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सदस्य-सचिव  
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार  
ट्रिकूट-१, भीकैजी कामा प्लेस, नई दिल्ली - ११००६६

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

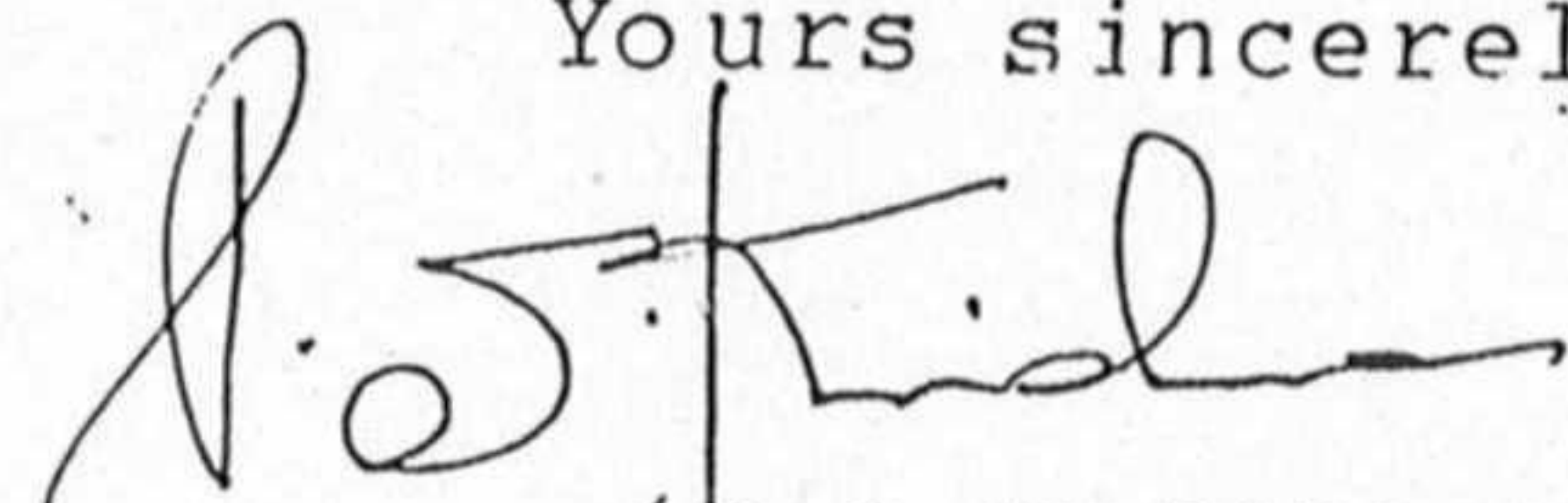
NCBC Advice No. Tripura 22/2000

12. 01. 2000

Dear Smt. Das,

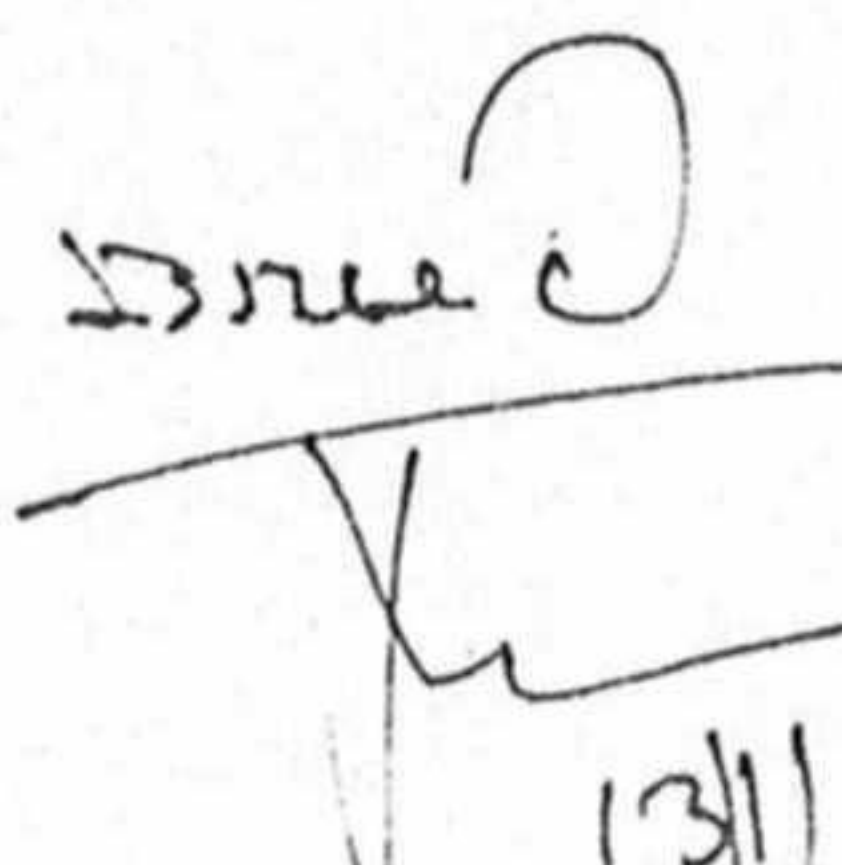
I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for the Rejection of the Request for Inclusion of "Muslim" in the Central List of Backward Classes for Tripura, duly authenticated, for necessary action by the Central Government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

