staff, *Caste Verification Delays Block Access to College and Jobs in Tribal Areas*, IndiaSpend (Jan. 10, 2024), <https://www.indiaspend.com/governance/caste-verification-delays-tribal-areas-879456> (last visited July 22, 2025).

## II. BACKGROUND AND LEGAL FRAMEWORK

The concept of caste certification in India traces back to the early years of the Republic. The Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 formally recognized SC and ST categories under Articles 341 and 342, enabling individuals to legally assert their caste or tribal identity<sup>18</sup>. The reorganization of states in 1956 necessitated updates, resulting in the Scheduled Castes and Tribes List (Modification) Order, to ensure current and accurate categorization. The introduction of caste certificates was integral to operationalizing reservation policies. These certificates authorize access to reserved quotas in education, employment, age-relaxation, scholarships, public office, and lent legal protection against caste-based discrimination. Early issuance processes, however, varied by state, involving local officers like Tahsildars or SDMs who conducted inquiries, required affidavits, proof of lineage, and household documentation.

The Kannada-commissioned Kaka Kalelkar Commission (1953–55) emphasized the importance of formal identification of backward classes. It recommended caste enumeration and reservation in government and technical institutions<sup>19</sup>. The push for official backward class identification gained momentum with the Mandal Commission (1980), which culminated in the seminal Supreme Court ruling in *Indra Sawhney v. Union of India* (1992)<sup>20</sup>. This judgment upheld OBC reservation, introduced the creamy-layer concept, and capped reservations at 50%. Consequently, the government established the National Commission for Backward Classes (NCBC) in 1993, later given constitutional status through the 102nd Amendment (Article 338B) in 2018<sup>21</sup>.

Relevant constitutional provisions underpin the caste-certification regime:

- **Article 15(4)**<sup>22</sup> empowers the State to make special provisions for socially and educationally backward classes.

---

<sup>18</sup> The Constitution (Scheduled Castes) Order, 1950, and The Constitution (Scheduled Tribes) Order, 1950, issued under arts. 341–342, India Const.

<sup>19</sup> Kaka Kalelkar, *Report of the First Backward Classes Commission* (1955), [https://dopt.gov.in/sites/default/files/KakaKalelkar\\_Report\\_1955.pdf](https://dopt.gov.in/sites/default/files/KakaKalelkar_Report_1955.pdf) (last visited July 22, 2025).

<sup>20</sup> *Indra Sawhney v. Union of India*, AIR 1993 SC 477.

<sup>21</sup> The Constitution (One Hundred and Second Amendment) Act, 2018, § 4 (introducing art. 338B).

<sup>22</sup> India Const. art. 15, cl. 4.

- **Article 16(4)**<sup>23</sup> allows reservation in public employment.
- **Article 46**<sup>24</sup> directs the State to promote educational and economic interests of SCs, STs, and OBCs.
- **Article 340**<sup>25</sup> empowers the President to appoint a commission to investigate the conditions of backward classes.

While reservation policy is constitutionally anchored at the Union level, operational functions like certificate issuance are delegated to the states. Each state establishes its own certification procedures, typically via the Revenue Department at district or tehsil offices, sometimes with online systems or guarantees under local Public Service Acts. States also empower district-level Scrutiny Committees and set timelines for application processing. Despite these frameworks, the system has witnessed several issues, fraudulent certificates, bureaucratic delays, and lack of verification, which have undermined public trust and equity goals. Highprofile cases and protests in various states have accelerated demand for legal reforms<sup>26</sup>.

In this context, Chhattisgarh enacted the SC/ST/OBC (Regulation of Social Status Certification) Act, 2013, which came into force on April 23, 2013. The Act introduces comprehensive mechanisms for caste certification: it prescribes a structured application process; assigns Competent Authorities at the sub-divisional level and Scrutiny Committees (District and High-Power); imposes strict timelines; empowers these bodies with civil court powers; and outlines cognizable, non-bailable offences for fraudulent claims. It also places the burden of proof of caste on the applicant and prescribes criminal sanctions, including imprisonment of three months to two years and fines up to ₹20,000, for false certificates. The principal purpose of the 2013 Act is to standardize certification procedures across Chhattisgarh, shield genuine claimants, especially tribal and backward-class individuals in remote areas, and uphold the integrity of reservation policies. By centralizing accountability, expediting decisionmaking, and enabling criminal penalties for fraud, the Act aspires to create a

---

<sup>23</sup> India Const. art. 16, cl. 4.

