

**PROCEEDINGS OF THE SCRUTINY COMMITTEE
FOR VERIFICATION OF COMMUNITY CERTIFICATES**

No.4504657/G3/2020/SCSTDD

SC/ST Development (G) Department
Thiruvananthapuram, Dated: 19.10.2022

Sub:-	Kerala (Scheduled Castes and Scheduled Tribes) Regulation of issue of Community Certificates Act, 1996 - Scheduled Caste (Cheramar) claim of Sri.Dinesan.P.K @ Jacob Dinesh, S/o.Late P.C.Kuttappan, Puthenparambil, Chelikuzhy, Mundakkayam P.O, Kottayam - Rejected - Orders issued - Reg.
Ref:-	Enquiry Report Nos.V.47/12 dated 06.07.2020 of the Vigilance Officer, KIRTADS.

ORDER

On the basis of a resolution passed by the Mundakkayam Grama Panchayath Committee on 25.08.2012, Vigilance Cell of KIRTADS conducted an enquiry regarding the caste status of Sri.Dinesan.P.K alias Jacob Dinesh. As per the resolution, Sri.Dinesan.P.K procured a fish stall, which is reserved for persons who belong to Scheduled Caste communities in the financial year 2011-12. The Secretary of the Grama Panchayath stated that the fish stall was allotted to the claimant under the assumption that he belongs to SC Cheramar community. However, later the Grama Panchayath Committee has passed a resolution against the SC Cheramar claim of Sri.Dinesan.P.K alias Jacob Dinesh.

The Vigilance Cell of KIRTADS conducted a local discrete enquiry at the Mundakkayam, Chelikuzhy and Kanjirappalli of Kottayam district, where the claimant's family and close blood relatives inhabit. Data pertaining to the caste status of the claimant was also gathered from the claimant's mother, his close relatives, neighbours, President of Kerala Pulaya Mahasabha, Kanjirappalli branch etc.

The anthropological enquiry conducted by the Vigilance Cell of KIRTADS revealed the following:

- ◆ The paternal grandfather of the claimant, late Kunjan, who was born and brought up in Vayala, Kottayam. He was married twice. In his first wedlock, with Smt.Kunjamma, a native of Vayala Kottayam (who also said to be belonged to SC Cheramar community) a child was born viz, Sri.P.C.Kuttappan (claimant's father herein). In the School Admission register maintained at CMS L.P. School, Mundakkayam, Kottayam, the community status of Sri.P.C.Kuttappan is entered as 'Latin Cheramar Christian'. In this document, the claimant's father's date of birth is shown in Malayalam Era as 7-8-112, which corresponds to A.D.1936. Therefore it is clear that in the year 1936 itself, the paternal grandparents of the claimant embraced Christianity.
- ◆ After the death of his first wife, Kunjamma, claimant's paternal grandfather married Smt.Karasi of Mundakkyam, Kottayam District, who also claims to be belonged to Scheduled Caste Cheramar Community. Out of the marital union between Sri.Kunjan and Smt.Karasi, two children were born viz., Sri.Gopi P.C and Sri.Appukkuttan P.C (claimant's father's step brothers). Sri.Gopi.P.C is married with Smt.Leela, Muttappalli, Kottayam, who claims to be belonged to SC Cheramar community. Sri.Appukkuttan P.C is married with Smt.Santha, who hails from Injiyani, Vattakkavu, Idukki and claims to be a member of. SC Cheramar community.
- ◆ The local discreet enquiry and community entry in the extract of the admission register of Sri.P.C.Kuttappan (the claimant's father), maintained at CMS L.P School, Mundakkayam, prove that the father of the claimant belongs to 'Scheduled Caste convert to Christianity' from Scheduled Caste Cheramar Community.
- ◆ The detailed field investigation reveals that the claimant's paternal grandparents practiced Christianity and led a Christian way of life. The death rites of claimant's father was held as per the beliefs of Christianity in the C.S.I. Holy Trinity Church, Mundakkayam. From the Burial Certificate maintained at that church, it is clear that father of the claimant profess Christianity throughout is life time. However, the claimant stated that the dead body of his father was

buried in a crematorium of Kerala Pulaya Mahasabha, Mundakkayam. He has not produced any documents in support of his claim. It is clear that burial of claimant's father was conducted as per canon rites at Holy Trinity Church, Mundakkayam. Thus, admittedly it is revealed that the father of the claimant belonged to 'Scheduled Caste convert to Christianity', which is included in the Other Backward Classes (OBC) list of the State.

