



## ABSTRACT

List of Backward Classes, Most Backward Classes and Denotified Communities – Notified – Amendment to the entries relating to converts to Christianity from Scheduled Castes in the list of Backward Classes and Paravar in the list of Most Backward Classes – Issued.

### Backward Classes, Most Backward Classes and Minorities Welfare (BCC) Department

G.O.(Ms) No.98

Dated: 05/11/2009.

Read:-

1. G.O. Ms. No.1566, Social Welfare Department, dated.30.7.1985.
2. G.O. Ms. No.242, Backward Classes Welfare, Nutritious Meals Programme and Social Welfare Department, dated.28.3.1989.
3. Government Letter No. 42124/BCC/89-6, Backward Classes Welfare, Nutritious Meal Programme and Social Welfare Department, dated 14.9.1989.
4. Orders of High Court of Madras dated 12.12.2007 in Writ Appeal Nos. 2057/2001 and 2058/2001.
5. G.O. Ms. No.85, Backward Classes, Most Backward Classes and Minorities Welfare Department, dated 29.7.2008.
6. G.O.Ms.No.96, Backward Classes Most Backward Classes and Minorities Welfare, Department, dated.8.9.2008.
7. G.O.Ms.No.97, Backward Classes Most Backward Classes and Minorities Welfare, Department, dated.11.9.2008.
8. G.O.Ms.No.37, Backward Classes Most Backward Classes and Minorities Welfare, Department, dated.21.5.2009.

### ORDER:

The Government have issued amendment in their letter 3rd cited to the entry relating to Paravar community in the list of Most Backward Classes annexed to G.O.Ms.No.242, Backward Classes Welfare, Nutritious Meal Programme and Social Welfare Department, dated:28.3.1989 as follows:-

27. Paravar (except in Kanniyakumari District and Shencottah Taluk of Tirunelveli District where the community is Scheduled Caste) (including converts to Christianity).

By issuing the amendment as stated above, the Paravar Community and their converts to Christianity were declared as Most Backward Classes in the areas excluding Kanniyakumari District and Shencottah Taluk of Tirunelveli District. The Government of India have already declared the Paravar Community belonging to Kanniyakumari District and Shencottah Taluk of Tirunelveli District alone as Scheduled Caste, and therefore the Paravar converts to Christianity in those areas, (as Scheduled Caste converts to Christianity), are considered as Backward Class as in the case of converts to Christianity from other Scheduled Castes.

2. The Hon'ble Division Bench of High Court of Madras, in their orders dated 12.12.2007 in Writ Appeal Nos. 2057 and 2058 of 2001 and Writ Petition No. 23054 of 2002 has observed that the intention was to treat all the converts from Paravar Community throughout the State as belonging to "Most Backward Class." The expression "Except in Kanniyakumar and Shencottah Taluk of Tirunelveli District where the community is Scheduled Caste" obviously has a reference to the Paravar Community belonging to "Hindus", which was all along being treated as belonging to Scheduled Caste as per the Presidential notification. They have also directed the Government to take necessary action for the issuance of community certificates to the persons belonging to Paravar community converted to Christianity throughout the State including Kanniyakumari District and Shencottah Taluk of Tirunelveli District as belonging to "Most Backward Class".

3. Subsequently, the Hon'ble Division Bench of High Court of Madras, in their order dated 12.06.2009 in Contempt Petition No.324 of 2009, directed the Tahsildar, Agastheeswaram to issue community certificate wherever Paravar Christian of Kanyakumari District and Shencottah Taluk of Tirunelveli District files application and who are eligible for issuance of such certificate as belonging to Most Backward Classes and the compliance report submitted to the court. The Special Leave Petitions filed by Government before the Supreme Court of India against the Judgement of High Court of Madras dated.12.12.2007 in W.A.Nos.2057/2001 and 2058/2001 [Special Leave Petition (Civil) No.CC 8764-8766/2009] have also been dismissed on 16.7.2009.