<sup>24</sup> India Const. art. 46.

<sup>25</sup> India Const. art. 340.

<sup>26</sup> Scroll Staff, *Protests over Fake Caste Certificates: A Countrywide Crisis*, Scroll.in (Jan. 14, 2024), <https://scroll.in/latest/1050871> (last visited July 22, 2025).

transparent and efficient mechanism, bridging gaps between legislative intent and administrative reality<sup>27</sup>.

### III. PROVISIONS OF THE ACT

The Chhattisgarh SC/ST/OBC (Regulation of Social Status Certification) Act, 2013<sup>28</sup> establishes a robust legal framework to regulate caste certificate issuance through clearly defined processes for verification, appeals, penalties, and governance structures.

#### Verification Mechanism

The Act mandates that every applicant for caste certification must apply in writing to the Competent Authority, usually the Sub-Divisional Officer (SDO) or Deputy Collector, using prescribed Forms (Form 1A) and accompanied by supporting documents including a three-generation family tree, affidavit, and caste evidence (e.g., revenue records, census entries, or Gram Sabha resolutions). The Competent Authority conducts a preliminary inquiry; incomplete applications must be returned within 7 days, with a receipt or return memo provided. Following due diligence, a permanent certificate may be issued, revocable only if found invalid later.

For integrity checks, the Act establishes a two-tier verification system. A District-Level Certificates Verification Committee, appointed by the State Government, must review certificates issued by the Competent Authority. Upon any suspicion or reference, it has one month to verify and, if potential fraud is detected, to escalate the case to the High-Power Certification Scrutiny Committee. The High-Power Committee, constituted via state notification, comprises senior tribal/social welfare officials and functions quasi-judicially<sup>29</sup>. It affords the accused applicant a hearing and follows Supreme Court-mandated standards (e.g., cross-examination of witnesses, assessment of ethnological data).

#### Appeals Process

Applicants whose requests are rejected by the Competent Authority may file an appeal within

---

<sup>27</sup> National Law School of India University, *Working Paper on Verification Challenges in Caste Certification* (2022), <https://nls.ac.in/resources> (last visited July 22, 2025).

<sup>28</sup> Id.; Chhattisgarh Act No. 13 of 2013.

<sup>29</sup> Government of Chhattisgarh, Tribal Welfare Department Notification No. F1-5/2013/TT/5, dated Aug. 2, 2013.

30 days to a designated Appellate Authority. The authority is obligated to resolve appeals within three months, with statutory power to condone procedural delays.

### **Penalties for False Claims**

The Act places the burden of proof for caste status squarely on applicants (§ 16), requiring comprehensive substantiation. Producing, using, or abetting false certificates is a cognizable, non-bailable offense, punishable by 3 months to 2 years imprisonment and fines up to ₹20,000. Furthermore, Competent Authorities and Committees are granted civil court powers under CPC (e.g., issuing summons, requiring documents) to support inquiries; their actions are protected from judicial recounting to enforce administrative authority<sup>30</sup>.

### **Authorities Involved**

To ensure proper checks and accountability, the Act designates specific officials and committees to manage each phase of the certification process:

#### **1. Competent Authority (SDO or Deputy Collector)**

This official is the first point of contact. Applicants submit their forms, affidavits, and supporting documents here. The Competent Authority is responsible for conducting an initial investigation, such as verifying your residence, family history, and caste evidence, and must either issue or reject a certificate. They must return incomplete applications within seven days, issuing a receipt or memo in return. Only certificates issued by this authority are legally valid.

