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राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
त्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११००६६

Member - Secretary
National Commission for Backward Classes
Government of India
Trikoot - 1, Bhikaiji Cama Place, New Delhi - 110 066

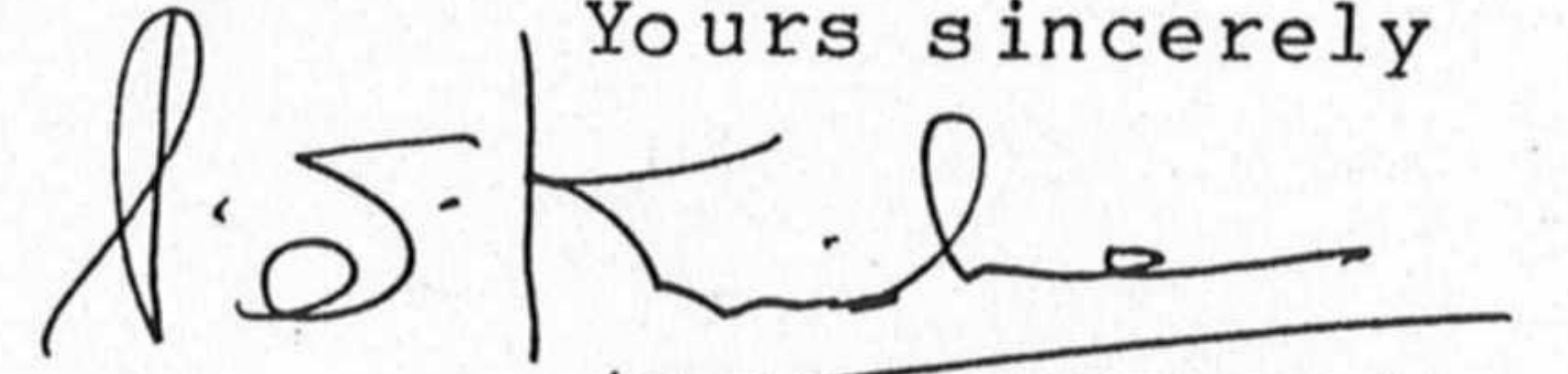
NCBC Advice No. Maharashtra 30/99

02. 09. 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 for the Rejection of the Request for Inclusion of "Ezhava/Thiyya" caste/community in the Central Lists of Backward Classes for Maharashtra, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

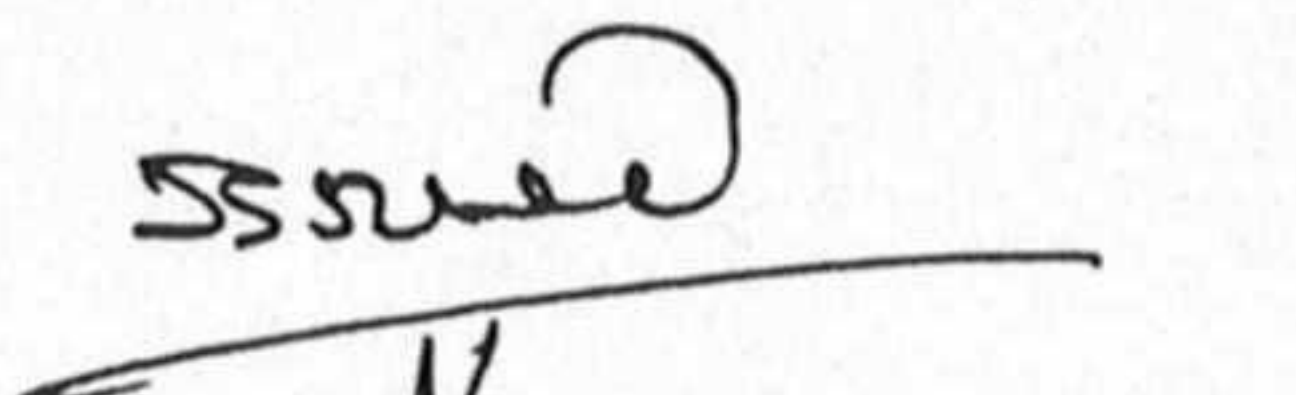
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

