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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार
त्रिकूट-१, भीकाएजी 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 Nos. Bihar 32/99

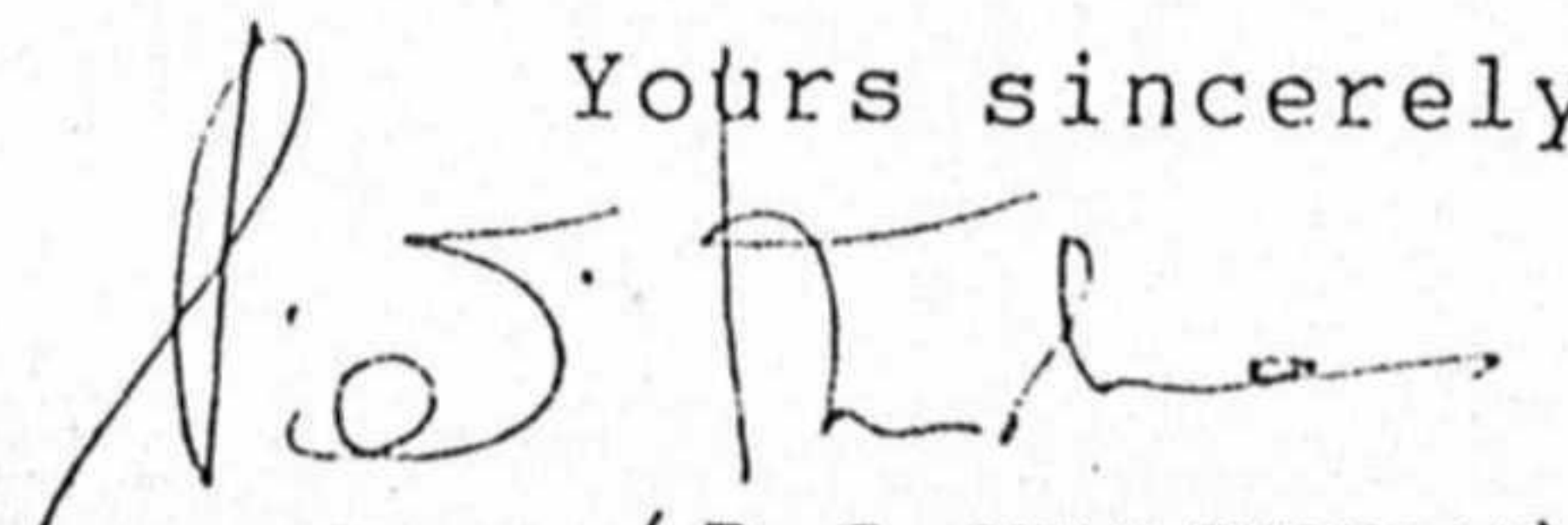
17.05.1999

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 "Adarakhi" caste/community in the Central List of Backward Classes for Bihar, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

2. With this, Advices on 647 (319 for Inclusion + 328 for rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 641 (313 for Inclusion + 328 for Rejection) are still pending with the Government for Notification.

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

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18.5.1999

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NATIONAL COMMISSION FOR BACKWARD CLASSES

BIHAR BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Adarakhi" caste/community in the Central List of Backward Classes for Bihar

I. Request

This case arises from the Request received in this Commission from Shri Anil Kumar, Secretary, Bihar Rajya Adarakhi Sangh, Baniabigha, Narhat(Nawada), Bihar for the Inclusion of "Adarakhi" caste/community in the Central List of Backward Classes for Bihar.

II. Public Hearing

2. The two-Member Bihar Bench of this Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Prof. Uday Pratap Singh, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Patna on 09. 01. 1998. At the Public Hearing the State Government was represented by Shri Harun Rashid, Deputy-Secretary, Deptt. of Personnel & Administrative Reforms and other officers. Prof. Rameshwar Prasad Singh, Hon'ble Member, Bihar State Commission for Backward Classes was also present during the Hearing and provided valuable information. The caste/community was represented by the Request-maker Shri Anil Kumar and S/Shri Umesh Prasad and Rajesh Kumar.

III. Facts

3. "Adarakhi" caste/community is not included in the first-phase

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[Signature]
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National Commission
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Central List of Backward Classes for Bihar prepared and notified by the Government of India in 1993 on the basis of the principle of Commonality (ie., by inclusion in the Central List for each State of castes/communities which were found commonly included in the respective State Government's List of BCs that existed at that time and the Mandal Commission's List for that State) because it was not included in both the Mandal Commission's List for Bihar and the State Government's List that existed at that time and, therefore, did not satisfy the criterion of commonality.

4. The Government of Bihar has, on the basis of the Advice of the Bihar State Commission for Backward Classes, since included "Adarakhi" at S.No. 104 in the State Government's List of "Most Backward Classes" (Schedule I appended to the Bihar Act 3, 1992) vide Govt. of Bihar (Personnel & Administrative Reforms Deptt.)'s Notification No. 11/B.S.B.C.C. /96 Pers.109 dated 27.11.96.

