

**GOVERNMENT OF KERALA****Abstract**

Scheduled Castes Scheduled Tribes Development Department - Scheduled Caste (Ayyanavar) claim of Sri. Joby A., S/o Alagiri Sami, Pallikkattil House, Kodanchal, Peravoor P.O., Thundiyl, Iritty, Kannur- Complying with the judgment dated 23.03.2026 in W.P.(C) No. 30135/2021 of Hon'ble High Court of Kerala - Orders issued.

**SCHEDULED CASTES SCHEDULED TRIBES DEVELOPMENT (G)
DEPARTMENT**

G.O.(Rt)No.459/2026/SCSTD Dated,Thiruvananthapuram, 08-07-2026

- Read:-**
1. Appeal dated 04.09.2019 filed by Sri. Joby A., S/o Alagiri Sami before the Secretary, SC/ST Development Department.
 2. Anthropological Enquiry Report No. V-2968/2019 dated 22.07.2021 of the Vigilance Officer, KIRTADS.
 3. Representation dated 18.06.2024 submitted by Sri. Joby A. to the Chairman, Scrutiny Committee for verification of Community Certificates.
 4. Judgment of Hon'ble High Court of Kerala dated 23.03.2026 in WP(C) 30135/2021.

ORDER

Sri. Joby A., S/o Alagiri Sami filed an appeal read as 1 above before the Secretary, Scheduled Castes Scheduled Tribes Development Department under Section 12 of the Kerala (Scheduled Castes & Scheduled Tribes) Regulation of Issue of Community Certificates Act, 1996 (Act 11 of 1996) against the Tahsildar, Iritty Taluk and Kerala Institute for Research Training and Development Studies (KIRTADS-the Expert Agency of the Government) who rejected his Scheduled Caste (Ayyanavar) claim.

2. On receipt of such an appeal the Government referred the claim to KIRTADS for a detailed enquiry. Following the receipt of the KIRTADS report read as 2 above, a show cause notice was served to the claimant. Instead of submitting a reply to the show cause notice, the claimant challenged the notice before the Hon'ble High Court by filing WP(C) No. 30135/2021, contending that the notice was "threatening" in nature and seeking to quash the same along with other reliefs. However, after a delay

of two years, the claimant submitted a reply to the show cause notice read as 3 above requesting a personal hearing. While the file was being processed for submission before the Scrutiny Committee to consider placing the case in the subsequent meeting, the final judgement dated 23.03.2026 in the writ petition read as 4 above was delivered by the Hon'ble Court. The direction in the judgment was as follows:

*"In such circumstances, taking note of the limited submissions made on behalf of the petitioner, I deem it appropriate to dispose of the writ petition with a **direction to the 1st respondent (Secretary, SCSTDD) to consider and pass appropriate orders with respect to Ext.P22 (Representation dated 18.06.2024) after affording an opportunity of hearing to the petitioner.** The petitioner shall be free to produce such materials as may be required for establishing his claim. **The entire exercise shall be completed within a period of three months from the date of receipt of a certified copy of the judgment**".*

3. In pursuance of the direction of the Hon'ble High Court, the petitioner was given a personal hearing on 22.05.2026 at 11.00 AM. The claimant, Sri. Joby A. along with his counsel, appeared for the hearing. The claimant himself made submissions regarding the social, cultural and economic circumstances on the basis of which he claims Scheduled Caste (Ayyanavar) status which are summarized below:

Personal Details

- **Name of the claimant:** Joby A. (Recorded as "Joy" in primary school admission register dated 07.07.2008).

Current

- **Residence:** Pallikkattil House, Kodanchal, Peravoor P.O., Iritty, Kannur District.
- **Marital Status:** Married to Ashitha (from the Thiyya community) in the year 2009.
- **Children:**
 - Abhijay Joby (Plus Two student at Navodaya Vidyalaya, Chendayad, Kannur).

- Adilakshmi Joby (8th Standard student at Navodaya Vidyalaya, Chendayad, Kannur).

