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सदस्य-सचिव
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. Haryana 30/99

21.1.1999

Dear Shri Manavalan,

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

2. With this, Advices on 515 (287 for Inclusion + 228 for Rejection) castes, sub-castes, synonymsetc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 509 (281 for Inclusion + 228 for Rejection) are still pending with the Government for Notification.

Yours sincerely,

O/C

(P S Krishnan)

Encl: as stated.

Shri D K Manavalan
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
New Delhi.

Assured
22-1-99

NATIONAL COMMISSION FOR BACKWARD CLASSES

Haryana Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of
"Charaj(Mahabrahman)" 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 Shadilal, Pradhan, Acharaj Sabha, 653/3, Rajendra Nagar, Patiala Chowk, Jin, Haryana, for the Inclusion of "Charaj (Mahabrahman)" in the Central List of Backward Classes for Haryana. The State Government of Haryana vide its letter no.R-1/95/26634 dated 13.9.95 has also made a Request to this Commission to include the "Charaj(Mahabrahman)" caste/community in the Central List of Backward Classes for Haryana, the caste/community having already been included in the State Government's List of Backward Classes.

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 Sri 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, Social Welfare and Shri Mani Ram, Deputy Director, Social Welfare. Neither the Request-maker Shri Shadilal nor any other representative of the "Charaj(Mahabrahman)" caste/community appeared before the Bench to give evidence.

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National Commission
for Backward Classes

III. Facts

3. "Charaj(Mahabrahman)" caste/community is not included in the first-phase Central(Common) List of Backward Classes for Haryana prepared and notified in 1993 on the basis of the principle of commonality (ie., inclusion in the Central List of those castes/communities which were found included in the Mandal Commission's List for the State and the State Government's List) as it was included only in the State Government's List of Backward Classes and not in the Mandal Commission's List for Haryana.

4. In support of the claim of social backwardness of the community, Shri Shadilal in his letter of Request has stated that the Charaj caste/community is looked down upon since centuries because people of the community accept gifts at death ceremonies. Even now, in rural areas high caste people consider it a bad omen to see a person of the Charaj community in the morning. When people of his caste leave the house of a deceased after taking gifts, burnt ash or sand is spread on his path. Many people of the society show disrespect to them by terming them "low brahmans". For this reason, they have to adopt a title or surname to hide their caste identity. It is also stated that a survey if conducted would reveal very few persons of this caste are educated and that the majority of the people of the caste are engaged as "Hawkers, pheriwala, Rehriwala, labour, selling of clothes of deceased".

5. In the NCBC's Questionnaire, filled and furnished by the State Government it is stated that this caste is generally regarded as socially backward. The occupation on which members of the community mainly depend for their livelihood is given as "religious ceremony after death". No other data or details are given in the Questionnaire by the State Government.

6. The caste/community under consideration is described in the People of India series on Haryana (published by Manohar

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Publishers on behalf of the Anthropological Survey of India, New Delhi, 1994) under the head "Bura Brahman" as follows:-

"The Bura Brahmins are also called Maha Brahman and Acharj. Their title is Acharya; however, earlier they would write their title as Acharj. The Bura Brahmins perform functions which are in contradistinction to those of the uttam(pure) Brahmins who serve the pure castes and fulfill pure functions. It is said that some of the Brahmins, during the times of King Dasarath started accepting das gatra(food, clothes, pulses, salt, spices), offered on the tenth day of death. Since then they were considered low and impure, and got separated from the pure Brahmins. The Acharjs have been reported to have migrated to Haryana from Ujjain in Madhya Pradesh, hundreds of years ago.....

The Bura Brahmins earn their livelihood by driving carriages, by working in factories, doing labour work, vending vegetables, running provision and sweetmeat shops. Some of the community members are engaged in agriculture. Individual control over shops or land has been reported. The community is a combination of the landless and landowners. The community members are mainly occupied in the construction and agricultural labour or roadside labour. Some do only crop harvesting. Traditionally, the occupation of the community is to accept daan on the occasion of death. Daan includes clothes of the dead or other belongings such as cots, utensils. But now, only a few of the community members continue with their traditional profession of receiving offerings within thirteen days of death. Others are opting for jobs and labour work. Animal husbandry and selling of milk and harvesting of crops constitute subsidiary occupations. They depend on the local market for their day-to-day needs.....

Traditionally, no caste would eat or share any kind of food with Bura Brahmins. They would officiate over death rituals of other caste Hindus and receive daan charities towards the services in the name of the deceased. Their advent in the house is considered inauspicious. Now, they can share wells and other water resources, roads, schools, cremation, temples, panchayat ghars with the other communities. Jajimani in this community

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existed about two decades ago. Some members of the community are businessmen, petty shopkeepers, teachers and doctors and as such they interact with other communities. Some of the members plough or cultivate the land on batai basis.

The Bura community members favour educating their children, but very few of them are able to do so owing to their stringent financial conditions. Only boys are able to receive education upto graduation level. The main causes of the discontinuance of education are poverty and social reasons for the girls in particular....."

