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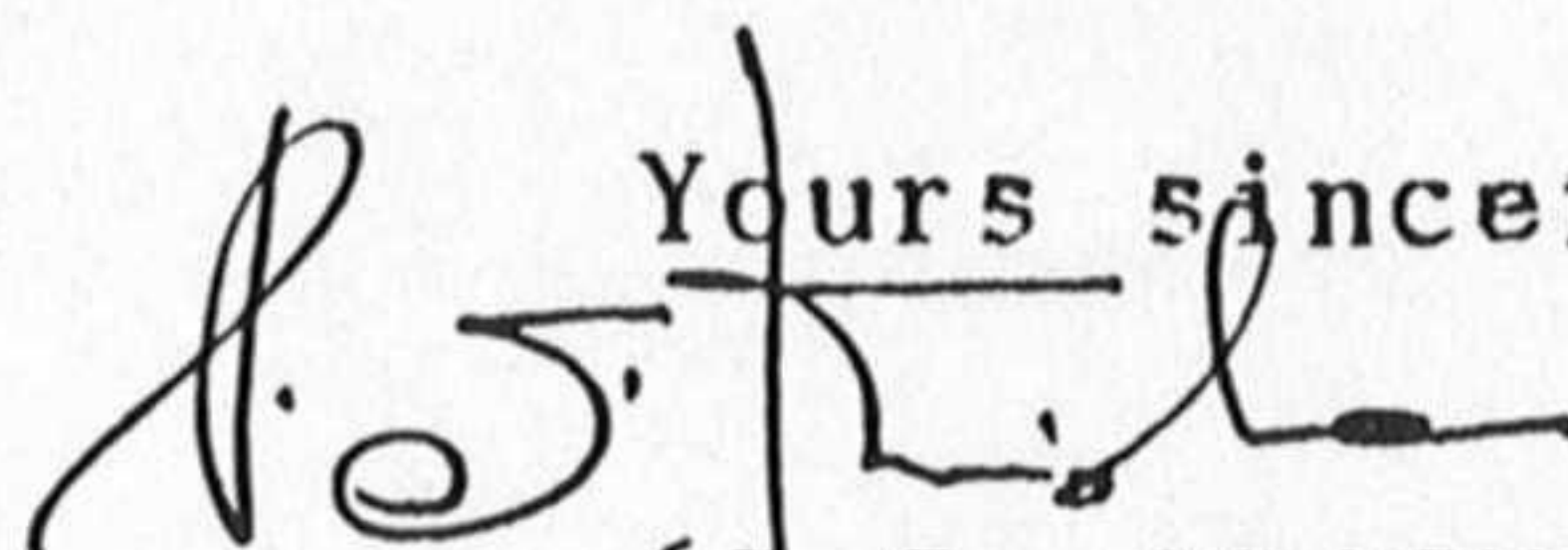
MEMBER SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
NEW DELHI-110 066

NCBC Advice No. Pondicherry 78/99

30. 07. 1999

Dear Smt. Das,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for the Rejection of the Request for Inclusion of "Lingayat" in the Central List of Backward Classes for Pondicherry, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated

Smt. Asha Das
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

NCBC Advice No. 78/Pondicherry/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

Pondicherry Bench

Findings

Per Shri Sahu Akshaya Bhai, Member

Case: Request for inclusion of "Lingayat" caste/community in the Central List of Backward Classes for Pondicherry.