Paternal lineage & Caste details

- **Father:** Alagirisami (engaged in agricultural work; recorded as "Pappachan" in school records; deceased).
- **Grandfather:** Sreerangaboyan. Migrated to Kerala many years ago from Ilayamathur near Palani, Tamil Nadu.
- **Grandmother:** Karuppayi (house location unknown).
- **Paternal Caste/Community:** Father's caste is noted as Boyan. (A partition deed dated 20.03.2004 lists the grandfather's name as Sreerangapoyan; claimant stated that there is no caste officially named as 'Poyan').
- **Siblings of Father:**
 - **Arumukhan:** Deceased. His eldest son Ayyappan also is no more. Arumukhan's wife and other children now reside at Seethathode/Thenmala, Kollam.
 - **Valliyamma:** Deceased; had no children.
 - **Raman:** Resides at Vadakara.

Maternal lineage & Caste details

- **Mother:** Lakshmi (deceased when the claimant was 22 years of age).
- **Maternal Caste/Community:** Stated by the mother to be **Ayyanavar**. (No documents to prove the claim)
- **Family Contact:** No contact or knowledge regarding the mother's house or maternal relatives. No maternal relatives attended her post-death ceremonies.

Educational details

- **Schooling:** Studied up to 7th standard at U.P. School Vekkalam; discontinued

due to poverty.

Discrepancies in early records

- Primary school records initially registered the claimant's caste as '**Christian converted from Ayyanavar**' and Father's name was recorded in school register as '**Pappachan**'.

Religious affiliation & customs

- **Shuddhikarma(Purification ceremony):**The claimant officially embraced Hinduism/Vedic faith through a ceremony conducted by the Shuddhi Sabha on 14.08.2012 to rectify the 'Christian converted' school entry. However currently the claimant, his wife and children live strictly following Hindu rituals.
- **Children's Records:** Both children have their caste officially entered as '**Hindu–Ayyanavar**' in their school records.
- **Rituals followed:**
 - Birth rituals for both children were conducted at the wife's house.
 - Post-death ceremonies for both the father and the mother were performed strictly in accordance with the Hindu customs. The paternal relatives participated in the father's funeral and post-death ceremonies, **whereas the maternal relatives did not participate in the mother's funeral and post-death ceremonies.**

Details of Siblings

The claimant has four siblings, maintains good relationships with them and notes their community marriages as follows:

- **Murali (Murukan):** Married to Shobha (Thiyya community) from Peravoor.
- **Raju:** Married to Pushpa (Boyan community) from Kolavippalam, Vadakara.
- **Kumari:** Married to Kalimuthan (Boyan community) from Kolavippalam, Vadakara.
- **Babu:** Married to Leela (Karimpala community) from Ulikkal, Kannur.

Documents submitted:-

The claimant stated that there are no further documents to produce in connection with the hearing.

- Copy of Secondary School Leaving Certificate (SSLC) of Abhijay Joby.
- Transfer certificate of Adhilakshmy Joby.
- Gazette notification regarding conversion to Hinduism.
- Certificate of marriage of Joby Pallikattil with Ashitha.
- Certificate of Head Master, Govt. U. P. School Vekkalam regarding claimant's son Abhijay Joby, that his caste and religion is not recorded in the admission register.
- Copy of title deed No. BA795434.
- Copy of Partition deed dated 20.03.2004.
- Copy of Pattayam of Alagiri Swamy.
- Election ID of Alagiri Sami.

4. On the basis of the documents produced and the submissions made by the claimant during the personal hearing, the following were deduced:

i) The claimant and his family were unable to provide clear and consistent information regarding the claimant's mother, her family background or her community status. As per Section 10 of Act 11 of 1996 the burden of proof that one belongs to such caste or tribe shall be on the claimant. The absence of satisfactory details raises doubts regarding the claimant's claim of deriving Scheduled Caste (Ayyanavar) status through his mother.

ii) Even assuming, for the sake of argument, that the claimant's mother belonged to the Scheduled Caste Ayyanavar community, the claimant's own statements reveal a stronger social affiliation towards his paternal side. During the hearing, the claimant stated that "my father's relatives had participated in the post-death ceremonies when my father passed away," whereas "none of my mother's relatives participated in the post-death ceremonies of my mother." These statements indicate a closer social affinity and familial association with the paternal Boyan community than with the maternal Ayyanavar community.

iii) The claimant as well as the expert agency, KIRTADS have placed emphasis on the Hindu customs and practices followed by the claimant and his family. However, neither have furnished any specific evidence regarding customs, traditions, social practices or community characteristics peculiar to the Ayyanavar community. Consequently, the materials available do not establish any demonstrable affinity with the Ayyanavar community.

iv) The SSLC certificate of the claimant's son, Shri Abhijay Joby, and the Transfer Certificate of his daughter, Kumari Adhilakshmy Joby, record their caste as 'Hindu

Ayyanavar (General)'. This indicates that they are not recognized as belonging to the Scheduled Caste Ayyanavar community and are not entitled to the benefits available to the members of the Scheduled Castes.

