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भारत सरकार
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MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI-110 066

DO NCBC Advice No. 27(Haryana)/97

04. 12. 1997

Dear Shri Baksi,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for rejection of the Request for Inclusion of "Jat Sikh" caste/community in the Central List of Backward Classes for Haryana, for necessary action by the Central Government under Section 9(2) of the Act.

With kind regards,

Yours sincerely

(P.S. KRISHNAN)

Shri K.K. Baksi
Secretary to Govt. of India
Ministry of Welfare
Shastri Bhavan
NEW DELHI

Haryana Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Jat Sikh" caste/community in the Central List of Backward Classes for Haryana

I. Request

This case arises from the Request received in this Commission from Shri Amarjit Singh, Vill.&PO Shahpur, Ambala for the Inclusion of "Jat Sikh" in the Central List of Backward Classes for Haryana.

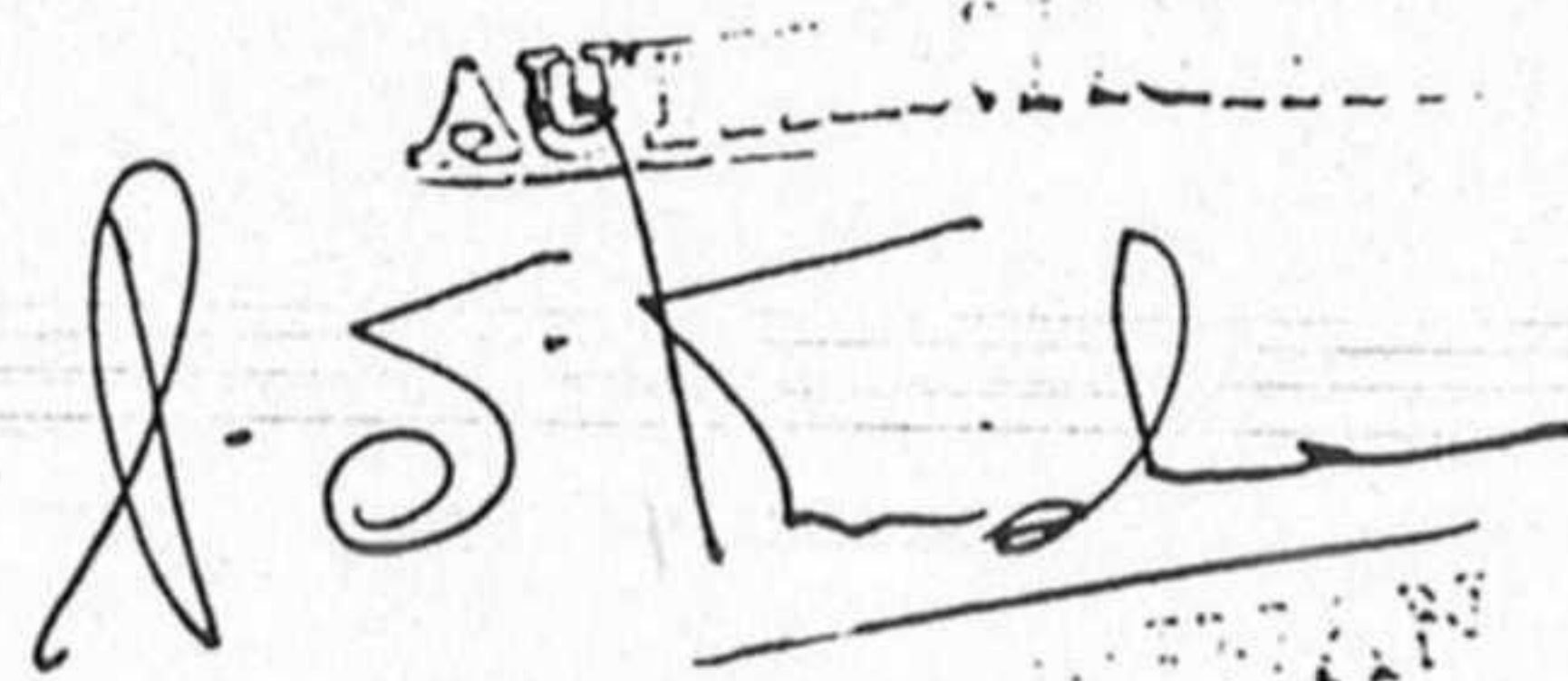
II. Public Hearing

2. A three-Member Bench of the NCBC consisting of Hon'ble Justice P.K.Shyamsundar, Chairperson, NCBC, Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Chandigarh on 14.7.1997. At the Public Hearing the State Government was represented by Smt. Komal Anand, Secretary, Department of Scheduled Castes and Backward Classes Welfare, Shri Sushil Kumar, Director and Shri Mani Ram, Deputy Director in the Directorate of Social Welfare. The community was represented by Shri Shri Amarjit Singh.

P.S. Krishnan

III. Facts

3. The "Jat Sikh" caste/community, or for that matter "Jat" also, is not included in the first phase Central List of Backward Classes for Haryana prepared on the basis of the principle of commonality in 1993 because at that time it was not included in both the State List and the Mandal Commission's List of Backward Classes for Haryana.
4. Neither "Jat Sikh" nor "Jat" is included among the five castes, subsequently notified by the Government of Haryana for Inclusion in the State List vide its Notification No. 1170-SW(I)-95 dated 7.6.1995.
5. As per his Representation as well as from the oral evidence during the Public Hearing, the main basis on which the Request-making party seeks inclusion of Jat Sikh in the Central List of Backward Classes is the minority status of this community in Haryana. According to the Representation the community is mainly concentrated in Ambala, Kurukshetra and Karnal districts of the State and settled sparsely in the other districts. The Representation further inter alia states that the community being a minority "is always neglected", no individual of this community, "however qualified or meritorious he may be", is given jobs at the top posts in the State. In Haryana State the community's "interests are being crushed, no welfare, no reservation, no jobs in the Govt. whatsoever, no chances of progress and prosperity....Hence we request the National Commission for Backward Classes to kindly look into our case, living standard, circumstances etc. and include us in the list of backward classes."
6. During the Public Hearing, in response to a specific query by the Bench, the representative of the community