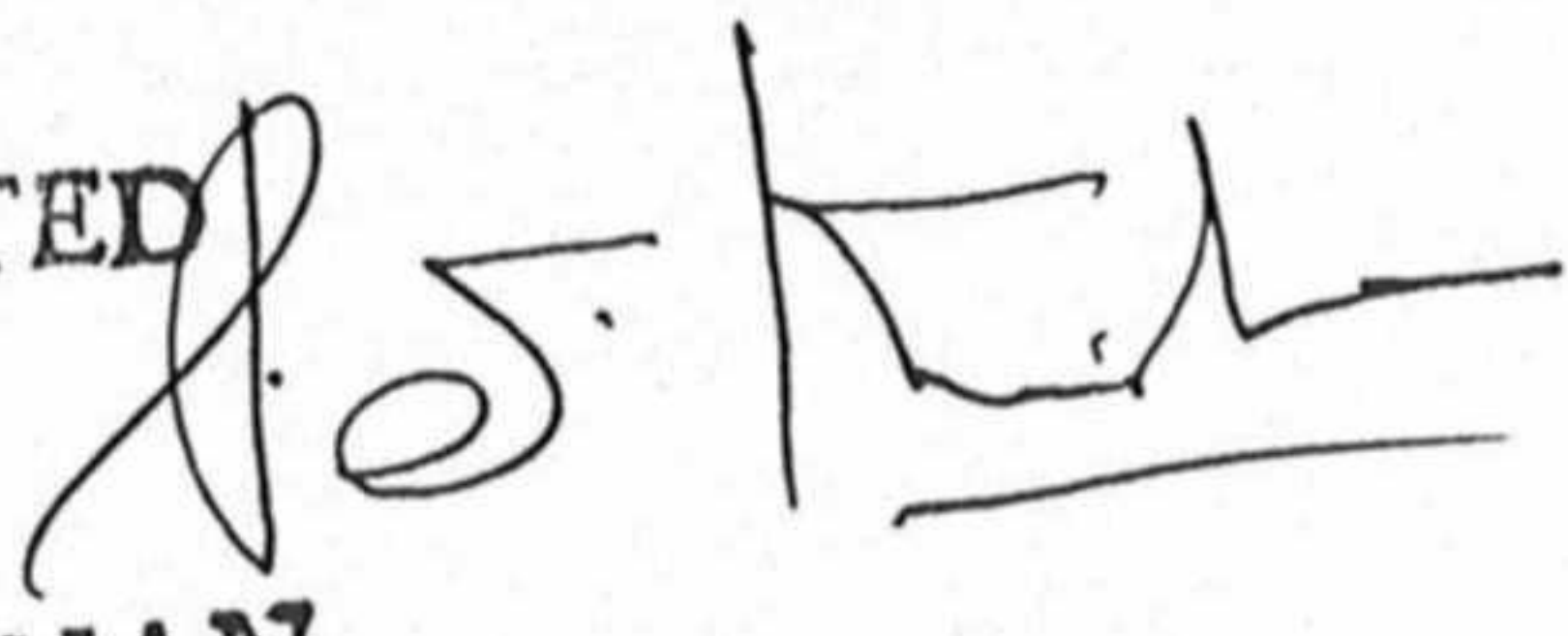
I. Request

This case arises from the Request received in this Commission from Shri S. Govindaraju, General Secretary, Pirpaduthapattor Nala Sangam, Pondicherry for Inclusion of "Lingayat" caste/community in the Central List of Backward Classes for Pondicherry.

II. Public Hearing

2. A two-Member Bench of the NCBC consisting of Hon'ble Members Shri Sahu Akshaya Bhai and Shri U.P. Singh held a Public Hearing in respect of this request at Pondicherry on 27th and 28th, August 1998. At the Public Hearing, the U.T. Government was represented by Shri Felix Sequria, Welfare Secretary, Shri A. Salvaraj, Deputy Director, Social Welfare, Shri V. Swaminathan, Research Officer, Social Welfare Deptt. And other Officials. No member or representative of the caste/community "Lingayat" appeared before the Bench during the Public Hearing, inspite of the wide publicity given through media and separate communication sent to the applicant by the office of the NCBC.

AUTHENTICATED


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Member Secretary
National Commission
for Backward Classes

III. Facts

3. The U.T. of Pondicherry had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case, delivered on 16th November, 1992. For this reason,, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for the U.T. of Pondicherry as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore, the Central Government also could not issue a Central List of Backward Classes for the U.T. of Pondicherry in 1993. The Government of U.T. of Pondicherry issued its list of Backward Classes by its Notification No. G.O. MS.No.2094-Wel(SW)-II dated 6-7-1994 (pending finalisation of the Backward Classes List). The List issued by the Government of U.T. of Pondicherry is a mechanical repetition in toto of the Mandal Commission's List. All the entries in the Mandal List, except entry at Sl.No. 161 "New Buddhists, Nov Buddhists" appears in the Backward Classes List of U.T. of Pondicherry. Thereafter, the Central Government vide Ministry of Welfare's Resolution No.120119/94-BCC dated 19-10-1994 issued a Common (Central) List of Backward Classes for the U.T. of Pondicherry purportedly on the basis of the principle of commonality between the Mandal List and the State List, but which in fact is seen to be a repetition in toto of the U.T. List of Pondicherry, and thus is in effect a repetition of the Mandal List except for New Buddhists (it should really be Neo-Buddhists or Nav-Bauddha, who had been included in the list of SCs in the period between the Mandal Report and the drawing up of BC Lists).