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

Jc


2/9/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

MAHARASHTRA BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of
"Ezhava/Thiyya" caste/community in the
Central List of Backward Classes for
Maharashtra

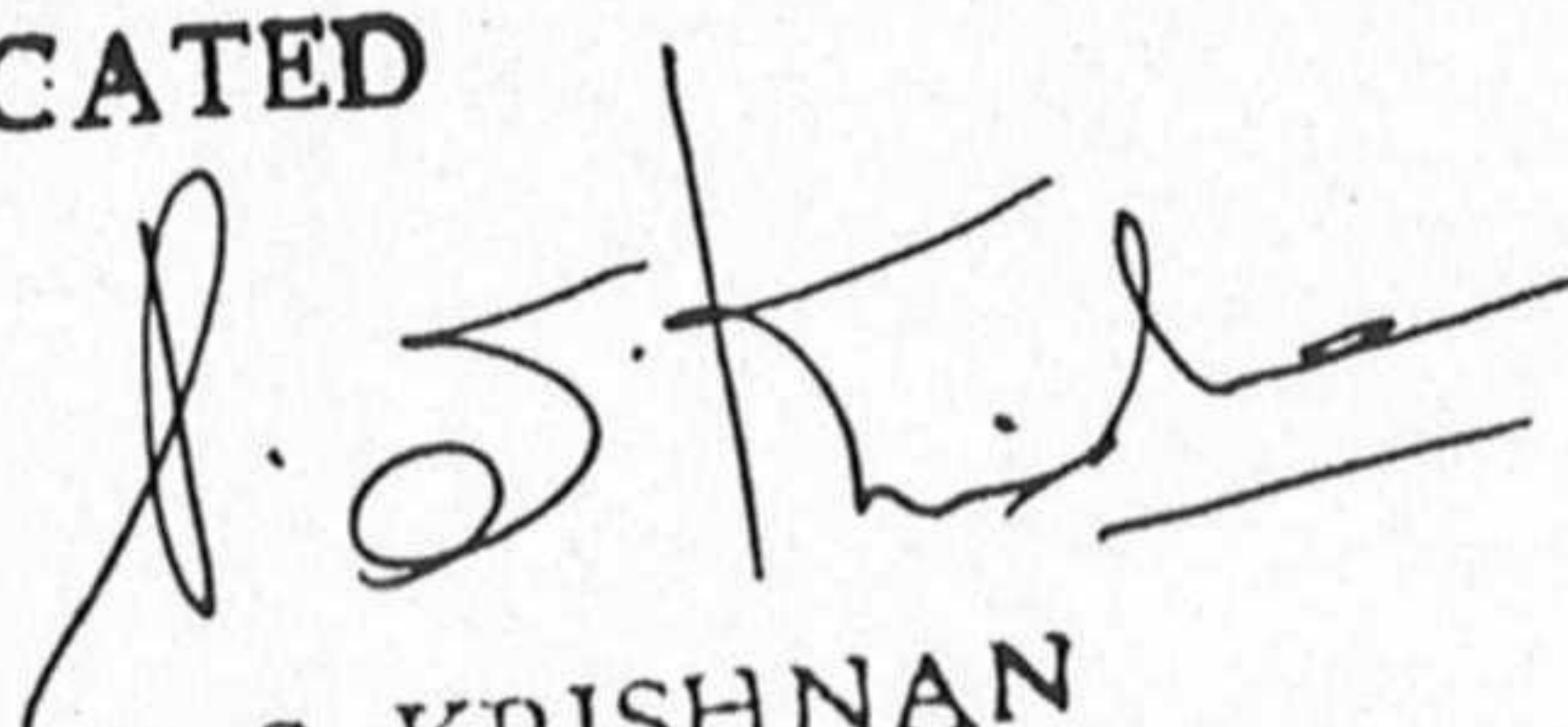
I. Request

This case arises from the Request received in this Commission from Mumbai-Thane S.N.D.P. Union [104-A, New Arihant Co-op. Hsg. Society, Near Ananad Nagar, Manpada Road, Dombivli (East) 421201] for the Inclusion of "Ezhava/Thiyya" caste/community in the Central List of Backward Classes for Maharashtra. A separate request has also been received from 'Thiya Samaj' [4G Pallavi, Ground Floor, Near Dominic High School, Pant Nagar North, Ghatkopar(E), Bombay 400075] for the inclusion of "Thiya(Malayali Billava)" caste/community in the Central List of BCs for Maharashtra.

