

The Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991

Section	Provision
8	<p>Offences and Penalties:</p> <p>1 (a) If an appointing authority makes any appointment in contravention of the provisions of Section 4 of the Act or the rules made there-under, he shall, on conviction, be punishable with simple imprisonment for a term which may extend to five years and also with fine which may extend to rupees ten thousand. In addition, the State Government may, if it considers necessary, draw up disciplinary proceedings against such appointing authority for punishment under the service rules;</p> <p>(b) Nothing contained in Sub-Section(1)(a) above shall apply in relation to an appointment to any service or post of which the appointing authority is the Governor;</p> <p>(c) If any authority who is authorized to authenticate orders of the Governor, issues or causes to be issued an order of appointment of which the appointing authority is the governor, in contravention of Section 4(a) of the Act or the rules made there-under, shall, on conviction, be punishable with imprisonment and fine as provided in Sub-section(1) (a) above;</p> <p>(2) Whoever, having authority to admit, recommend, select or nominate any student to any educational Institution, admits, recommends or selects or nominates any student for higher studies or whoever having authority to admit, recommend, select or nominate any candidate or in-service personnel for higher studies or training, admits, recommends, selects or nominates any candidate in violation of Section 5 of the Act or the rules made there-under shall, on conviction, be punishable with imprisonment and fine as provided in Sub-Section(1) (a) above ;]¹</p> <p>(3) Whoever violates the provisions of Section 7 shall, on conviction, be punished with imprisonment and fine as provided under Sub-Section (1)(a) above;</p>

	<p>(4)Whoever, not being a person belonging to the Scheduled Castes or Scheduled Tribes, obtains or has obtained a community certificate in his favour from the competent authority by –</p> <p>(a) furnishing false information; or</p> <p>(b) giving false statement or declaration / misrepresenting facts or]¹</p> <p>[(c) adopting any other fraudulent means:</p> <p>shall, on conviction, be punishable with rigorous imprisonment for a term which may extend to five years and also with fine which may extend to rupees ten thousand;</p> <p>Provided that any plea of the accused that the competent authority was satisfied after inquiry to issue in his favour the community certificate in question shall not be a defence;</p> <p>(5)Whoever, not being a person belonging to the Scheduled Caste or Scheduled Tribe, gets elected to any elective office reserved for the Scheduled Castes or the Scheduled Tribes on the basis of a false community certificate, shall on conviction, be punishable with rigorous imprisonment for a term which may extend to five years and also with fine which may extend to rupees ten thousand. Election of such person to the elective office in question shall also be void and the person concerned shall be deemed to have been debarred from contesting any election for a period of six years from the date of such conviction;</p>
	<p>(6)Whoever, not being a person belonging to the Scheduled Tribes, secures or has secured any benefit or protection available only to Scheduled Tribes under any rules, regulations or notification made under the Sixth Schedule of the Constitution of India or any other law for the time being in force in the Sixth Schedule area shall, on conviction, be punishable with imprisonment and fine as provided in Sub –Section (4) above;</p> <p>(7)Any person or authority, who, while performing the functions of a competent authority under this Act or the rules made there-under, intentionally or with full knowledge that a person applying for issue of Scheduled Caste or Scheduled Tribe certificate does not actually belong to the Scheduled Castes or Scheduled Tribes, issues in favour of such person a community certificate shall, on conviction, be punishable with imprisonment and fine as provided in Sub-Section (1)(a) above;]¹</p> <p>(8)Whoever intentionally gives any false report, information or evidence</p>

before any competent authority under this Act or rules made there-under with full knowledge that a person claiming himself to be a member of the Scheduled Castes or Scheduled Tribes does not actually belong to the Scheduled Castes or Scheduled Tribes, shall be punishable with imprisonment and fine as provided under Sub-Section (1) (a) above;]¹

(9)Where no express provision for punishment of a person for contravention of any provision of this Act has been made, the person contravening any such provision of this Act shall be punishable with imprisonment and fine as provided under sub-Section (1)(a) above;

(10)Whoever abets any offence punishable under this Act or the rules made there-under shall, on conviction, be punishable with imprisonment and fine as provided for that offence;