



सत्यमेव जयते

पी. एस. कृष्णन्
P. S. KRISHNAN

IEL 6183190

NCBC Advice No. Haryana 32/99

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 "Swamy Sadh" in the Central List of Backward Classes for Haryana, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

2. With this, Advices on 582 (304 for Inclusion + 278 for rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 576 (298 for Inclusion + 278 for Rejection) are still pending with the Government for Notification.

Encl: As stated.

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

[Handwritten signature]
574/99

रादस्य-सधिव
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

05.04.1999

Yours sincerely

[Handwritten signature]
(P.S.KRISHNAN)

NATIONAL COMMISSION FOR BACKWARD CLASSES

Haryana Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Swamy Sadh" in the Central List of Backward Classes for Haryana.

I. Request

This case arises from the Request received from Swami Sadh Kalyan Sabha, Haryana for the Inclusion of "Swami Sadh" 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 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. The community was represented by Dr. Bhim Singh, Pradhan, Swami Sadh Kalyan Sabha, Shamlo Khurd, Distt Jind, and 8 others.

III. Facts

3. "Swamy Sadh" 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

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State and the State Government's List) as it was not included in both the Mandal Commission's List for Haryana and the State Government's List of Backward Classes that existed at that time. Even now "Swamy Sadh" is not included in the State Government's List of BCs.

4. The Swamy Sadh Kalyan Sabha in one of their letters of Request introduces the community as follows:-

"In the early past, members of different castes through the practice of meditation became Sadhu-Sanyasi and started living in seclusion. But, later on they entered into "Grihasthy Asram", and their chief occupation was to popularise 'Bhakti' for which they used to receive 'Biksha'

But, in the present day, majority of the members of the community eke out their life by doing labour....."

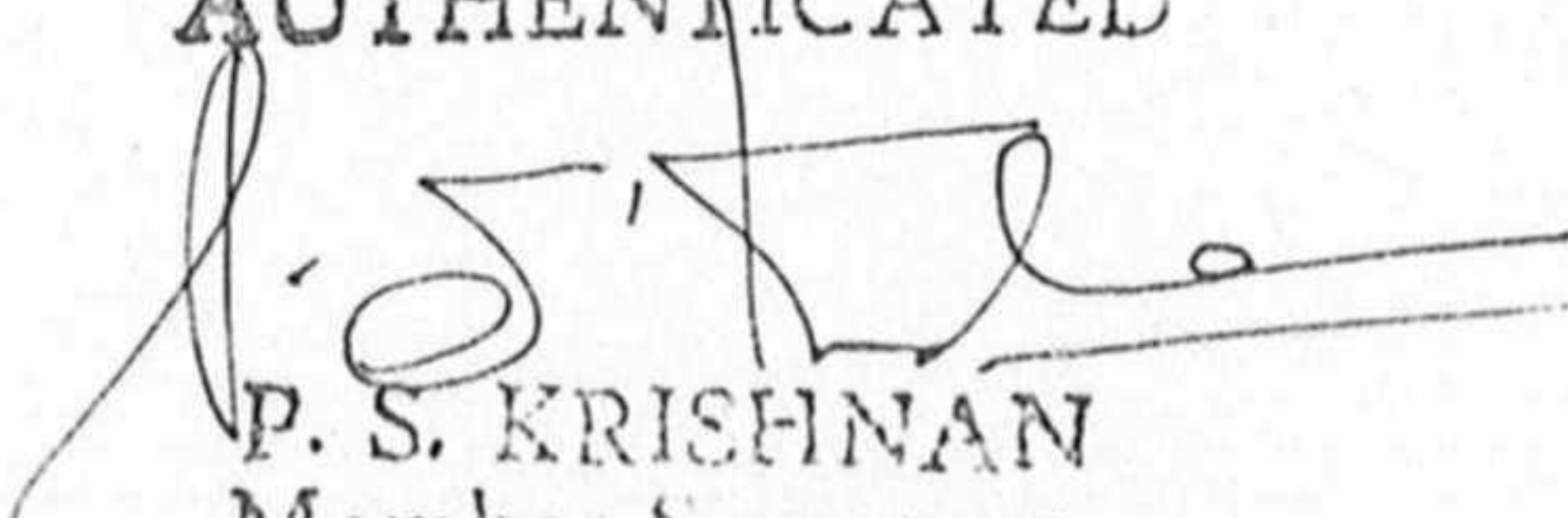
In another letter of Request, the Sabha stated as follows:-

"In the early past our predecessors gave religious teachings to the people. In the course of time, they joined the Ramanandi cult and were called 'Swamy Sadh'. At present there are subdivisions like Garib-dasi, Charandasi, Ramavat etc. We are called in some places as "Swamy" and in some other places as 'Sadh'....."

It has also been stated that in Haryana this community is very small in number. In the NCBC's Questionnaire filled up and furnished by the Sabha the total population of the community is given as 25100, and the main occupation on which the members of the community depend for their livelihood is given as "Labour". The literacy rate of the community is given as 48%.