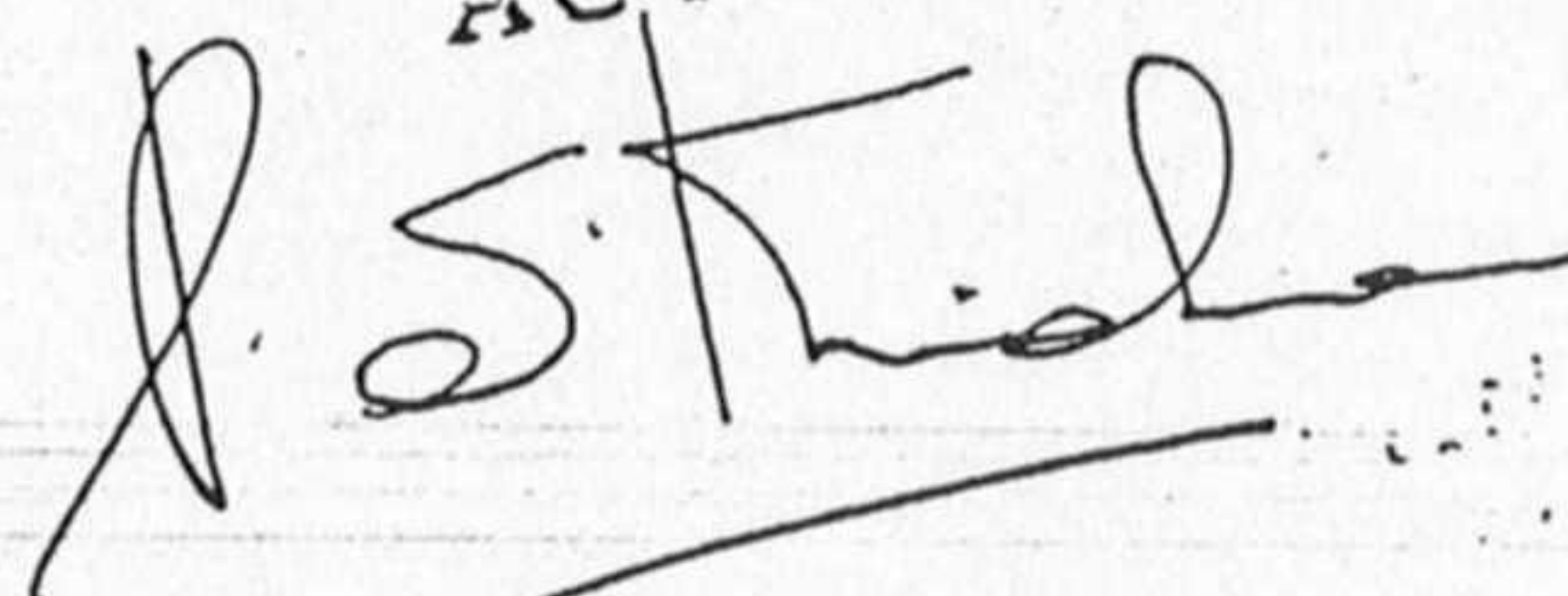

J. S. Khandelwal

admitted categorically that the Jat Sikhs are not socially backward.

7. The NCBC is also in receipt of an objection to the Inclusion of Jat Sikh community in the List of Backward Classes from Shri Ramesh Kumar, General Secretary, Union of Backward Classes on the ground that the Jat Sikh is a forward caste/community.

8. In view of the admission of the Request-making party that the Jat Sikhs are not socially Backward, it is obvious that no further evidence is required in this case, to conclude that this caste is not eligible for inclusion in the list of Backward Classes since as is clear from the Constitutional provisions and as is clear from the Supreme Court's judgement in the Mandal case, Social Backwardness is the sine qua non for inclusion of any caste/community in the list.

9. However, even otherwise, based on an analysis of the Haryana Backward Classes (Gurnam Singh) Commission and a socio-historical analysis of the evolution of peasant castes in general as Backward Classes, and emergence of a few exceptions including the Jats as well as Jat Sikhs of Punjab and Haryana with progress to a level where they are no more socially backward, the Commission has come to the conclusion that the Jats of certain States are not socially backward and are not eligible for inclusion in the List of Backward Classes. The details of this analysis and Findings are contained in the Advice of the Bench on the case of Request for Inclusion of "Jat" caste/community of Punjab, Haryana, U.P. and M.P. which has been sent separately with DO letter NCBC Advice No. 26(Haryana)/12(MP)/17(Rajasthan)/7(UP) dated 28.11.1997 and, therefore, does not require repetition here. That analysis and conclusions also apply to the Jat Sikhs of Haryana covered in the present case. In addition it

