राज्य सरकार के याचन में समेत ऐसे मामले कराये हैं जिनमें प्रमुखतः जाति।

1) सन भीत्र व गत वर्षों में जाति के लिए अन्तर्राष्ट्रीय विनियम तथा विश्वास की गतिविधियाँ दिनग्रहण की गईं।

2) गांधी जी के अनुसार जाति का अर्थ है जन-जाति तथा जाति की अनुमुखता।
ब्राह्मण हुए हैं। हि अविन्दित। अभिनव हैं।

राज्यमंत्री बीकारीयो, तूम्हारा दर्शन का प्रकाशन का विपणन का लक्ष्य है। 

होश जारी रहे पर दर्शन-पत्रों के बारे पर दर्शन-पत्र देकर हैं। यदि तुम स्वयं दर्शन जारी कर दो तो यह मुद्दा-पत्र के संबंध में उल्लेख हो। स्वयं दर्शन में रहे तो है।

क्योंकि बाइबिल के लिये यही प्रकाश के उपर दर्शन पत्र के लिये अनुमान चीजें हैं। एक बार दर्शन की प्रतिज्ञा रहे तो है।

उसे दर्शन के आनंद का सर्वार्थ सुनिश्चित कर दिये हैं। गलत मुद्दा-पत्र जारी कर दिये तो है।

इसे दर्शन का उपवास तो है।

प्रमाणी,

कृपया अनुसार दर्शन की आवश्यकता है।

प्रतिपादित बिअरसाई का ऩावा एवं दाक्षिणात्य सागरी सत्य

1. निम्न, राज्यमंत्री ।
2. निम्न, दर्शन।
3. निम्न, दर्शन।
4. निम्न, दर्शन।
5. प्रतिपादित बिअरसाई का ऩावा एवं दाक्षिणात्य सागरी सत्य।

कृपया अनुसार दर्शन की आवश्यकता है।

प्रतिपादित बिअरसाई का ऩावा एवं दाक्षिणात्य सागरी सत्य।

1. निम्न, राज्यमंत्री ।
2. निम्न, दर्शन।
3. निम्न, दर्शन।

कृपया अनुसार दर्शन की आवश्यकता है।

प्रतिपादित बिअरसाई का ऩावा एवं दाक्षिणात्य सागरी सत्य।

1. निम्न, राज्यमंत्री ।
2. निम्न, दर्शन।
3. निम्न, दर्शन।
राष्ट्रपति ने गूंजे राज्य तथा राज्य शासक प्रभारी में बाजी में दर्ज़ राज्य के प्रमुख राष्ट्रीय राज्य के राज्यपाल के परा পান প্রতিরূ�। 

बंद निरिक्ष निष्क्रिय निराकरण। निष्क्रिय निराकरण राज्य का निष्क्रिय राज्य का अनुसार निष्क्रिय का निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अनुसार निष्क्रिय राज्य का अ

लेखनी बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा राज्य का बारेमा

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Legal views on the status of the offerings of a couple where one of the spouses is a member of a Scheduled Caste.

1. The general position of law as to the effect of marriage between parties who are Hindus and one of whom belongs to the Scheduled Castes is that under the ancient Hindu law, generally, inter-caste marriage was looked down upon by the propounders and commentators. Some of the authorities, however, reluctantly permitted marriage between a male caste Hindu with a Chudra female and included it in the list of Suluiya marriages although it was stated that in the wedding with a Chudra wife, the ceremony should be performed without ceremony. The children born out of a marriage by a caste Hindu with a woman of an inferior caste had neither the caste of the father nor the status of his warden and were deemed the son born of a caste Hindu wife. They were termed as suliwala and belonged to an intermediate caste, higher than that of their mother and lower than that of their father. One son of suliwala by a Chudra wife from the list of persons mentioned by Dhamacharya, who settled in marriage between persons of a superior caste, with none of an inferior caste, were altogether forbidden and no rites were prescribed for them in both cases, and persons entering into such marriages were degraded from the caste.

2. After the passing of the various statutory enactments relating to the Hindu law, such as, the Hindu Marriages Act, 1955, the Hindu Succession Act, 1956 and the Hindu Minority & Guardianship Act, 1956, customary ban on inter-caste marriages in either way, has been lifted by the statutory enactment. Under the Hindu Marriage Act, any marriage of different sex, irrespective of their caste may enter into a valid marriage unless such marriage is prohibited by the statute itself. According to the above three statutes, all children of legitimate or illegitimate, one of whose parents is a Hindu, Brahmin, Kshatriya or a Vaisya by religion and who are brought up as members of the tribe, community, group or family in which their parents belong or belong, are to be treated as Hindus. In view of the above, the side-springs of marriage between the caste Hindu and a member of the Scheduled Caste community, are Hindu and like the off-springs of marriage in the same caste are entitled to succeed to the properties of their parents. But the status of his or her parent belonging to the higher caste or to question arises as to whether such child will acquire the that of the parent belonging to the Scheduled Caste. On this point, we have not come across any direct case law. But we feel that the ratio of the decision in Sree J. B. Samanta v. Sree J. B. Kotho, reported in 1968 A.C. 122 would apply to such cases, it is stated at p. 122:

"The test which will determine the membership of the individual will not be the purity of blood, but his own conduct in following the customs and the way of life of the tribe, the manner in which he was reared by the community and the practice among the tribal people in the matter of dealing with the tribal people is the test of dealing with persons whose father was a "bradse."
Similarly, in the case of *Pundari V. Ujwalla*, reported in *AIR 1959 Cal 323, Hadara* 325, the Court held

"It is not uncommon process for a Caste or tribe outside the fold of caste to another fold and if other communities recognized their claim, they are treated as of that caste or fold. The process of adoption into the Hindu hierarchy through caste is common both in the North and in the South India. As we have already pointed out, in the past, there have been cases where people who judged from the purity of blood could not be Bhasikas, were taken into their fold or the orthodoxy did not stand in the way of their assimilation into the Bhasi community."

3. The Supreme Court in *V. V. Giria V. S. Bora* reported in *AIR 1959 SC 1318* (1327), held,

"...The caste status of a person in the context would necessarily have to be determined in the light of the recognition received by him from the members of the caste into which he seeks an entry. There is no evidence on this point at all. Besides, the evidence produced by the appellant merely shows that acts by respondent 1 which no doubt were intended to assert a higher status, but unilateral acts of this character cannot be safely taken to prove that the claim of the higher status which the said acts purport to make is established. That is the view which the High Court has taken and in our opinion the High Court is absolutely right."

In view of the above observations by superior Courts, it can safely be concluded that the crucial test to determine whether a child born out of such a wedlock has been accepted by the Scheduled Caste community as a member of their community and has been brought up in that community or not. The nexus between the child and the community or class or caste is a real test irrespective of the fact whether the accommodating class or caste or community, is a Cast at community. Even if the mother of the child is a member of the Scheduled Caste community, it is possible that the child is accepted by the community of his father and brought up in the surroundings of his father's relations. In that case, such a child cannot be treated as a member of the Scheduled Castes' community and cannot get any benefits as such. Similarly, when the mother belongs to a higher caste and the father is a Scheduled Caste, the father may remain away from the Scheduled Caste community and the child may be brought up in a different surrounding under the influence of his father's relations and their community members. In such cases also, the child cannot be said to be a member of the Scheduled Caste community. In the alternative, where the child is irrespective of the fact whether the father or the mother is a member of Scheduled Caste community, is brought up on the Scheduled Caste community as a member of the same such community, then he has to be treated as a member of the Scheduled Caste community and would be entitled to receive benefits as such.

4. As regards the marriages not registered and marriages not legally valid, it may be pointed out that registration is not mandatory for marriages under the Hindu law. Even under the Hindu Marriage Act, 1955.
(3)

If such ceremony includes the Saptapadi, the marriage becomes complete and binding when the seventh step is taken. In view thereof, all those marriages though not registered but which have been solemnised in accordance with the procedure mentioned in this section, are to be treated as valid marriages and our opinion mentioned in para 3 above will apply to the children born out of such valid but undesignated marriages.

5. As regards marriages which are not legally valid, it is clear that such children are illegitimate unless invalidity of marriage is due to a decree of nullity by a Court in which case provisions of Section 11 of the Hindu marriage Act, 1955, will apply. Under Section 6(b) of the Hindu Minority and Guardianship Act, 1956, the natural guardian of a Hindu minor has been stated to be...

"in case of an illegitimate boy or an illegitimate girl- the mother and after her the father"

6. It can be derived from this that the illegitimate children are generally brought up by the mother and in her own surroundings. Therefore, if the mother belongs to the Scheduled Caste and brings up the child within a Scheduled Caste community, the child can be taken as a member of the Scheduled Caste community. But in this case also the major factor for consideration is whether the child has been accepted by the Scheduled Caste community as a member of their community and he has been brought up as such.

7. The above are the general observations, however, each case has to be examined in the light of the circumstances prevailing in that case and final decision has to be taken thereof.
Legal views on the status of the offspring of a couple where one of the spouses is a member of a Scheduled Tribe.

The question has arisen whether the offspring born out of wedlock between a couple one of whom is a member of a Scheduled Tribe and other is not should be treated as a Scheduled Tribe or not.

2. It may be stated at the outset that, unlike members of Scheduled Castes, the members of Scheduled Tribes continue as such even after their conversion to other religion. This is because while Constitution (Scheduled Castes) Order, 1950 provides in clause 3 that only a member of Hindu or Sikh religion shall be deemed to be a member of Scheduled Castes, the Constitution (Scheduled Tribes Order, 1950) does not provide any such condition. This view has been upheld by the Supreme Court in the case reported in AIR 1964 S.C. at p. 201.