II. Public Hearing

2. The two-Member Maharashtra Bench of this Commission,

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Member Secretary
National Commission
for Backward Classes

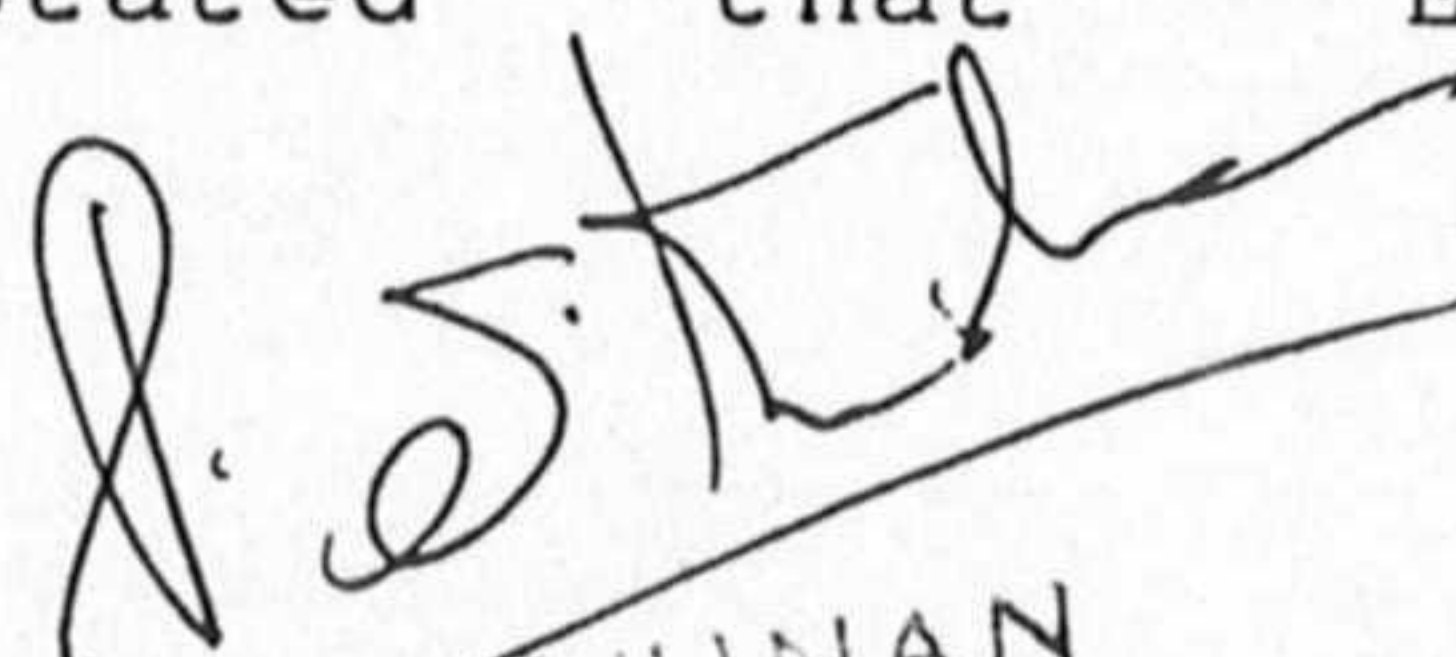
consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Sahu Akshay Bhai, Hon'ble Member, NCBC held a Public Hearing at Mumbai in respect of this Request on 10.08.1999. At the Public Hearing, the State Government was represented by Shri V.V. Pathak, Deputy Secretary, Department of Social Welfare, Shri C.R. Gosavi, Under-Secretary, Deptt. of Social Welfare and other officers. The Maharashtra State Backward Classes Commission was represented by Shri C.V. Nambedkar, Research Officer. No member or representative of the Ezhava/Thiyya caste/community under consideration appeared before the Bench inspite of wide publicity about the Public Hearing and separate personal intimation to the Request-makers by the office of the NCBC, as usual and as per the Commission's procedure.