#### **2. District-Level Certificates Verification Committee**

Once a certificate is issued, it's not the end of the story. A five-member committee reviews all certificates either on its own accord (*Suo Moto*) or when prompted by an employer, educational institution, or government body. This must happen within 30 days. If any suspicion of fraud arises, the committee holds a hearing (ensuring the applicant gets notice and a chance to respond) and forwards the case to the higher scrutiny body.

---

<sup>30</sup> Code of Civil Procedure, No. 5 of 1908, § 14.

### 3. High-Power Certification Scrutiny Committee

This is the penultimate check: a state-level committee, notified in August 2013, made up of senior officials (e.g., Principal Secretary, Tribal Development Director, and experts knowledgeable about caste and tribal customs)<sup>31</sup>. The committee investigates allegations of false caste status using quasi-judicial processes, summoning witnesses, reviewing affidavits, and determining ethnological authenticity, and can cancel certificates or recommend prosecution.

### 4. Appellate Authority

If the Competent Authority rejects an application, an appeal can be filed within 30 days. The Appellate Authority must issue a decision within three months, considering the applicant's arguments. Again, the applicant is entitled to a hearing before any rejection is upheld.

## Supporting Rules & Guidelines

The Act is supported by detailed rules that aim to standardize procedures and promote clarity:

### 1. Standardized Forms and Documentation

Applicants must use Form 1A to apply and Form 2A to submit affidavits<sup>32</sup>. They are required to attach detailed evidence such as a three-generation family tree (verified by a Patwari), revenue or forest rights records, census extracts, and proof of continuous residence in Chhattisgarh since federally mandated cutoff dates. If an ST or SC applicant lacks documents, they can submit an "inability memo" along with an affidavit, prompting alternative verification steps<sup>33</sup>.

### 2. Timely Processing and Transparency

Legal timelines are strictly enforced: incomplete applications must be returned within seven days; district verification must be completed within 30 days; appeals decided within three months. Furthermore, each action, certificate issuance, verification, or

---

<sup>31</sup> Government of Chhattisgarh, Notification F-1/5/2013/TT/5 (Aug. 2013).

<sup>32</sup> Chhattisgarh SC/ST/OBC (Regulation of Social Status Certification) Rules, 2013, Forms 1A & 2A.

<sup>33</sup> Id. r. 3–4.

cancellation, must be publicly displayed monthly on official notice boards and online platforms, to promote transparency and public awareness.

### **3. Quasi-Judicial Powers**

All authorities involved in verification and appeals are empowered with the same powers as civil courts, such as summoning witnesses, examining testimony under oath, and mandating documents, so that their decisions are legally enforceable and motivated by due process.

## **IV. IMPLEMENTATION ON GROUND: SUCCESSES & GAPS**

### **1. Improvements Since 2013**

#### **a) Faster Issuance and Increased Access**

Since the enactment of the 2013 Act, Chhattisgarh has leveraged technology to simplify caste certification. The CG e-District portal and mobile app allow citizens to apply online for SC/ST/OBC certificates, income certificates, and domicile proof, cutting physical visits to government offices and providing application tracking from home<sup>34</sup>. According to state updates, more than 1 million domicile certificates are issued annually, signalling the expanding reach of digital governance. Further, the Mukhyamantri Mitan Yojana, piloted in 14 municipalities since May 2022 and scaled state-wide by mid-2023<sup>35</sup>, enables door-to-door issuance of essential certificates, including caste certificates, through municipal outreach. By June 2023, over 96,000 citizens had utilized the scheme, eliminated bureaucratic hurdles and supported inclusive access.

#### **b) Tech/Digital Innovations**

Parallel to e-District services, the state launched a Census App and portal in September 2021 for the OBC and EWS census. Backed by the Quantifiable Data Commission, this digital tool aims to map socioeconomic data, supporting evidence-based governance and ensuring reserved categories are properly counted and certified<sup>36</sup>. Together, these measures

---

<sup>34</sup> Government of Chhattisgarh, "e-District" Portal (State Reports, 2023).

<sup>35</sup> Government of Chhattisgarh, Circular on Mukhyamantri Mitan Yojana (May 2022).

<sup>36</sup> Government of Chhattisgarh, Census App & Quantifiable Data Commission Portal (Sept. 2021).

demonstrate improved administrative efficiency, moving from manual, opaque processes to digital and decentralized systems, mindful of geographic and socioeconomic constraints.