5. Since the Vigilance Officer, KIRTADS, has concluded that Sri. Joby A. and his siblings can only be treated as members of the Hindu Boyan community and that Sri. Joby A. has failed to substantiate his claim of belonging to the Scheduled Caste Ayyanavar community, the Government presently finds no sufficient grounds to accept his claim for Scheduled Caste (Ayyanavar) status.

6. The judgment dated 23.03.2026 in WP(C) No. 30135/2021 directs the first respondent (Secretary, Scheduled Castes and Scheduled Tribes Development Department) to consider the representation submitted by Sri. Joby A and pass appropriate orders after affording him an opportunity of hearing. Having examined the case in its entirety, it is found that it would be appropriate to refer the matter to the Scrutiny Committee for the following reasons:

i. The representation dated 18.06.2024, (Ext. P22) through which Sri. Joby A. sought an opportunity of hearing to establish his caste claim, was addressed to the Chairman, Scrutiny Committee and not to the first respondent, namely the Secretary, SC/ST Development Department.

ii. The judgment dated 23.03.2026 directs consideration and issue of appropriate orders on Ext. P22, i.e., the representation dated 18.06.2024 submitted by Sri. Joby A. before the Chairman, Scrutiny Committee.

iii. The reference to KIRTADS for conducting a detailed anthropological and genealogical enquiry was made by the Chairman, Scrutiny Committee for verification of Community Certificates and the enquiry report was also submitted by KIRTADS to the Chairman, Scrutiny Committee. Therefore, it would be appropriate for the matter to be adjudicated by the Scrutiny Committee, which initiated the enquiry process.

iv. The principles of natural justice would be better served if the matter is heard and adjudicated by the Scrutiny Committee, a quasi-judicial body constituted for the determination of caste status claims, rather than by the Government in its executive capacity.

7. In view of the above facts and circumstances, the Government have decided to afford the claimant one final opportunity to adduce evidence regarding the caste status of his mother, in order to substantiate his Scheduled Caste (Ayyanavar) claim. At the same time, the investigating agency, KIRTADS, is directed to explain the reasons for not collecting and reporting detailed information relating to the caste and community background of the claimant's mother. KIRTADS shall also provide a more comprehensive assessment of the issue of community infiltration discussed in

the enquiry report for consideration by the Scrutiny Committee.

8. Accordingly, Government have decided to refer the Scheduled Caste (Ayyanavar) claim of Sri. Joby A to the Scrutiny Committee for Verification of Community Certificates for further consideration and action on the basis of the representation dated 18.06.2024 (Ext. P22) submitted by the claimant, Sri. Joby A.

9. The judgment dated 23.03.2026 of the Hon'ble High Court of Kerala in WP(C) No. 30135/2021 is thus complied with.

(By order of the Governor)
DR A KOWSIGAN I A S
SECRETARY

To:

- 1) Sri. Joby A., S/o Alagiri Sami, Pallikkattil House, Kodanchal, Peravoor P.O., Thundiyl, Iritty, Kannur.
- 2) The Advocate General, Ernakulam (with C/L).
- 3) The Director, SC Development Department, Nandavanam, Vikas Bhavan P.O., Thiruvananthapuram.
- 4) The Director, KIRTADS, Chevayoor, Kozhikkode – 17.
- 5) The Vigilance Officer, KIRTADS, Chevayoor, Kozhikkode – 17.
- 6) The District Collector, Kannur
- 7) The Tahsildar, Iritty Taluk.
- 8) Information & Public Relations (Web & New Media) Department (For uploading in Govt. website).
- 9) Stock File/Office Copy

Forwarded /By order

Section Officer