III. Facts & Findings

3. "Ezhava/Thiyya" caste/community is not included in the first-phase Central List of BCs for Maharashtra notified by the Govt. of India in 1993 on the basis of the principle of "commonality" (ie. inclusion in the Central List of castes/communities which were commonly found included in the Mandal Commission's List for Maharashtra and the State Government's List of BCs that existed at that time) because it was not included in the Mandal Commission's List for Maharashtra and the State Government's list of Maharashtra that existed at that time and therefore did not satisfy the criterion of commonality. Even now the caste/community is not included in the State List of Maharashtra.

4. The Mumbai-Thane S.N.D.P. Union, in their letter of Request has stated that "Ezhava/Thiyya" is a

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Backward Classes

caste/community hailing from Kerala State and settled in various parts of Maharashtra and that the caste/community has been included in the List of Backward Classes in Kerala. It has also been stated that the "Billava" community which is a similar community as Ezhava/Thiyya and who are also the followers of Sree Narayana Guru like the Ezhavas/Thiyyas have been included in the List of BCs in the Maharashtra State List. According to the information separately furnished by the Mumbai-Thane S.N.D.P. Union, the community is scattered all over Maharashtra with maximum population in Mumbai and Thane. The total population of the caste/community is given as 5.25 Lakhs. Out of this 4 Lakhs are stated to be in urban areas and the rest 1.25 Lakhs in rural areas. The Thiya Samaj in its Letter of Request has stated that the "Thiya (Malayali Billava) community of about 1 Lac persons are residing only in and around Mumbai city other than other parts of the Maharashtra State."

5. During the Public Hearing, the representatives of the State Government and the State Backward Classes Commission submitted a note on this caste/community which inter alia reads as follows:-

"Shri B.C. Karkeriya, President, Thiya Samaj, Ghatkopar, Mumbai had submitted a representation for the inclusion of Thiya community in the OBC List. Prior to the formation of this Commission in March 1993, this question was decided by Prof. Mutatkar Committee.

This community hails from Kerala. These people were warriors during the Vijaynagar regime. But after the defeat of Tipu Sultan they were left without job. So they started manufacturing of liquor and jaggery. After the advent of Independence, as they say, this business was prohibited. A report of this Commission regarding this

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National Backward Classes

community has been sent to the Govt. in June 1996."

6. It is mentioned regarding 'Thiya' in the report of the State Commission furnished to the State Government in 1996 that the State Commission conducted a sample survey of 40 families of the Thiya community in Mumbai. All of them are residents of urban areas. 95% of the families live in pacca houses. 48% of the families live in their own houses. 27% of the males and 44% of the females are literate. No one was found to be engaged in casual wage labour work. This community got only 6 out of the 16 points in the backwardness criteria (the minimum points for a caste/community to pass the criteria of backwardness being 8). In view of these, the State Commission rejected the request for inclusion of "Thiya" in the State List. It has also been mentioned that earlier the Mutatkar Committee had also rejected the request for inclusion of "Thiya" in the State List.