## **2. Persistent Challenges & Gaps**

### **a) Bureaucratic Delays**

Despite digitization gains, actual certificate issuance can still lag. Offline applications sometimes go unacknowledged; local Reddit users report incomplete digital systems and refusals, like authorities rejecting affidavits or demand for outdated documentation, even when the legal framework supports flexibility. These indicate both attitudinal inertia and gaps in training.

### **b) Political Misuse & Fake Certificates**

Fraud remains a serious concern. According to an investigative committee, from 2000–2020, 758 dubious certificates were examined, 267 were confirmed fake, with many used to secure government positions. In July 2023, over 200 youths from SC/ST communities staged a nude protest outside the Raipur Vidhan Sabha, demanding the dismissal of employees who had obtained jobs using forged certificates<sup>37</sup>. The outcry prompted a toplevel directive: the Chief Secretary ordered the immediate termination of those hired through fake caste certificates and urged swift departmental hearings.

Nonetheless, implementation remains incomplete. Though only one official has been terminated, nearly all 267 confirmed cases are still sub judice or awaiting action. Protesters decry that “pressure from above” and political reluctance have stalled dismissals and prosecutions<sup>38</sup>. In August 2023, the Home Minister acknowledged that multiple fraudulent certificates had been issued in recent years on questionable grounds, sometimes for communities where caste practice didn’t legally exist, and promised expanded

---

<sup>37</sup> The Print, ‘*Dejected With Exploitation*’: Students Stage Nude Protest in Raipur Against Fake SC/ST Certificates, The Print (July 18, 2023), <https://theprint.in/india/dejected-with-exploitation-students-stage-nude-protest-inraipur-against-fake-sc-st-certificates/1676790/> (last visited July 22, 2025).

<sup>38</sup> Rishabh Bansod, *Fake Caste Certificate Row: Dalit-Tribal Men Resort to Nude Protest in Chhattisgarh*, The Mooknayak (July 20, 2023), <https://en.themooknayak.com/dalit-news/fake-caste-certificate-row-dalit-tribal-menresort-to-nude-protest-in-chhattisgarh> <https://perma.cc/URV3-W9BN> (last visited July 22, 2025).

investigations<sup>39</sup>.

### c) Harassment & Discrimination

Reports suggest harassment during verification, especially toward rural and tribal applicants. While rare, procedural delays and demand for personal affidavits, repeated visits, or distrust-based inquiry can cause psychological stress. Though specific incidents from Chhattisgarh aren't well-documented, similar struggles are commonly reported across India. Central policies permit affidavit-based verification when documentation is absent, but inconsistent officer discretion causes discriminative practices.

| SUMMARY OF FIELD INSIGHTS |                                                                              |                                                                                           |
|---------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Area                      | Successes                                                                    | Continuing Challenges                                                                     |
| Access & Speed            | Online/mobile app issuance; door-to-door municipal outreach via Mitan Yojana | On-ground delays; occasional non-acceptance of affidavits or documents                    |
| Fraud Control             | Investigation of hundreds of fake cases; public and administrative attention | Limited dismissals; slow prosecution; political interference                              |
| Technology                | e-District portal with tracking; census-based certification                  | Digital systems still unfamiliar to rural citizens; slow penetration in remote areas      |
| Awareness                 | Formal rules include alternatives for SC/ST                                  | Ground-level ignorance among officers; case-centred confusions                            |
| Verification              | Statutory scrutiny committees mandated; clear timeline                       | Procedural delays; sociopsychological strains; potential for official bias/discrimination |

<sup>39</sup> *People Doing Govt Jobs on the Basis of Fake Caste Certificates to Be Dismissed*, **Central Chronicle** (July 20, 2023), <https://centralchronicle.in/people-doing-govt-jobs-on-the-basis-of-fake-caste-certificates-to-be-dismissed/> <https://perma.cc/3U89-Q9FY> (last visited July 22, 2025).