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is also worth referring to a specific account of the Jat Sikh community of Haryana given in "People of India : Haryana" [General Editor K.S.Singh, published on behalf of Anthropological Survey of India by Manohar Publishers, New Delhi, 1994] the relevant extract of which reads as follows :-

"The main economic activity of the community is agriculture, as the majority of them are landowners. They form a very hard working and progressive farmers.....they have made rapid progress and today the majority of them are well off. They are very receptive to new ideas in every field. Animal husbandry is common among all the agriculturists. With increased education and urbanisation, they have entered into service in the military, transport and business. Adoption of modern technology in agriculture and households is at a swift rate."

10. The Bench is happy to note that not only the Jat Sikhs of Punjab have been self respectful and truthful not to seek inclusion in the Central List of Backward Classes for Punjab but even in this case the request-making party was frank and truthful to admit that Jat Sikhs of Haryana are not socially backward.

IV. Findings

11. From the above, it is the Finding of the Bench that Jat Sikhs of Haryana are not Socially Backward and are in fact Socially Advanced and therefore the Request for Inclusion of "Jat Sikh" in the Central List of Backward Classes for Haryana be rejected.

P. L. Chaudhary
2/12/87

Govt. Secy
28-11-87

P. S. Kishore

28.11.87

P. S. Kishore

V. Advice of the Commission

12. The Commission considered and agreed in full with the above Findings of the Haryana 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 Government under Section 9(2) of the Act:-

The Request for Inclusion of "Jat Sikh" in the Central List of Backward Classes for Haryana be rejected.

Me S. G. ...
2/12/97

Kishan
02.11.97
...
02.12.97

J. S. Kishan
28.11.97

La. Terathi
28.11.97

J. S. Kishan
for ...