7. "Ezhava/Thiyya" is a caste/community of traditional toddy-tappers of Kerala where they are included in the List of Backward Classes. It is a fact that in Kerala till the third decade of the present century, this community was subjected to severe disadvantages of the type which are described as "Untouchability". The revolt of this community and their Tamil counterparts, viz., Nadars against the discriminations and humiliations visited upon them over the centuries, marked by events and movements like the 'Breast Cloth Agitation', the Vaikom Sathyagraha and the constructive direction it took under the socio-spiritual leadership of Sree Narayana Guru, is an inspiring and thrilling chapter of the Social History of Kerala and of social reform and social revolution in Kerala specifically and India as a whole. But, social backwardness is not a permanent and unalterable feature. The movement of the Ezhava community itself resulted in

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Classes

120

the opening of public temples to them and to other "untouchable" communities well before India's Independence. The educational orientation of the Sree Narayana Guru-led movement resulted in a number of persons from this community getting educated. It is this educated section that has migrated to metropolitan areas like Mumbai not as labourers but as white-collar workers and it is this wholesome and welcome development in their status that is reflected in the survey and analysis of the State Commission in respect of this community in Maharashtra, particularly in Mumbai where its members are largely concentrated.

8. This community is also included in the State List of BCs in Karnataka and this Commission has tendered Advice for its inclusion in the Central List of Backward Classes for Karnataka. In the Tamil Nadu State and Central Lists, "Ezhuva" caste/community is included only in Kanyakumari district and Shencottah taluk of Tirunelveli district which were part of the Princely State of Travancore before the reorganisation of the States in 1956. The inclusion of the community in Karnataka and Tamil Nadu Lists as stated above is obviously on account of the fact that these states contain territories which before the reorganisation of the States formed part of the then units of the present Kerala State and therefore the population of such territories naturally included castes/communities which belong mainly to the present Kerala State. Further, the territories referred to in the Tamil Nadu List and certain territories of Karnataka and the State of Kerala together form one continuum. In Maharashtra, the members of Ezhava/Thiyya community are not original dwellers but are relatively recent migrants. This is evident from the fact that most of the members of this caste/community in Maharashtra are settled in urban areas.

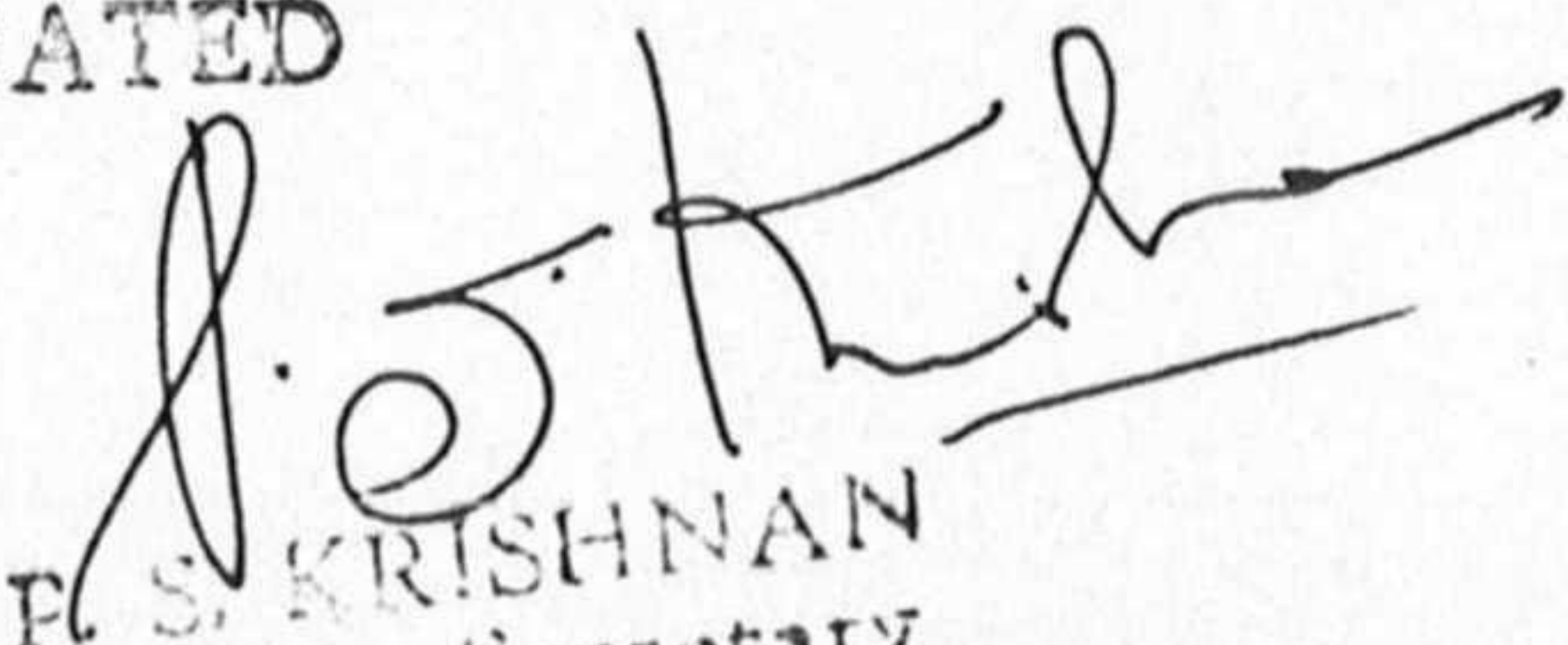
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State Commission