3. It may be stated, that unlike Members of Scheduled Castes members of Scheduled Tribe remain in homogenous groups and quite distinct from any other group of Scheduled Tribes. Each Tribe live in a compact group under the care and supervision of the elders of the society whose words is obeyed in all social matters. A member committing breach of any prescribed conduct is liable to be excommunicated. The social custom has a greater binding force in their day to day life.

In the case of marriage between a tribal with a tribal, the main factor or consideration is whether the couple were accepted by the tribal society to which the tribal spouse belongs. If he or she, as the case may be, is accepted by the society, then their children shall be deemed to be Scheduled Tribes. But this situation can normally happen when the husband is a member of the Scheduled Tribe. However, circumstances may be there when a Scheduled Tribe woman may have children from marriage with a non-Scheduled Tribe man. In that event the children may be treated as Scheduled Tribes only if the members of the Scheduled Tribe community accept them and treat them as members of their own community. This view has been held by the Assam High Court in Wilson Kent v. C.S. Borth reported in AIR 1968 Assam at p. 128, where it has been held.

"The test which will determine the membership of the individual will not be the purity of blood, but his own conduct in following the customs and the way of life of the tribe; the way in which he has been treated by the Community and the practice amongst the tribal people in the matter of dealing with persons whose mother was a Khasi and father was a European."
Similarly in the case of Mathusamy Mudaliar v. Masilamani Mudaliar, reported in ILR 23, Madras, 342, the court held:

"It is not uncommon process for a class or tribe outside the vale of caste, to another vale and if other communities recognised their claim, they are treated as of that class or caste."

Similarly, in V.V. Giriraj v. D.S. Dora, reported in AIR 1959 C 1318 (1327) the Court held:

The caste-status of a person in the context would necessarily have to be determined in the light of the recognition received by him from the members of the caste into which he seeks an entry.

5. As mentioned above, it is the recognition and acceptance by the society of the children born out of a marriage between a member of Scheduled Tribe with an outsider, which is the main determining factor irrespective of whether the tribe is matriarchal or patriarchal. The final result will always depend on whether the child was accepted as a member of the Scheduled Tribe or not.

6. The general position of law has been stated above, however, each individual case will have to be examined in the light of existing facts and circumstances in such cases.
Legal views on the status of the offspring of a couple where both the spouses are members of Scheduled Castes/Scheduled Tribes but each belongs to a different sub-caste/sub-tribe.

1. Under the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950, what is material is residence of the member of the caste, race or tribe in the localities specified in the respective schedule. In the case of a minor child the question arises whether his residence will go along with that of his father. Under the principles of private international law, the domicile of a minor child follows that of his father, and in certain cases of his mother and the minor child is incapable of changing his domicile by any voluntary act. This rule by no means is absolute. Suppose, for instance, a father deserts his son or his daughter, and the custody of his son is given to his wife. In such a case the court may consider the minor’s domicile will be that of the mother.

2. Under Section 3 of the Hindu Minority and Guardianship Act, 1956 the natural guardian in the case of a minor boy or an unmarried girl is father and after him his wife. In the case of an illegitimate boy or an illegitimate married girl, the natural guardian will be the mother and after her, the father.

3. In the above background it has to be seen as to which sub-caste or sub-tribe the offspring would belong to. In cases the parent’s belong to two distinct communities within the same Scheduled Castes or Scheduled Tribes as the case may be. Prima facie it would appear that in such cases the children born of such parents could be treated as members of the Scheduled Castes or Scheduled Tribes, as the case may be. The prima facie presumption is also in favour of the child possessing the sub-caste or sub-tribe of the father in the large majority of cases, having regard to the concept of domicile mentioned above. Apart from this, it has to be seen whether the child has also been adopted and assimilated in the sub-caste or sub-tribe in that community. Each case has to be examined in the light of the circumstances pertaining to it.
Legal views on the status of the offsprings of a couple where one of the spouses is a member of a Scheduled Caste and the other that of a Scheduled Tribe.

As regards the status of the offsprings of whose father is a member of Scheduled Caste and mother of a Scheduled Tribe, the prima-facie presumption is in favour of the child possessing the caste of the father in the large majority of cases, having regard to the concept of domicile explained in para 1 of Supreme Court. Apart from this, it may also be a relevant criterion to see whether the child has been accepted and assimilated in a Scheduled Caste community to which the father belongs.

The principle mentioned above would also apply in the case of an offsprings whose mother is a member of a Scheduled Caste and father of a Scheduled Tribe.

This is the general position of law. Each case, however, has to be examined in the light of the attendant circumstances.