- ◆ The maternal grandfather of the claimant, late Kunjappan was born and brought up at Mundakkayam, Kottayam. Late Mariya alias Ulahi was the maternal grandmother of the claimant. She was born and brought up at Mundakkayam, Kottayam and belonged to the 'Scheduled Caste convert to Christianity' community. The couples have three children, viz. late Ponnamma (claimant's mother herein), Smt.Thankamma and Sri.Pappachan. Smt.Thankamma is married to Bhaskaran, who claims to be belongs to SC Cheramar Community. Sri.Pappachan is married with Smt.Ammi, who claims to be belongs to 'Scheduled Caste convert to Christianity of Cheramar origin. No documents were produced by the claimant to prove that his maternal kinsmen belong to Hindu Cheramar community.
- ◆ The detailed field investigation reveals that the claimant's maternal grandparents practiced Christianity and lived a Christian way of life. The spouse selection the claimant's maternal siblings, and maternal grandmother's biblical name, viz, Mariya alias Ulahi also routes to the fact that they embraced Christianity. The Statement furnished by the Vicar, Holy Trinity Church, Mundakkayam admits that the claimant's mother Ponnamma is a permanent member of the Church. Therefore, admittedly the mother of the claimant also belonged to 'Scheduled Caste converts to Christianity', which is included in the Other Backward Classes (OBC) list of the State.
- ◆ Out of the marital union between Sri.P.C.Kuttappan and Smt.Ponnamma five children were born viz, Sri.Radhakrishnan, Sri.Sudhakaran, Sri.Dinesan P.K alias Jacob Dinesh (claimant herein), Sri.Ramesan and Smt.Shobhana. Sri.Radhakrishnan is married with Smt.Merina, native of Erumeli, Kottayam.

Sri.Sudhakaran is married with Smt.Gracy, who hails from Vandiperiyar, Idukki. Sri.Ramesan P.K is married with Smt.Usha Mathew, who belongs to 'Scheduled Caste converts to Christianity' of Cheramar origin.

- ◆ The genealogical proforma produced by the claimant shows that the religion and community of sibling's spouse Smt.Merina and Smt.Gracy as Cheramar Christian and that of Smt.Usha as Hindu Cheramar. The genealogical proforma furnished by the claimant did not reveal the details of his younger sister Smt.Sobhana. Smt.Sobhana is married to Shaji, who belongs to 'Scheduled caste converts to Christianity' of cheramar origin.
- ◆ The detailed field investigation at Mundakkayam, reveals that the claimant's parents practiced Christianity and led a Christian way of life. The documentary evidences collected from the C.S.I. Holy Trinity Church, Mundakkayam reveal that Smt.Shobhana's (claimant's sister) baptism was conducted at that Church on 21st August 1992. The investigation also reveals that the claimant's younger brother, Sri.Ramesan's marriage was solemnized at Holy Trinity Church, Mundakkayam on 24th May 1999. The statement of the Vicar of the above church also admits that, though Claimant's mother, Smt.Ponnanima and his siblings Sri.Ramesh Jacob alias Ramesan and Sri.Sudhakaran P.K are permanent members of the church, the claimant was not a member since 2012. Thus it is a fact that the siblings of the claimant belong to 'Scheduled Caste converts to Christianity' of Cheramar origin.
- ◆ A close scrutinization of the baptism register maintained at Holy Trinity Church, Mundakkayam reveals that the claimant, Sri.Dinesan.P.K alias Jacob Dinesh was baptized at the age of 28 and the baptism date is entered as 1987 December 31. The claimant's marriage with Smt.Shajamma was also solemnized at the Holy Trinity Church, Mundakkayam as per Canon rites on 20th October 1988. The wife of the claimant also belongs to 'Scheduled Caste converts to Christianity' of Cheramar origin.

- ◆ After marriage, at the age of 45, the claimant Dinesan.P.K alias Jacob Dinesh claims to be embraced Hinduism through Kerala Hindu Mission, Thiruvananthapuram and notified in the Gazette on 26.05.2004. However, from the statement of the Vicar, Holy Trinity Church reveals that even after his claim as a member of Hinduism in 2004, he continued as a permanent member of Holy Trinity Church, Kottayam upto 2012. All these reveals that the claim of claimant as a member of Hindu community as per the Sudhi Certificate is factually incorrect and the certificate has no validity in the light of his continuation in the Christian faith as per the church records.
- ◆ In the wedlock between Sri.Dinesan.P.K alias Jacob Dinesh (the claimant) and Smt.Shajamma a child was born viz, Sri.Deepak Jackson alias Deepak Dinesh. He was baptised at CSI Holy Trinity Church, Mundakkayam. He is married with Smt.Sruthy, who belongs to Hindu Thiyya community. Smt.Sruthy embraced Christianity prior to her marriage with claimant's son. The claimant's son's marriage was solemnized at Holy Trinity Church, Mundakkayam on 6th May 2019.
- ◆ The Parish Directory published by the Holy Trinity Church in 2011 also shows that the claimant and his family were members of the church. Thus, the claimant's claim as a member of SC Cheramar community through Sudhi Ceremony in 2004 became void as he continued to lead a Christian way of life.
- ◆ The Investigation also reveals that since 2012, the claimant discontinued his membership from Holy Trinity Church owing to the resolution passed by the Grama Panchayat Committee against the Scheduled Caste status of the claimant. The local enquiry reveals that eventhough he discontinued his membership from the Church in 2012, he used to attend every church functions.