9. It would not be correct to classify as Backward a caste/community which is Socially and Educationally Backward in its native State, automatically in a State of their migration also, unless it is established to be backward in the State of their migration. The report of the State Commission based on a sample survey of 40 families of the caste/community brings out that the caste/community is not backward. There is no evidence before this Bench to come to a different conclusion. It is significant to note that neither the Request-makers nor any other member of the caste/community appeared before the Bench to give evidence inspite of wide publicity about the Public Hearing and separate intimation to the Request-makers not only by the office of the NCBC but also by the office of the State Backward Classes Commission. Their non-appearance may be because of the fact that they are not confident of supporting their claim for inclusion in the List of BCs for Maharashtra with evidence of backwardness. It appears from the Sample Survey of the State Commission that the members of this community who have migrated to Maharashtra live in conditions in which it is improbable that in the eyes of the general population of Maharashtra, they would be distinguishable from other Keralites or Malayalees as a socially inferior section of the immigrant Keralite or Malayalee population.

10. The inclusion of "Billava", a Tulu-speaking toddy-tapping caste of the South Canara district of Karnataka, in the State List of Maharashtra, cannot be a ground for the automatic inclusion of the similar caste of "Ezhava/Thiyya" in the Central List of BCs for Maharashtra. As a matter of fact, the inclusion of "Billava" in the State List of Maharashtra was not based on any advice of any Commission/Committee but was merely based on an

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executive "decision" to include all castes/communities in the State List which were found included in the Mandal List for Maharashtra but had not already been included in the State List. This Commission has already examined the Request for Inclusion of "Billava" in the Central List of BCs for Maharashtra and has tendered Advice (NCBC Advice No. Maharashtra 13/99 dated 21.01.1999) to the Central Government for the Rejection of the Request on the ground that it is not socially backward in Maharashtra. This Commission has also examined a Request for Inclusion of "Thiyya/Ezhava" in the Central List of Backward Classes for Andhra Pradesh and tendered Advice (NCBC Advice No. A.P. 44/9 dated 06. 01. 1999) to the Central Government for the rejection of the Request as the "Thiyya/Ezhava" in Andhra Pradesh was found to be an upwardly mobile educated section of the community and was found to be not socially backward in the milieu of Andhra Pradesh.

11. In view of the above facts and position, it is the conclusion of the Bench that "Ezhava/Thiyya" caste/community is not socially backward in Maharashtra and therefore the Request for its inclusion in the Central List of Backward Classes for Maharashtra should be rejected.

K. S. Kishan
21.08.99

P. S. Krishnan
26.8.1999

IV. Advice of the Commission

12. The Commission considered and agreed in full with

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123

the above Findings of the Maharashtra Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the NCBC Act:-

The Request for Inclusion of "Ezhava/Thiyya" caste/community in the Central List of Backward Classes for Maharashtra be rejected as it is not socially backward in Maharashtra.

Kshayam
31.08.99

P. S. Krishnan

26.8.1999

Dr. K. S. Srinivasan
1.9.99

P. S. Krishnan
1.9.99

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