7. Under the head "Mahabrahman", W. Crooke (The Tribes and Castes of the North-Western India, Cosmo Publications, Delhi, 1975, Originally published under the title 'The Tribes and Castes of the North Western Province & Oudh', Calcutta, 1896) writes as follows:-

"Mahabrahman --- 'Great Brahman', a term used in ridicule or contempt for the class of Brahmans who receive the funeral gifts.....

Of their origin there is no satisfactory account; but it may be reasonably suspected from their appearance and function that they are an occupational tribe of some menial origin who were introduced into Brahmanism. They, of course, claim to be real Brahmans, and the comparatively small number of them recorded at the last Census is almost certainly due to their repugnance to the use of the contemptuous term by which they are commonly known. They have simply recorded themselves as Brahmans without further distinction.....

The special function of the Mahabrahman is the receiving of the funeral offerings, consisting of the clothes, jewelry, furniture, and other things belonging to the dead man....."

8. During the Public Hearing, the State Government representatives stated that the demeaning funeral practices associated with this community have disappeared in urban areas and is surviving to a limited extent only in rural areas. The

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State Govt. representatives also stated that they could locate only one family of this community.

9. The caste/community under consideration is not included in the State and Central Lists of Backward Classes in respect of any State, except for Rajasthan where "Maha-Brahman(Acharaj)" is included in both the State and Central Lists. Its inclusion in the Central List of BCs for Rajasthan was based on the principle of commonality(ie., by including castes/communities found included in both the State Government's List as well as the Mandal Commission's List for that State) and was not based on any indepth analysis of the social and educational status of the community. For this reason, the Rajasthan instance cannot be treated as a relevent precedent. This Commission has already tendered its Advices to the Central Government for the rejection of the Requests for Inclusion of this caste/community in respect of Madhya Pradesh [vide NCBC Advice No. 18/98(M.P.) dated 12.06.98] and Uttar Pradesh [vide NCBC Advice No. 55/UP/98 dated 31.12.1998].

IV. Findings

10. It is an undisputed fact that in the sociology of the Indian Caste System, the Brahmin caste/community is considered to be not only an upper caste/community but the uppermost caste/community. This factor secures a certain high social status for members of this caste or caste-cluster, known as Brahman, of the four Varnas. Though there are apparently degraded sections or sections of comparatively lower status among them as suggested by the ethnographic accounts, it is not possible to ignore the fact that they belong to the Brahmin catetory and, therefore, they do not come within the ambit of the definition and factum of social backwardness as such. The question of educational backwardness arises only when social backwardness is established which is not the position in this case. In respect of "Charaj(Mahabrahman)", no evidence has been adduced either by the

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 Member Secretary
 National Commission
 Backward Classes

State Government or the individual request-making party to show that they are educationally backward. But, from the Findings of the Madhya Pradesh Bench, it is seen that in the State of Madhya Pradesh, which is in the same broad cultural region as Haryana, members of this caste/community are not educationally backward, they being well-versed in Sanskrit and Sanskrit literature, and mostly having education upto matriculation level, though not having higher qualifications. In the absence of any evidence to the contrary, it is to be presumed that in Haryana too they are educationally similar and cannot be regarded as educationally backward. From the fact that neither the request-making individual nor any other member of the caste/community appeared before the Bench during the Public Hearing and that the State Government could not locate more than one family of the community, it appeared to the Bench that probably they do not want their separate identity to be noticed. This is probably because, in the modern conditions, they are in a position to exist in society without their separate identity being prominently noticed. It may be also a fact that, the modern day conditions including spread of education, has created and is creating a situation in which the practice associated with this caste/community and their separate identity are fast disappearing. It was also the impression of the Bench that under these circumstances, the inclusion of a community like Charaj(Mahabrahman) in the list of BCs may also provide opportunities to some members of the larger Brahman community to get BC certificates not intended for them. This is apart from the fact that on consideration of the social history of the Indian Society, the Charaj(Mahabrahman) caste/community cannot be considered as Socially Backward. Taking all these facts into account, the Bench arrived at the Finding that the "Charaj(Mahabrahmin)" is not a Socially Backward or Educationally Backward caste/community, therefore, the Request for its Inclusion in the Central List of Backward Classes for Haryana should be rejected.

11. As one of the Members of the Bench, Shri Navtej Puadhi

unfortunately passed away on 16.8.1998, subsequent to the Public Hearing, the Findings are signed only by two Members. but the Findings represent the conclusion jointly arrived at by all the three Members of the Bench.

P. Le. Aggarwal
18-1-99

P. S. Krishnan
15.1.99

V. Advice of the Commission

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

The Request for Inclusion of 'Charaj(Mahabrahman)' caste/community in the Central List of Backward Classes for Haryana be rejected as it is not socially and educationally backward.

13. 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.

P. Le. Aggarwal
18.1.99

P. S. Krishnan
15.1.99

R. Shyam
21.01.99

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20.1.99

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