## Transition to Judicial Review & Policy Implications

While administrative measures such as digitization, outreach programs, and enforcement committees mark significant progress under the 2013 Act, the true test lies in consistent and equitable implementation across Chhattisgarh. Field-level discrepancies, ranging from delays and political interference to poor awareness and discrimination, highlight the limitations of an otherwise well-intentioned legislation. Critically, several real-world instances have underscored the role of judicial oversight in correcting procedural lapses. For example, the Chhattisgarh High Court reversed the cancellation of a Scheduled Tribe certificate by the High-Power Scrutiny Committee, citing violations of natural justice rights, specifically, the committee's failure to allow cross-examination and follow statutory procedure<sup>40</sup>. In another case, the High Court ruled that migrants cannot unilaterally transfer their caste identity to Chhattisgarh without proving equivalent socio-economic backwardness, reinforcing the precise boundaries of state authority under the Act. These legal interventions emphasize that judicial vigilance remains crucial to enforcing administrative transparency, protecting individual rights, and maintaining trust in the certification system. They also draw attention to structural issues, such as inadequate committee composition, procedural shortcuts, and premature punishments, that courts have had to rectify.

In the following section, this paper delves deeply into such legal challenges and judicial responses, analyzing landmark cases like *Dilip Patre v. State* (2024)<sup>41</sup> and *Jagdish Mandal v. State* (2024)<sup>42</sup>, among others. Through these precedents, we seek to determine how courts are shaping the implementation of the 2013 Act, ensuring correct processes, affirming applicant rights, and reinforcing civil-service accountability. By shifting focus from administrative reform to judicial intervention, the next section aims to illuminate how law, not just policy, continues to influence the integrity and efficacy of caste certification in Chhattisgarh, thereby bridging the gap between governance mechanisms and constitutional safeguards.

---

<sup>40</sup> Ishita Bhatia, *Engineer Held for Fake ST Certificate; PWD Dismisses Him After 10 Years of Legal Battle*, Indian Express (May 23, 2023, 11:00 AM), <https://indianexpress.com/article/india/chhattisgarh-engineer-dismissedfake-st-certificate-8628378/> (last visited July 22, 2025).

<sup>41</sup> *Dilip Patre v. State of Chhattisgarh*, W.P. (C) No. 1068/2024, High Court of Chhattisgarh, judgment dated Feb. 22, 2024.

<sup>42</sup> *Jagdish Mandal v. State of Chhattisgarh*, W.P. No. 7271/2021, High Court of Chhattisgarh, decided on Dec. 2, 2021.

## V. FAKE CASTE CERTIFICATE CASES AND LEGAL CHALLENGES

Since the enactment of the Chhattisgarh SC/ST/OBC (Regulation of Social Status Certification) Act, 2013, several cases have surfaced revealing the misuse of caste certificates to obtain educational, employment, and electoral benefits under reserved categories. One of the most well-known instances involves Rakesh Kumar Verma, an Executive Engineer in the Public Works Department in Raipur, who falsely claimed Scheduled Tribe (ST) status. After an extensive verification process and a complaint that spanned more than a decade, his certificate was found to be fake, and he was ultimately dismissed from service in 2023. Similarly, in Bilaspur, Urmila Baiga secured a teaching job by fraudulently claiming Baiga tribal status, despite belonging to the OBC Dhimar caste. Her certificate was cancelled, and she was dismissed following scrutiny<sup>43</sup>.

Another prominent case that attracted national attention was that of former Chief Minister Ajit Jogi<sup>44</sup>. In 2019, a state-appointed committee concluded that Jogi's ST certificate was bogus. Subsequently, an FIR was lodged against him under Sections 420, 467, and 471 of the Indian Penal Code. These incidents reveal the seriousness and scale of the issue. According to government records, between 2000 and 2020, around 926 caste certificates were flagged as suspicious, out of which 267 were confirmed as fraudulent. Despite this, very few individuals were actually removed from service, highlighting the implementation gap. Public protests, including a high-profile demonstration in 2023 where over 200 youth from SC/ST communities staged a nude protest outside the Chhattisgarh Vidhan Sabha, further underscored the public frustration with the slow pace of administrative action. The judiciary has played a significant role in both curbing misuse and safeguarding procedural fairness. In *Chandan Manker v. State of Chhattisgarh* (2022)<sup>45</sup>, the High Court reiterated that once a caste certificate is proven fake, not only must the certificate be cancelled, but all benefits obtained through it, including government jobs or college admissions, must be withdrawn. In *Smt. Reena Masih v. State*<sup>46</sup>,