4. During the Public Hearing the State Government stated that "Lingayat" caste/community has not been recommended for inclusion in the U.T. List of Backward Classes by the State level Committee for Backward Classes (First Report, dated 11th September 1995)

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5. 'Lingayatism' or 'Virasaivism' can be said to be a religio-philosophical faith, the fundamental doctrines and tenets of which are commonly believed to have been originally formulated and propounded by the 12th Century A.D. social reformer Basaveswara. In essence, his teachings constituted a "rejection of many of the chief dogmas of Brahminic-Hinduism [R.E. Enthoven, The Tribes and castes of Bombay, Asian educational Services, New Delhi, Madras, 1990, first edition 1922, Vol.II, p.344] According to Enthoven, "in its inception, Lingayatism not only rested largely on a denial of the Brahman claim to supremacy over all the castes, but attempted to abolish all caste distinctions" (ibid, p.344) but it, however, "has gradually reapproximated to the Hindu faith" (ibid, p.344). "In connection with the attitude originally assumed towards caste distinctions, there has been a very noticeable departure from Basava's teaching" (ibid, p.344,345). Enthoven further writes as follows:-

"The Lingayats of the present day are divided into three well defined groups, including numerous true castes,.... With the rise of caste distinctions, numerous other changes occurred in the nature of the Lingayat religion. The ayyas or jangams, the priests of the community, devised in time a ritual and ceremonies in which the influence of the rival Brahman aristocracy can freely be traced." [p.346]

Enthoven proceeds to describe the social organisation of Lingayats as follows:-

"Broadly speaking, Lingayats appear to consist of three groups of sub-divisions. The first, which for convenience may be named Panchamasalis with full ashtavarna rites, contains the priests of the community known as ayyas or jangams and the leading trader castes or banigs.... The Panchamasalis.... Rank considerably above the remaining groups. One of the writers in the 'Bombay Gazetteer' describes them as True Lingayats.

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The next group is that of the non-Panchamsalis with ashtavarna rites. This group contains numerous endogamous sub-divisions which are functional groups, such as weavers, oil-pressers, brick-layers, dyers, cultivators, shepherds and the like....

The third group or sub-division is the non-Panchamsalis without ashtavarna rites. It contains washermen, tanners, shoemakers, fishermen etc., who would rank as unclean castes among the Brahminic Hindus.

6. The above account adequately brings out that the 'Lingayat' cannot be taken as a homogeneous class, but it consists of many sub-divisions or sub-groups which can be taken as castes or caste-like groups very much comparable to the castes or sub-castes in the traditional Hindu society. Considering the fact that there exist within the Lingayat community gradations among its constituent sub-groups with respect to their ritual status, it can reasonably assumed that there are also gradations with respect to their social status with some sub-groups, described by Enthoven as Panchamasalis, enjoying a high social status. The Karnataka Bench of this Commission had considered in detail the Request for inclusion of 'Lingayat' castes/communities in the Central List of Backward Classes for Karnataka and has come to a definite finding that except for the specific 16 castes/sub-castes/synonyms found by that Bench as Socially Backward, all other castes/sub-castes of Lingayats are Socially forward and therefore cannot be included in the List of Backward Classes.

IV. Findings

7. From the above materials and facts, it is the finding of the Bench that the Caste/Community 'Lingayat' cannot be taken as a social class, but it is really a religious sect whose adherents include a number of social classes, some of which are Socially Backward but some others like Panchamasali Lingayat, Banajiga

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Lingayat, Sadar Lingayat etc. are not Socially Backward but on the contrary are Socially Advanced. Those social classes who are actually socially backward among Lingayats can be considered for inclusion in the Central List of Backward Classes by this Commission if and when specific Requests are received in that regard. In view of these, the request for inclusion of the caste/community 'Lingayat' in the Central List of Backward Classes for the U.T. of Pondicherry should be rejected.

Ashayam
29.07.99
(Sahu Akshay Bhai)

U.P. Singh
29.7.99
(U.P. Singh)

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V. Advice of the Commission

8. The Commission considered and agreed in full with the above Findings of the Pondicherry Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993 for action by the Central Govt. under Section 9(2) of the Act:-

"The Request for inclusion of 'Lingayat' caste/community in the Central List of Backward Classes for the U.T. of Pondicherry be rejected as it is not a social class at all but constitute of a number of social classes some of which are definitely Socially Advanced."

Ashayam
29.07.99

Lingayat
29.7.99

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