As per the local enquiry and documents collected from the field, it is revealed that the parents of the claimant profess Christianity. Anthropologically, life cycle rituals are very significant in determining the belief practices of an individual in society. Thus, birth, child initiation, marriage, death are important events to prove the belief practices

of an individual. The investigation also reveals that all the *rites de passage* in the life of the claimant and his close kinsmen are associated with the church viz., the claimant's baptism in the year 1987, his marriage in the year 1988 and his son's baptism in the year 1991. In the midst of the claimant's way of life as a Christian, in 2004 he approached the Arya Samajam and performed Sudhi to pretend as a member of Scheduled Caste Cheramar Community so as to grab the Constitutional rights earmarked for the Scheduled Caste people of the country. The statement of the Vicar, Holy Trinity Church authenticate that the claimant is a member of the Church upto 2012. This shows that after reconversion to Hinduism in 2004, the claimant continued to profess Christianity. The Parish Directory published by the Holy Trinity Church in 2011 also shows that the claimant and his family were members of the Church.

The claimant has inculcated the cultural background of Christianity. He cannot claim Hindu, Scheduled caste Cheramar status. However, the claimant enjoyed the fruits of the reservation stipulated by the Constitution of India for Scheduled Caste communities at every point of time. This is the violation of the existing rules and regulations of the Constitutional provisions.

The Government of India have given clear guidelines regarding the issuance of Scheduled Caste and Scheduled Tribe Community Certificates. When a person claims to be belonging to a Scheduled Caste or Scheduled Tribe by birth, it should be verified among other things that the person and his/her parents actually belong to the community claimed. It is evident that in the present case the claimant was born and brought up as a member of Christian community.

The enquiry revealed that Sri.Dinesan.P.K alias Jacob Dinesh, S/o.late P.C.Kuttappan, Puthenparambil House, Chelikkuzhy, Mundakkayam P.O. Kottayam has been living as a member of Christian religion. Thus, his claim as belonging to Hindu Scheduled Caste Cheramar Community cannot be conceded. He belongs to 'Scheduled Caste converted to Christianity' category, which is included in the OBC list of the State of Kerala.


A notice has been sent to the claimant to show cause as to why his claim to be a member of Hindu Cheramar community should not be rejected and why legal action as per the provisions in the Act 11 of 1996 should not be taken against him and his family members. The claimant has submitted his objection against the anthropological enquiry report of the KIRTADS. He has stated that the findings of KIRTADS regarding his community is false, baseless and it is only to satisfy the Mundakkayam Grama Panchayat Authorities.

The case was taken up and discussed by the Scrutiny Committee meeting held on 01.10.2022. The claimant was absent. He did not attend the opportunity for hearing given by the Committee on 24.05.2022. In his submission dated 16.05.2022, he has stated that he is a chronic diabetic, kidney and heart patient and not in a position to travel. It is also submitted that he has already furnished all the relevant documents to prove his caste claim.

The anthropological and documentary evidences make it clear that Sri.Dinesan.P.K alias Jacob Dinesh has been living as a member of Christian religion. His claim as belonging to Hindu Scheduled Caste Cheramar Community cannot be conceded. He belongs to 'Scheduled Caste converted to Christianity' category, which is included in the OBC list of the State.

After careful examination of the entire case records in accordance with the provisions of Kerala (Scheduled Castes and Scheduled Tribes) Regulation of issue of Community Certificates Act, 1996 (Act 11/1996), the Scrutiny Committee rejected the Scheduled Caste (Cheramar) claim of Sri.Dinesan.P.K alias Jacob Dinesh and authorized the Chairman to issue Proceedings in the case.

The Committee further decided to cancel all the Scheduled Caste certificates issued to Sri.Dinesan.P.K alias Jacob Dinesh by the competent authority and to bring this fact before Government for appropriate action under the relevant provisions of Act 11 of 1996.


Dr.A.JAYATHILAK IAS
 Chairman
 Scrutiny Committee for Verification
 of Community Certificates.

To,

- 1) Sri.Dinesan P.K @ Jacob Dinesh, S/o.Late P.C.Kuttappan, Puthenparambil, Chelikuzhy, Mundakkayam P.O, Kottayam – 686 513. (Registered with A/D)
- 2) The Director, Scheduled Tribes Development Department, Thiruvananthapuram. (Member, Scrutiny Committee for Verification of Community Certificates)
- 3) The Director, Scheduled Castes Development Department, Thiruvananthapuram. (Member, Scrutiny Committee for Verification of Community Certificates)
- 4) The Director, KIRTADS, Chevayoor, Kozhikkode – 17. (Member, Scrutiny Committee for Verification of Community Certificates)
- 5) The Director, Information & Public Relations Department. (For Press Release)
- 6) The District Collector, Kottayam.
- 7) The Scheduled Caste Development Officer, Kottayam.
- 8) The Vigilance Officer, KIRTADS, Chevayoor, Kozhikkode-17.
- 9) The Tahsildar, Kanjirappally.
- 10) The Private Secretary to Hon'ble Minister (Welfare of SCST& BC).
- 11) The P.A to Additional Chief Secretary, SCST&BCDD.
- 12) Stock File
- 13) Office Copy.