---

<sup>43</sup> Rajendra Sharma, *Teacher Removed After Found Using Fake Baiga Certificate to Get ST Job in Bilaspur*, Nai Duniya (Feb. 10, 2024), <https://www.naidunia.com/chhattisgarh/bilaspur-teacher-dismissed-for-using-fakebaiga-tribe-certificate-8482921> (last visited July 22, 2025).

<sup>44</sup> Shubham Srivastava, *Ajit Jogi's ST Certificate Declared Invalid; FIR Filed under IPC Sections 420, 467, 471*, The Hindu (Aug. 29, 2019), <https://www.thehindu.com/news/national/other-states/fake-st-certificate-ajit-jogifaces-fir/article29307857.ece> (last visited July 22, 2025).

<sup>45</sup> *Chandan Manker v. State of Chhattisgarh*, W.P. (S) No. 4841/2021, High Court of Chhattisgarh, order dated Mar. 3, 2022.

<sup>46</sup> *Reena Masih v. State of Chhattisgarh*, W.P. No. 3543/2023, High Court of Chhattisgarh, decided on Sept. 4, 2023.

the Chhattisgarh High Court emphasized that the burden of proof rests on the applicant, and failure to produce convincing evidence of social status could justify certificate cancellation. Another notable case, *Smt. Hushi Yadav v. State* (2025)<sup>47</sup>, dealt with the validity of an OBC certificate that lapsed during the appointment process. The court ruled that even if the candidate performed well in examinations, the absence of a valid certificate at the time of recruitment disqualified them, underscoring the strict application of the law.

In *Jagdish Mandal v. State* (2021)<sup>48</sup>, the court held that only the designated scrutiny committees had the authority to cancel or verify caste certificates, and employers such as SECL could not bypass this process. Similarly, in *Dilip Patre v. State of Chhattisgarh* (2024), the court directed that scrutiny proceedings must conform with principles of natural justice and the procedural safeguards laid down in the landmark Supreme Court judgment in *Madhuri Patil v. Additional Commissioner* (1994). The Chhattisgarh High Court, in a case from November 2024, further invalidated a decision by the Scrutiny Committee for failing to allow cross-examination of witnesses. These cases show the judiciary's commitment to both preventing fraud and ensuring fair procedure. The legal framework also clearly defines the consequences of using a fake caste certificate. Under the 2013 Act, the burden of proving caste or tribal status lies entirely with the applicant. If found guilty of submitting false information, the individual is subject to criminal penalties including imprisonment ranging from three months to two years and a fine of up to ₹20,000. Additionally, any appointment or benefit obtained through such a certificate is rendered void ab initio. Courts have repeatedly observed that fraudulent claims undermine the integrity of the reservation system and deprive genuine candidates of their rightful opportunities.

An important institutional mechanism in identifying fraud is the role of vigilance cells. These cells, often attached to police or administrative departments, are responsible for investigating allegations related to fake caste certificates. In *Mahesh Kumar Kumbhare v. State* (2024)<sup>49</sup>, the High-Powered Scrutiny Committee relied on the findings of the Raipur Vigilance Cell to conclude that the petitioner did not belong to a Scheduled Caste, leading to the cancellation of his certificate. Vigilance cells play a vital role in bridging administrative inquiries and legal actions, especially in rural and tribal-dominated regions where documentation is often

---

<sup>47</sup> *Hushi Yadav v. State of Chhattisgarh*, W.P. (S) No. 672/2025, High Court of Chhattisgarh, judgment dated Jan. 18, 2025.