5. In his letter of Request the Request-maker has stated that "Adarakhi" is a caste/community residing in the Gaya, Nawada and Nalanda districts of the State. It is stated that the members of the caste/community are engaged in small-scale agriculture and manual labour and that there is not a single member from this caste/community in Class I and Class II services though the community has a total population of about 1 lakh. In the NCBC's Questionnaire filled up and furnished by the Bihar Rajya Adarakhi Sangh, the total population of the caste/community is given as "43,000". It is also stated that the caste/community belongs to "Sanatan Hindus". The main occupation on which the members of the caste/community mainly depend for their livelihood is given as "Agriculture, Agricultural labour and sale of vegetables". "Rope making" is given as the traditional occupation with which the caste/community, in terms of the caste system, is identified with and 15% of the members of the caste/community is stated to be still in that occupation. The Questionnaire also give the following break-up regarding occupational position of the rest of the adult

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members of the caste/community:

(i)	agricultural labour for wage	65%	58
(ii)	other manual labour for wage	4%	42
(iii)	cultivation of own land	30%	30%
(iv)	other occupations like services in Govt./Public Sector, trade, professions etc.	0.1%	0.1%

In the Questionnaire in the column requiring to furnish the names of two castes/communities (whether from among the backward or forward castes/communities) at a level immediately higher than the caste/community under consideration, they have furnished the names of "Abadh bania" and "Dhanuk".

6. During the Public Hearing the representatives of the community said that that "cultivation" is their traditional occupation with 50% of the families of the caste/community holding an average of 4-5 bighas of land.

7. Under the head "Adarkhi", Risley (The Tribes and Castes of Bengal -- Ethnographic Glossary, Firma Mukhopadhyay, Calcutta, 1981, first edition 1891) gives the following account:-

"Adarkhi, a sub-caste of Baniyas in Behar, most of whom make their living by selling vegetables: others trade in grain, and some cultivate land. They permit widows to marry again, and eat flesh -- practices condemned by the more orthodox members of the trading group of castes. They abstain, however, from wine, and in other respects conform to the standard rules of Hinduism."

8. During the Public Hearing, the representatives of the caste/community disagreed with the above account of Risley and stated that their caste/community does not have any connection with Banias. They further stated, also disagreeing with Risley's account,

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that no widow remarriage is permitted among them and that they are against non-vegetarianism. They abstain from alcohol.

IV. Findings

9. From the material and evidence available before the Bench, it is the Finding of the Bench that the Adarakhi is, if not a Bania sub-caste proper, a caste/community closely related to Banias. This is supported by their occupational profile described by Risley and their own statement in the Questionnaire that they are also sellers of vegetables and also buttressed by the facts that the name of the village of the Request-maker is given in the letter of Request in Hindi as "बनिया बिगहा" and in the NCBC's Questionnaire in English as "Baniabigha", that they belong to "Sanatan Hindus" and that they consider the social standing of their caste/community to be just below "Avadh Bania", which is a Bania/trader caste proper. The inclusion of Avadh Bania in the State and Central List of Backward Classes for Bihar cannot support the claim for Inclusion of Adarakhi in the List of BCs because its inclusion (as well as inclusion of some other Bania castes) in the Bihar State List is an unjustified aberration as brought out by this Commission during the course of the Findings/Advice on the Requests for Inclusion of 12 Bania/Vaishya castes of Bihar in the Central List of Backward Classes for Bihar tendered to the Govt. of India vide NCBC Advice No. Bihar 7-18 dated 13.8.98. So far as the Central List for Bihar is concerned the inclusion of Avadh Bania as well as some other Bania castes in it was based merely on the mechanical process of common-listing (ie inclusion in the Central List of castes/communities which were found commonly included in the State List as well as the Mandal Commission's List) and there was no indepth analysis of data/information involved at that stage to ascertain the factum of backwardness. Based on such analysis of data/information in cases of Requests for Inclusion of castes/communities not included in the Central List, this Commission

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has tendered Advices for Rejection of Requests received from different States for the inclusion of a number of Bania/Vaishya castes/communities as they are not socially backward. These and the facts admitted by them that they do not permit widow re-marriage --- prohibition of widow-remarriage is a practice which, though contrary to the modern gender-equitous practices, is, in the topsy-turvey world of the Indian caste system, considered to be a hallmark of advanced castes/communities --- and that they are against non-vegetarianism and that they are teetotallers (though, generally speaking, no moral value can be attached to being vegetarian or non-vegetarian and to imbibing or non-imbibing of alcohol, in the Indian conditions, being against non-vegetarianism and alcohol is not a characteristic that normally is found to go with backward castes/communities but with socially advanced castes/communities in the traditional Indian social setup) all make it obvious that the socio-cultural profile that emerges regarding the "Adarakhi" is not that of a socially backward caste/community but on the contrary is that of a socially advanced caste/community. There is no evidence adduced before the Bench either by the representatives of the caste/community or by the State Government to come to a contrary conclusion. Disclaiming of any connection with Banias by the representatives of the community is apparently a vain attempt on their part to deflect from their actual social position and make themselves appear to be socially backward, which they are not. Therefore, the Request for Inclusion of "Adarakhi" in the Central List of Backward Classes for Bihar should be rejected.

Madan Mohan
14.5.99

P. S. Krishnan
13.5.99

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Nat. Commission
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V. Advice of the Commission

10. The Commission considered and agreed in full with the above Findings of the Bihar 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:-

The Request for Inclusion of "Adarakhi" caste/community in the Central List of Backward Classes for Bihar should be rejected as it is not a socially backward, but is a socially advanced caste/community

11. On account of the unfortunate demise of one of the Members, Shri Navtej Puadhi on 16.8.1998, this unanimous Advice of the Commission does not bear the signature of that Member. The validity of the Advice, notwithstanding the vacancy caused by the demise of the aforesaid Member, is protected by Section 7 of the NCBC Act, 1993.

Navtej Puadhi
14.5.99

P. S. Krishnan
13.5.99

P. S. Krishnan
17.5.99

Kshayan
17.05.99

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