Yours sincerely

  
(P.S. KRISHNAN)

Encl: As stated.

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

  
13/1/2000



**NATIONAL COMMISSION FOR BACKWARD CLASSES**  
**TRIPURA BENCH**  
**FINDINGS**

Per Shri P.S.Krishnan, Member-Secretary

**Case: Request for Inclusion of "Muslim" in the Central List of  
Backward Classes for Tripura**

**I. Request**

This case arises from the Request made to this Commission by the OBC Federation, Tripura State Committee (Ramnibash, East Sibnagar, PO Agartala College, Agartala -799 004) for the Inclusion, inter alia, of "Muslim" community of Tripura in the Central List of Backward Classes for Tripura.

**II. Public Hearing**

2. The two-Member Tripura Bench of the NCBC consisting of Hon'ble Justice P.K.Shyamsundar, Chairperson and Shri P.S.Krishnan, Hon'ble Member-Secretary held a Public Hearing on 6.4.98, inter alia, in respect of this Request. At the Public Hearing the State Government was represented by Shri S.C. Das, Secretary SC&ST Welfare Department and other officials. Shri K.R. Das, Chairperson, Shri S.Bhowmik, Member-Secretary and Shri Matilal Sarkar, Member of Tripura State Backward Classes Commission

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*P. S. Krishnan*

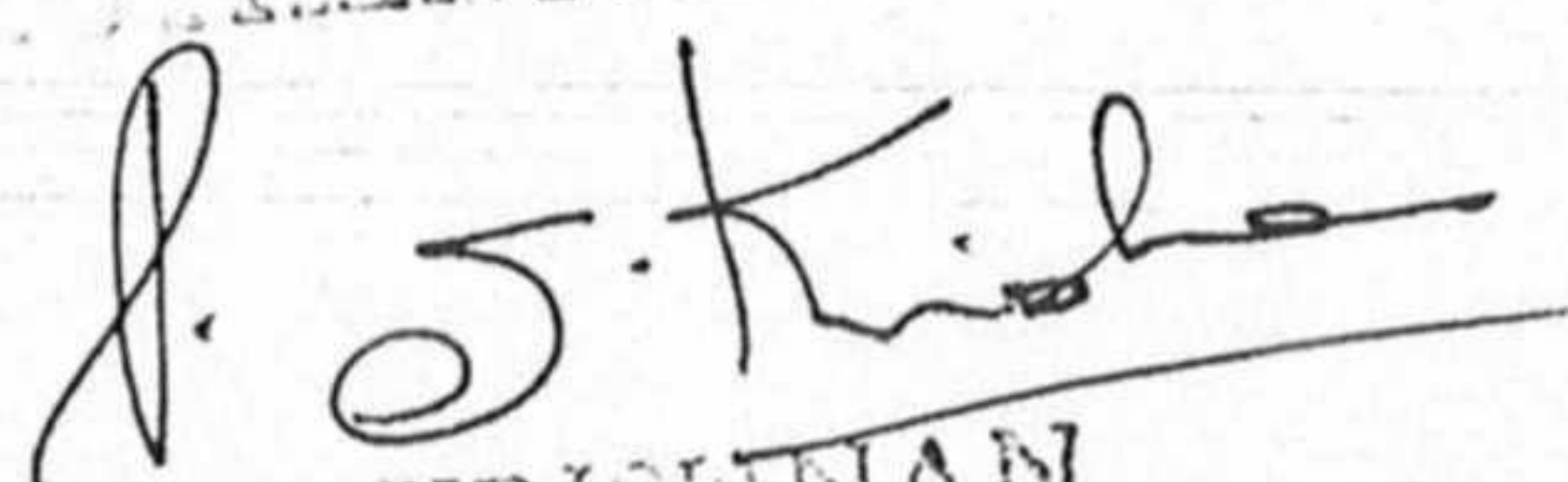
were also present at the Public Hearing and gave valuable information. The OBC Federation, Tripura State Committee, which has made the Request, was represented by its Secretary General Shri Subrata Bhowmik and others. No member of the Muslim community of Tripura appeared before the Bench to give evidence, in spite of wide publicity about the Public Hearing through the media.

