



Supernumerary posts for fabricated primitive employees in Maharashtra - A study

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The Indian constitution had been made in within two years, eleven months & seventeen days. It is the biggest constitution in the world; it is a sacred national volume by which our nation runs. The constitution of India has a different type of features, such as, it a flexible and rigid too. Flexible in the sense that our parliament can commit amendments in any article therein. Fundamental rights & directive principles are very significant chapters therein.

The father of Indian constitution Dr. B.R. Ambedkar had taken much more pains to make it while playing the role of chairman of drafting committee. He studied caste system, class-system, multi-languages and multi culture in our country and made such provisions to uplift the down trodden people by providing them reservation in education and services. The scheduled castes, scheduled tribes and other backward classes, have reservation by the grace of constitution makers.

The scheduled castes & tribes have the reservation in services and education since the implementation of the constitution whereas the other backward classes have the benefit of reservation in services & education since 1994. The supreme court of India also gave a verdict pro-reservation of OBCs.

The percentage of reservation to the backward communities is found in a different sort of; as we consider the states & Central Govt. In Central Govt. institutions it is as ahead SC- 15%, ST-7.5%, OBC-28% whereas in Maharashtra State it is SC-13%, ST-7%, VJ/NT- 11% & OBC-18%.

On the basis of these figures the backward communities have got the benefit of it in education & services.

Moreover the present Central Government has made a constitutional amendment & provided 10% reservation to those Indian citizens who are economically backward classes. The Supreme Court also gave a nod to this amendment. Now they would also enjoy the benefits of reservation. Narendra Modi, the honourable Prime Minister of India would also be partly reckoned as Babasaheb Ambedkar for EWS.

It's okay enjoying the policy of reservation by the backward classes and economically weaker sections. But what about them who got fabricated and fake caste or tribal certificates producing false information and enjoyed the benefits of services? Reservation for one and enjoying it by others. Who will stop this and how? That's why this search is very important.

Objectives of the research paper:- The researcher has decided following objectives to accomplish the research.

- 1) To find out bogus backward class certificate holders.
- 2) To verify legitimacy of supernumerary posts.
- 3) To find out the opinions of employees regarding the fake and fabricated document holders.
- 4) To suggest recommendations with regard to it.

Hypothesis:-

The researcher has laid the following hypothesis to accomplish the research work.

- 1) Due to some Govt. authorities' loopholes, the non-primitive persons get the ST & SC caste certificates that are fabricated.

Method:- The researcher has chosen survey method to accomplish the research.

Tools:- The researcher has made a chart of interview and also made a questionnaires as a tool of this research.

Sampling:- One hundred Govt. employees and one hundred qualified unemployed students were chosen randomly as a sample to accomplish the research.

With regard to the research, some figures are crucial before we make conclusion about the fake and fabricated scheduled tribes' certificates.

In our country, 779 have been designated as scheduled castes communities; 75 primitive tribal groups have been designated as scheduled tribes communities and the other backward communities were found out 2399 by Mandal Commission report in 1980.

In the state of Maharashtra there are 59 castes that are incorporated in scheduled caste list whereas there are 47 tribes which are reckoned as scheduled tribes. Such as, Koli Dhor, Tokare Koli, Kolcha, Koli Mahadev, Katkari, Pardhan, Pomla, Varali, Thakar, Thakur, etc.

As fake Caste Certificate holders who are in Govt. services, likewise bogus freedom fighter certificates were also found with some employees. Such as Kishor Tambe V/s. Maharashtra Government (2012) the honourable High Court bench Aurangabad had given a verdict against the petitioner (Kishor Tambe) and the petitioner was reversed to the lower post of 'sevak' that was called as supernumerary post.

In the state of Maharashtra, a figure came out of bogus primitives enjoying government jobs, that is 3931. The figure of bogus primitive employees was obtained through RTI- act – 2005 as letter no/2005/5602/16 dated 04/10/2016 most of the 3931 employees are working in education field, in school and colleges. A question arises who gave them fake caste certificate of backwardness? Don't we feel that it is a grand social injustice upon primitive societies?

In addition, the Govt. declared that the fake primitive employees would get the benefit of supernumerary posts. It meant that the Government servants who were proved as fake primitive communities or who could not produce the validity of caste certificate, will be fitted on the lowest post of that department. Why the lowest post too? They have actually cheated the government, got jobs and earned huge assets till-to- date on the basis of their salary. It is a sort of fraud and they are to be given supernumerary posts. The posts that are lower than their present posts. It means the Govt. is going to fit them on 'open-to-all' category points in the roster of reservation.

Following conclusion after the research:-

- 1) There are 47 tribal groups in the list of scheduled tribes of Maharashtra State.
- 2) After independence of our country, a number of primitives have been obtaining the benefit of Govt. & Non- Govt. jobs on the basis of reservation.
- 3) There are still 3931 employees who are non- primitives but enjoying the benefits of primitives, acquiring fake and fabricated documents of scheduled tribes. Most of them are working in education department.
- 4) The Maharashtra Government, on December 14, 2023, issued a GR to adjust them non-primitive employees on supernumerary posts.
- 5) The organisations of original primitives are opposing the said GR.
- 6) The open-to-all category are also in oppose of the said G.R.
- 7) Supernumerary posts are unconstitutional by number of interviewees opinion.

- 8) The original primitives are still facing the problem of starvation, well education and unemployment.
- 9) It is an injustice upon original Adiwasi by creating supernumerary posts for false and bogus primitives.

Recommendations:-

- 1) The Govt. of Maharashtra should implement the Maharashtra SC/ ST/ VJ/ NT & OBC category Regulation on issuance and verification of Caste Certificate Act-2000 to prevent the bogus Adiwasi Certificate holders.
- 2) The Govt. of Maharashtra should make afresh resolutions by taking the act into its consideration.
- 3) The removal of fake primitives from the government & non government services be put a plan into action.
- 4) The supernumerary posts are possible in one or two cases but a here are massive numbers. That's why they should not be appointed again on supernumerary post.
- 5) The administration should be run on rules not on emotional base.

In a nutshell, there are number of tribal groups who live in rural areas and in wood. Most of them don't have proper costumes; not have qualitative education; not have degree; not have employment and not have nourished diet. They must be given justice to.

Whether the principle of supernumerary posts is diminished, the prestige of the Govt. would certainly increase.