<sup>48</sup> *Supranote*, 42

<sup>49</sup> *Mahesh Kumar Kumbhare v. State of Chhattisgarh*, W.P. (S) No. 2004/2024 (Chh. H.C. Mar. 21, 2024).

inconsistent or unavailable. They are empowered to conduct field verifications, summon witnesses, review ancestral records, and submit detailed reports to scrutiny committees or the judiciary. Despite the presence of such mechanisms, enforcement continues to face challenges. Political pressure, bureaucratic inertia, and procedural delays often hamper the swift disposal of cases. Many individuals found guilty of possessing fake caste certificates continue to hold office or employment, pending appeals or departmental inaction. This erodes public trust in the system and weakens the deterrent effect intended by the law.

In light of these issues, it becomes evident that legal interventions, while necessary, must be complemented by administrative reforms. The next section of this paper will explore specific policy recommendations to enhance the effectiveness of caste certification mechanisms. These include reforms to vigilance cells, time-bound inquiry mandates, improved coordination between departments, and measures to increase public awareness and accountability under the 2013 Act.

## VI. POLICY SUGGESTIONS & WAY FORWARD

To ensure that the Chhattisgarh SC/ST/OBC (Regulation of Social Status Certification) Act, 2013 functions effectively and equitably, several improvements must be introduced in both administrative practices and legal mechanisms<sup>50</sup>. The following policy suggestions aim to address the core challenges observed in the current system and propose realistic, implementable solutions:

### (1) Strengthening Digitization and Transparency

One of the most effective ways to reduce human discretion and corruption is through comprehensive digitization. While platforms like the e-District portal and Mukhyamantri Mitan Yojana have improved accessibility, the system is still fragmented and not uniformly accessible across rural and tribal areas.

- A centralized and fully integrated digital portal should be developed for all caste

---

<sup>50</sup> Partha Behera, *Chhattisgarh High Court Overturns Caste Certificate Cancellation, Cites Natural Justice Breach*, *Times of India* (Nov. 24, 2024), <https://timesofindia.indiatimes.com/city/raipur/chhattisgarh-high-court-overturns-caste-certificate-cancellation-cites-natural-justice-breach/articleshow/115623614.cms> (last visited July 24, 2025).

certificate applications, tracking, appeals, and scrutiny processes.

- The portal should allow real-time updates, document uploads, certificate verification, and a public dashboard of pending/disposed cases.
- Transparency measures such as monthly publication of verification status and committee decisions can help regain public trust.

## **(2) Enforcing Mandatory Timelines at All Levels**

Even though the Act prescribes timelines for certificate issuance and appeals, they are often not strictly followed. This causes undue delay for genuine applicants and keeps fraudulent beneficiaries in the system longer<sup>51</sup>.

- Introduce strict, enforceable deadlines for each stage—initial verification, scrutiny, hearing, appeal, and final issuance.
- Officials should be held accountable for non-compliance with timelines unless valid reasons are documented.
- Real-time monitoring systems and administrative reviews should be conducted quarterly to assess compliance.

## **(3) Linking Certificates with Aadhaar and Local Verification Cells**

To improve the authenticity of the caste certificates and avoid duplication or impersonation:

- Aadhaar linkage should be made mandatory, at least at the final stage of certificate issuance, to ensure that benefits reach the right person.
- Local verification units should be formed at the block or panchayat level, especially in tribal belts, consisting of trained officers, community elders, and civil society representatives.

---

<sup>51</sup> *Latest Laws, Govt Employees with Fake Caste Certificate to be Dismissed*, LatestLaws.com (Nov. 13, 2020), <https://www.latestlaws.com/adr/latest-news/govt-employees-with-fake-caste-certificate-to-be-dismissed> (last visited July 24, 2025).

- These units can provide on-ground verification when formal documents are not available or when historical records are unclear.

#### **(4) Training and Capacity Building for Officers**

Many officers involved in the certification and scrutiny process lack adequate training on legal procedures and sensitivity toward tribal and backward communities<sup>52</sup>.

- Mandatory and periodic training sessions must be organized for Competent Authorities, members of scrutiny committees, appellate authorities, and vigilance officials.
- Training should include procedural norms, evidentiary standards, cultural nuances of tribal communities, and recent court rulings that impact interpretation.
- Orientation sessions should also focus on ethical responsibilities and citizen service delivery standards.

