



**Translated version of the  
Government Order**

**ABSTRACT**

Adi Dravidar Welfare - Scheduled Castes- Christian Adi Dravida converted to Hindu religion - Eligibility for enjoyment of rule of reservation - Fresh instructions - issued.

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Adi Dravidar and Tribal Welfare (CV-1) Department

G.O.Ms. No. 1

Dated: 02.01.2009

மார்ச்சு 18, திருவள்ளூர் ஆண்டு 2039

Read :

1. From the Government of India Ministry of Home affairs letter dt: 35/1/72-RU(SCT-V) Dated : 2.5.1975.
2. The decision of the Hon'ble Supreme Court of India in S.L.P (C) No. 27571/95, Dt: 25.1.1996.
3. Government letter (Ms) No. 81, Adi Dravidar and Tribal Welfare Department, Dt: 19.9.2000.

Read again :

4. Orders of the Hon'ble High Court of Madras in W.P.No. 14769/ 2002, Dt: 13.4.2007.
5. Legal opinion obtained from the Government Pleader, High Court, Madras No. 26/2008, Dt: 5.6.2008.
6. From the Additional Advocate General, Hon'ble High Court, Madras letter Dt: 10.6.2008.
7. Legal opinion issued by the Advocate General, High Court of Madras No. 43/2008, Dated : 19.9.2008.

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**ORDER :**

In the Government letter 3 read above, based on the orders of the Hon'ble Supreme Court of India in S.L.P. (C) No. 27571 of 1995 second read above, it was clarified by the Government that the born Christian (Children born to Christian parents), even after conversion to Hinduism at a later date they are not eligible to obtain the Community Certificate as Hindu Adi Dravida and they cannot enjoy the constitutional benefits conferred to the Hindu Adi Dravida.

2. Challenging the above clarification issued by the Government of Tamil Nadu W.P.No. 14769/2002 has been filed in the High Court of Madras. The Hon'ble High Court of Madras in its order Dt: 13.4.2007 among other things have ordered as follows:-

"x x x x We, accordingly, set aside the aforesaid clarification, as given in sub-paragraph to paragraph-2 of the letter dated 19th Sept.2000, issued by the Secretary to Government, Adi Dravidar and Tribal Welfare and remit the case to the authority concerned with direction to issue a fresh clarification giving reference to the other judgments rendered by the Supreme Court, as discussed above within a period of two months. The rest part of the order contained in Letter (Ms). No. 81, dated: 19th Sept. 2000, issued by the Secretary to Government, Adi Dravidar and Tribal Welfare Department is upheld x x x x".

3. Based on the opinion given by the Advocate General of Tamil Nadu and Additional Advocate General, High Court of Madras the Government have issued favourable orders in certain cases, considering the individuals born to Christian Adi Dravidar parents converted to the Hinduism at a later date and accepted by their caste people, are entitle for the privileges conferred under the Constitution of India and therefore the Government have issued orders to them for appointment against the Schedule Caste Quota, in the recruitment made by the Tamil Nadu Public Service Commission.

4. In order to clear the ambiguity and also to certify the Adi Dravidar people who have converted to Hinduism, Sikhism or Buddhism from other religions, the Government have issued the instructions as referred to in para 2 above based on the orders of the Hon'ble High Court of Madras, the instructions of the Government of India, orders of the Hon'ble Supreme Court, legal opinion given by the Advocate General and Additional Advocate General, Government of Tamil Nadu, the Government have examined the issue in detail. As per the orders of the Hon'ble High Court of Madras, the Government have now issue the following revised instructions cancelling the clarifications issued in letter No. 81, Adi Dravidar and Tribal Welfare Department, Dt: 19.9.2000 :

" The children born to Christian Schedule Caste parents i.e., Christian by birth, converted to Hinduism, Sikhism or Buddhism at a later date and the Scheduled Caste parents embracing Hinduism, Sikhism or Buddhism converted to other religion and subsequently reconverted Hinduism, Sikhism or Buddhism, if they are accepted by their community people, the Revenue Authorities can issue Scheduled Caste community certificate to them to become eligible for the constitutional privileges conformed on the Hindu Scheduled Caste (following Hinduism, Sikhism or Buddhism) and order accordingly ".

5. The instructions issued by the Government of India in circular letter No. 35/1/72 R.U.(SCT.V), Dt: 2.5.1975 in this regard is also enclosed with this order.

(BY ORDER OF THE GOVERNOR)

V. KANAGARAJ  
SECRETARY TO GOVERNMENT

To

Commissioner, Adi Dravidar Welfare, Chennai - 5.  
Commissioner, Tribal Welfare, Chennai - 5.  
Principal Secretary and Commissioner of Revenue Administration, Chennai - 5.  
Managing Director, TAHDCO, Chennai - 101.  
All District Collectors.  
All District Adi Dravidar and Tribal Welfare Officer.  
All Secretaries of Secretariat  
All Heads of Departments.  
Secretary, Assembly Secretariat, Chennai - 9.  
Secretary, Revenue Department, Chennai - 9.  
Secretary, Law Department, Chennai - 9.  
All Registrar of Universities.  
Registrar, High Court of Madras, Chennai -104.  
All Public Sector undertakings.  
Secretary to Chief Minister, Chennai - 9.  
The Special Personal Assistant to Minister (Adi Dravidar Welfare),  
Chennai-9.  
Copy to :  
All Sections of Adi Dravidar and Tribal Welfare Department, Chennai - 9.  
SF/SC.

// TRUE COPY //

SECTION OFFICER