4. In the above circumstances the Government, after careful consideration, have decided to implement the orders of High Court of Madras, dated.12.12.2007 in Writ Appeal Nos. 2057/2001 and 2058/ 2001. They accordingly issued direction to the Collectors of Kanniyakumari District and Tirunelveli District to issue Most Backward Classes Certificate to the pending applications of Paravar converts to Christianity of Kanniyakumari District and Shencottah Taluk of Tirunelveli District respectively. The Most Backward Classes Certificates to Paravar converts to Christianity of those areas have been issued and the compliance report submitted in the High Court of Madras by the Tahsildar, Agastheeswaram on 24.7.2009. In the above circumstances the Government have decided to issue necessary amendments to the entry relating

to 'Converts to Christianity from Scheduled Castes' in the list of Backward Classes and 'Paravar' in the list of Most Backward Classes contained in the G.O.4<sup>th</sup> read above. Accordingly, the Government issue the following notification and direct that the same be published in the next issue of the Tamil Nadu Government Gazette:-

### NOTIFICATION

In exercise of the powers conferred by clause (a) of section 3 of the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994) the Governor of Tamil Nadu hereby makes the following amendments to the Backward Classes, Most Backward Classes and Minorities Welfare Department Notification No.11(1) BCMBCM/36(a)/2008, published at pages 1 to 9 of Part II – Section 1 of the Tamil Nadu Government Gazette, Extraordinary, dated the 5<sup>th</sup> September 2008, as subsequently amended:-

### AMENDMENTS

In the said Notification, in the Schedule, -

(1) under the sub-heading " I, List of Backward Classes", for Serial.No.16(A) and the entries relating thereto, the following shall be substituted, namely:-

"16(A) Converts to Christianity from Scheduled Castes irrespective of the generation of conversion (except the Paravar converts to Christianity of Kanniyakumari District and Shencottah Taluk of Tirunelveli District)";

(2) under the heading "IV. List of Most Backward Classes", for Serial.No.27 and the entries relating thereto, the following shall be substituted, namely :-

"27. Paravar (except in Kanniyakumari District and Shencottah Taluk of Tirunelveli District where the community is Scheduled Caste).

27(A). Paravar converts to Christianity including the Paravar converts to Christianity of Kanniyakumari District and Shencottah Taluk in Tirunelveli District".

(By Order of the Governor)

T. N. Ramanathan,  
Secretary to Government.

To  
Director of Stationery and Printing, Chennai -2  
(He is requested to publish the notification in the next issue of Gazette and send 500 copies of the notification to Government )

Commissioner of Backward Classes Welfare, Chennai -5.  
 Commissioner of Most Backward Classes and Denotified  
 Communities, Chennai -5.  
 Member Secretary, Tamil Nadu Backward Classes Commission,  
 212 slum clearana Board Complex,  
 R.K. Mutt Road, Mylapore, Chennai - 4.  
 Commissioner of Minorities Welfare, Chennai-2.  
 Director of Technical Education, Chennai -25.  
 Director of Medical Education, Chennai -6.  
 Director of Adi Dravidar and Tribal Welfare,  
 Chennai -5.  
 Director of School Education, Chennai -6.  
 Director of Collegiate Education, Chennai -6.  
 All Other Heads of Departments / All District Collectors.  
 All Public Sector Undertakings.  
 Secretary, Tamil Nadu Public Service  
 Commission, Chennai -2 (With covering letter).  
 The Registrar, High Court, Chennai -104 (w.c.l.)  
 All District Magistrates and District Judges.  
 The Registrar, University of Madras / Annamalai University  
 Chidhambaram / Madurai - Kamaraj University, Madurai /  
 Bharathiyar University, Coimbatore / Bharathiyar University,  
 Tiruchirapalli / Tamil University, Thanjavur / Alagappa University,  
 Karaikudi / Mother Theresa University, Chennai -35 / Anna  
 University, Gunidy, Chennai -25.  
 The Registrar, MGR Medicial University, Chennai.  
 The Registrar, Manonmaniam Sundaranar University, Tirunelveli.  
 The Registrar, Tamil Nadu Veterinary and Animal Sciences  
 University, Chennai -7.  
 All Departments of Secretariat.  
 The Director of Information and Public Relations, Information and  
 Tourism Department, Chennai -9.  
 The Publicity Officer, Public (I & TD) Department, Chennai -9.  
 The P & AR (R/S) Department, Chennai -9.  
 The Editor, Tamil Arasu, Chennai -2.  
 The Secretary to C.M., Chennai -9.  
 The Law Department, Chennai -9.

// Forwarded by Order //

*N. Sankar*  
 6/11/05  
 Section Officer.