### III. Facts

3. "Muslim" is not included in the Mandal Commission's List for Tripura as well as in the State List of Backward Classes issued by the State Government vide Department of Welfare of Scheduled Castes' Memorandum No. F.6-74/SCW/OBC/STAT/94/10199-10350 dated 27<sup>th</sup> April 1994, on the advice of the State Backward Classes Commission, and, therefore, it is also not included in the "Central (Common) List" of BCs for Tripura issued by the Government of India in 1994.

4. During the Public Hearing, the State Government and the State Backward Classes Commission representatives informed the Bench through a note as follows:-

"Md. Abdul Rob of Village Challishdrun and Md. Sirajuddin of village Churaibari under Dharmanagar Sub-Division applied for inclusion of Muslim community in the list of OBCs in Tripura. It appears that in no State in the country any community had been recognised as OBC by virtue of the fact that they belonged to a

  
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particular religious group. It appears that some States had recognised certain communities of Muslim religious group as OBCs in terms of the traditional occupation to which the community/group was linked with and such traditional occupation was regarded to be lowly, undignified, unclean and stigmatized. The State Commission informed the representatives of the Muslim community to indicate if there was any occupational group/community amongst the Muslims which is linked with such traditional occupations... regarded to be lowly, undignified, unclean and stigmatized as for example, the Maimal (Muslim fishermen) community in Assam which has been recognized as OBC in that State. The aforesaid representatives did not come forward with any such information.

However, the Commission recommended Pangal (Manipuri Muslim) community for recognition as OBC in Tripura on grounds of their socio-educational backwardness. Accordingly the State Government have also notified this community as OBC in Tripura."

5. The Bench is of the view that "Muslim" community in toto cannot be considered for Inclusion in the List of Backward Classes as it is not a "social class" and, generally, there are a number of social groups/classes among Muslims which are linked with specific occupations with inter-generational continuity and known by distinct names, just like the existence of such social groups among Hindus. Some of such social groups may be socially backward and some others may not be socially backward. In fact, non-inclusion of any religious community as a whole is part of the consistent approach of the Mandal Commission, which has included in its list for