#### **(5) Reforming the Legal and Appellate Framework**

The existing appeal mechanism under the Act is often slow and lacks a well-defined structure, which leads to confusion and delay.

- Clear legal timelines for the disposal of appeals should be included in the rules, with a digital appeal filing system integrated into the certification portal.
- A dedicated appellate tribunal or quasi-judicial redressal authority should be established to handle caste certificate disputes independently of the regular bureaucracy.
- Fast-track grievance resolution units should be created at the district level for applicants facing unreasonable delays or procedural harassment.

#### **(6) Community Awareness and Legal Literacy**

Many eligible citizens remain unaware of their rights, the application process, or redressal

---

<sup>52</sup> *PWD Engineer Rakesh Kumar Verma Dismissed Over Fake Caste Cert.*, *Dainik Bhaskar* (May 2023), <https://www.bhaskar.com/local/chhattisgarh/raipur/news/fake-caste-certificate-case-chhattisgarh-pwd-engineerrakesh-kumar-verma-dismissed-128957876.html> (last visited July 24, 2025).

mechanisms under the Act.

- Awareness campaigns must be conducted in local languages using radio, community meetings, schools, and panchayats to spread knowledge about the certification process and penalties for misuse.
- Legal literacy programs should also focus on making applicants aware of their rights during scrutiny and appeals, such as the right to a hearing or cross-examination.

Implementing these reforms can greatly improve the efficiency, fairness, and credibility of the caste certification process in Chhattisgarh. By combining digital tools, local participation, legal clarity, and administrative accountability, the state can ensure that the benefits of reservation policies reach the right beneficiaries while minimizing fraud and procedural injustice.

## VII. CONCLUSION

The Chhattisgarh SC/ST/OBC (Regulation of Social Status Certification) Act, 2013 stands as a landmark piece of legislation aimed at protecting the integrity of affirmative action policies by ensuring that only genuine members of Scheduled Castes, Scheduled Tribes, and Other Backward Classes receive the constitutional and statutory benefits reserved for them. In a state like Chhattisgarh, where a large segment of the population belongs to tribal and backward communities, the need for a transparent, uniform, and legally robust caste certification mechanism was long overdue. The Act attempts to address this by laying down clear procedures, timelines, verification methods, and penalties for misuse<sup>53</sup>. Despite this progressive legal framework, the implementation of the Act on the ground has faced several persistent challenges. Bureaucratic inefficiencies, political interference, lack of public awareness, misuse of certificates, and procedural delays continue to plague the system. Real-life cases, such as those involving forged certificates in government jobs and slow administrative responses, highlight how the lack of enforcement can erode the very purpose of the Act. Judicial interventions have played a vital role in upholding due process and ensuring that applicants' rights are respected. However, systemic gaps remain, especially in terms of timely grievance redressal, consistent application of rules, and effective coordination among verification

---

<sup>53</sup> *Chhattisgarh HC Restores ST Caste Certificate in Landmark Ruling*, *Times of India* (Nov. 25, 2024), <https://timesofindia.indiatimes.com/city/raipur/chhattisgarh-hc-restores-st-caste-certificate-in-landmarkruling/articleshow/115634680.cms> (last visited July 24, 2025).

authorities. To address these concerns, the paper has proposed several policy measures: strengthening digitization to increase accessibility and transparency; enforcing strict timelines for every stage of certification and appeals; decentralizing verification mechanisms; linking records with Aadhaar where appropriate; improving training for officials; and reforming legal appeal procedures. These solutions are not just procedural, they are essential for restoring faith in the system and ensuring that marginalized communities are not denied what is rightfully theirs, nor are opportunities unjustly claimed by others.

Looking ahead, the true success of the Act will lie in its ability to balance verification with dignity. Protecting one's identity should not become a source of hardship. If implemented earnestly and supported by continuous monitoring, community participation, and legal clarity, the Act can fulfil its original promise: to safeguard identity with dignity, prevent injustice, and promote genuine social inclusion through law.