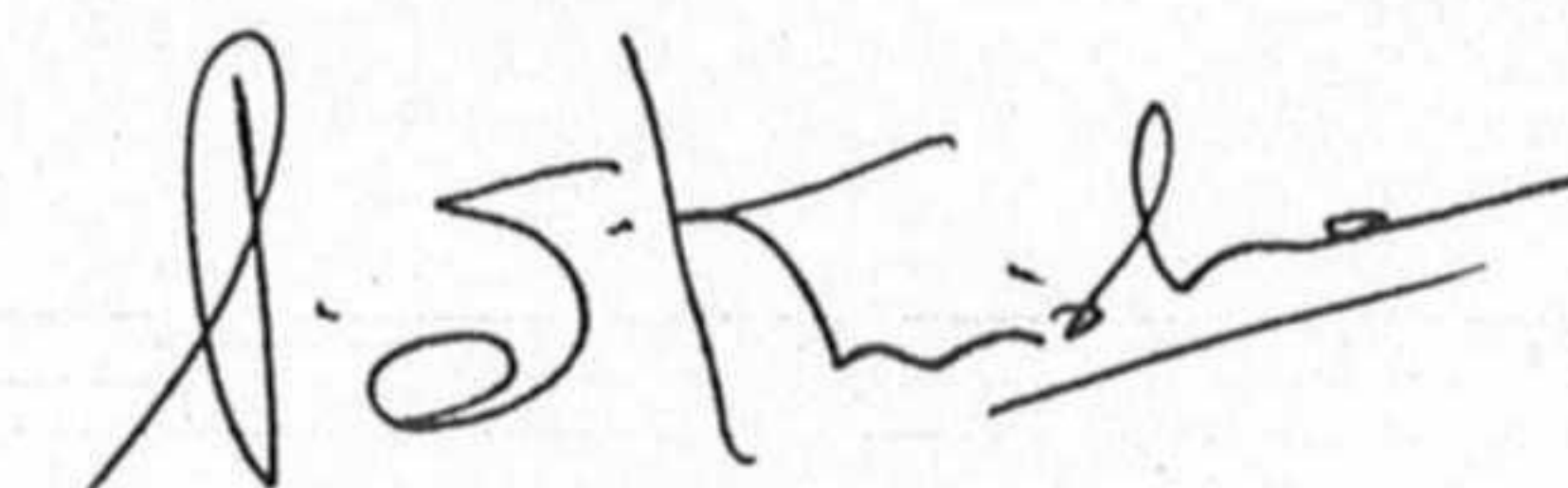
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different States specific social groups or castes or caste-like communities which follow any minority religion. This is in keeping with the social history in that what is relevant to the listing of Backward Classes is not the religion but the social groups since followers of any religion would consist of different social groups and only those social groups of clear-cut identity and inter-generational continuity, which are socially backward can, on objective grounds, be included in the list of Backward Classes. In view of the foregoing, the Bench agreed with the State Backward Classes Commission's opinion in para 4 above that "Muslim" religious community as a whole cannot be considered for Inclusion in the List of BCs and only specific social groups among them, which are socially backward, can be considered. The Bench advised the representatives of the OBC Federation to conduct a study of the Muslim community of Tripura to find out the socially backward castes or caste-like groups among them and thereafter come with specific Requests for the Inclusion of such specific socially backward groups. They or anybody else have so far not approached this Commission with such specific Requests.

6. This Commission has, after considering a Request received from the State Government, tendered Advice to the Central Government for the Inclusion of "Pangal", who are Manipuri Muslims residing in Tripura, in the Central List of Backward Classes for Tripura. In accordance with the Commission's advice, the Government has also notified the Inclusion of "Pangal" in the Central List of Backward Classes for Tripura vide Ministry of Social Justice & Empowerment Resolution No. 12011/88/98-BCC dated 6.12.1999 published in the Gazette of India of the same date.

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7. Recently, the Anthropological Survey of India has brought out, as part of its People of India series, a volume on Tripura (General Editor K.S.Singh, Seagull Books, Calcutta, 1996). It contains an account on "Musalman" by Subhash Chandra Ghosal. Names of specific social groups among Muslims are not mentioned in this account or elsewhere in the volume, as the volumes of survey of some other States have done.

#### IV. Findings

8. From the above facts and material, the Bench arrives at the Finding that the Request for Inclusion of "Muslim" in the Central List of Backward Classes for Tripura should be rejected as it is not a "social class" that can be considered for Inclusion in the List of Backward Classes. This, however, does not preclude any Request being made in future for the Inclusion of any specific socially backward, inter-generationally continuous social groups/castes/caste-like communities/classes in existence among followers of Islam in Tripura and if and when any such Request or Requests are made, this Commission can examine such Requests on their merit.

P. L. Sengupta  
7.1.2000

P. S. Kishan

AUTHENTICATED

7.1.2000

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## V. Advice of the Commission

9. The Commission considered and agreed in full with the above Findings of the Tripura 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 Act:-

Request for Inclusion of “Muslim” in the Central List of Backward Classes for Tripura be rejected as it is not a “social class” that can be considered for Inclusion in the list of Backward Classes. This, however, does not preclude any Request being made in future for the Inclusion of any specific socially backward, inter-generationally continuous social groups/castes/caste-like communities/classes in existence among followers of Islam in Tripura and if and when any such Request or Requests are made, this Commission can examine such Requests on their merit.

P. L. Fitzgerald  
7.1.2000

K. Shayan 07.01.2000

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