5. Denzil Ibbetson (Punjab Castes, Low Price Publications, Delhi, first published 1916 based on the Census of the Panjab carried out in 1881 by Ibbetson himself) gives an account of "the Sadh" under the head "The Hindu orders of ascetics". Such orders, Ibbetson observes, "in the absence of all pretence of community of blood and the purely voluntary nature of their association,

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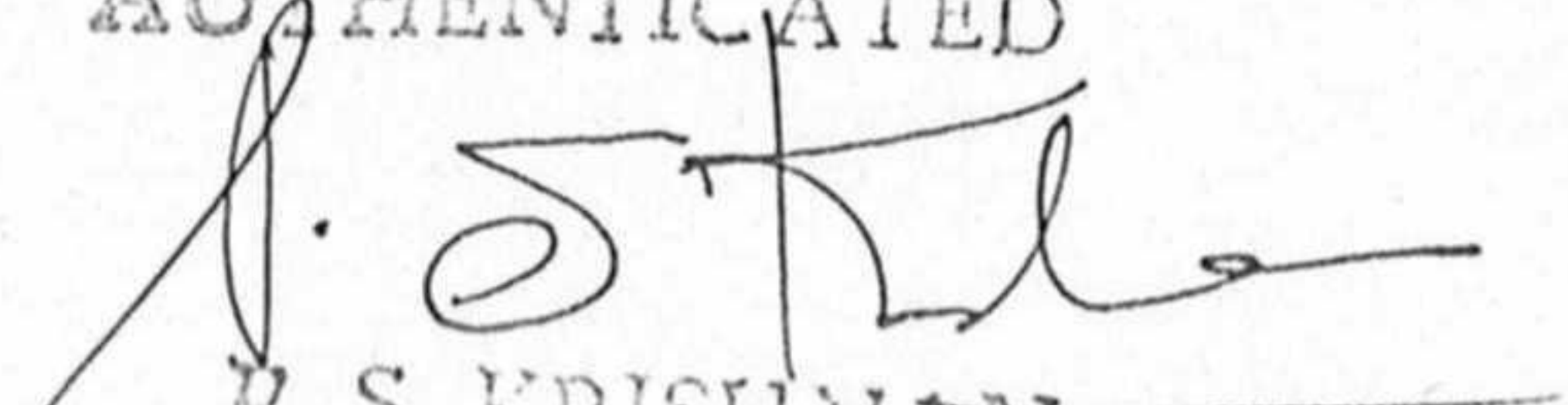
are somewhat analogous to the trades-guild. These men abandon caste properly so called on entering the order to which they belong;.... and the word caste is not really applicable to these classes." Ibbetson's account of "Sadh" is as follows:-

"Sadh is properly nothing more than the Hindu equivalent of the Musalman word Pir; or rather Sadh applies only to a Hindu devotee, while Pir includes any Muhamedan holy man. But the word is especially applied to a set of Hindu unitarians who are chiefly found in the Upper Ganges-Jamna doab, from Farrukhabad upwards. The sect was founded by one Birbhan some 200 years ago. The Sadhs do not smoke, and affect great personal cleanliness, and their religious ceremonies consist in eating together. It is a sect rather than an order and the Jats of a large village in Karnal are Sadhs by sect, though Jats by caste.... The priests of the menial classes are often called Sadh, as the Chamarwa Sadhs of the Chamars, or the Charandasi Sadhs and the Kabirbansi Sadhs of the Julahas."

6. Under the head "Sadh", H.A. Rose in his "A Glossary of the Tribes and Castes of the Punjab and North-West Frontier Province" (Asian Educational Services, New Delhi, Madras, 1990, first published 1919) apart from quoting the above account of Ibbetson also inter alia writes as follows:-

"According to MacLagan the sect was founded by one Udo Das, one of the pupils of Rai Das. Sir James Douie's account of the sect runs: 'They own the whole of one village, Zainpur Sadhan, and the half of another in pargana Indri, and a few families are to be found in tahsil Pipli of Ambala. They are said to be found also in Rohtak, to own two villages in Saharanpur, and to be especially numerous in Farukhabad. They say they are in religion neither Hindus nor Muhammadans, but followers of the Guru Udho Das, who was doubtless a reformer of the type of Kabir and Nanak. They worship no material object, pay no respect to the Ganges or Jumna, have no idols or temples, and adore only the one God, under the title of Sat or 'The True One.' The whole village community --- men, women and children --- meets monthly on the day of the full moon in a gurudwara, when banis (the precepts of

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the sect) are recited. Music is not allowed in their worship; they pay no respect to Brahmans; and they do not employ them at their weddings or funerals....."

7. Munshi Harydyal Singh in 'The Castes of Marwar --- being Census Report of 1891' (Books Treasure, Jodhpur, 1990, first edition 1894) writes under the head "The Sadhs" as follows:-

"The Sadhs or Sadhus form a large class of the Bairagis, though their ordinances are not so strict and rigid as those of Bairag. They regard Ramanand as their founder and head, who was a Vishnu worshipper, and a follower of Ramanuj Sampradaya. He came to Benares on pilgrimage from Southern-India, and adopted Chelas from every caste;.....

The sect prospered rapidly, and a large number of disciples was recruited from every class. They are mostly celibate, and the place where they assemble together is generally called Akhara. Many among them also live as Gharbaris. They marry and work as Pujaris in temples.

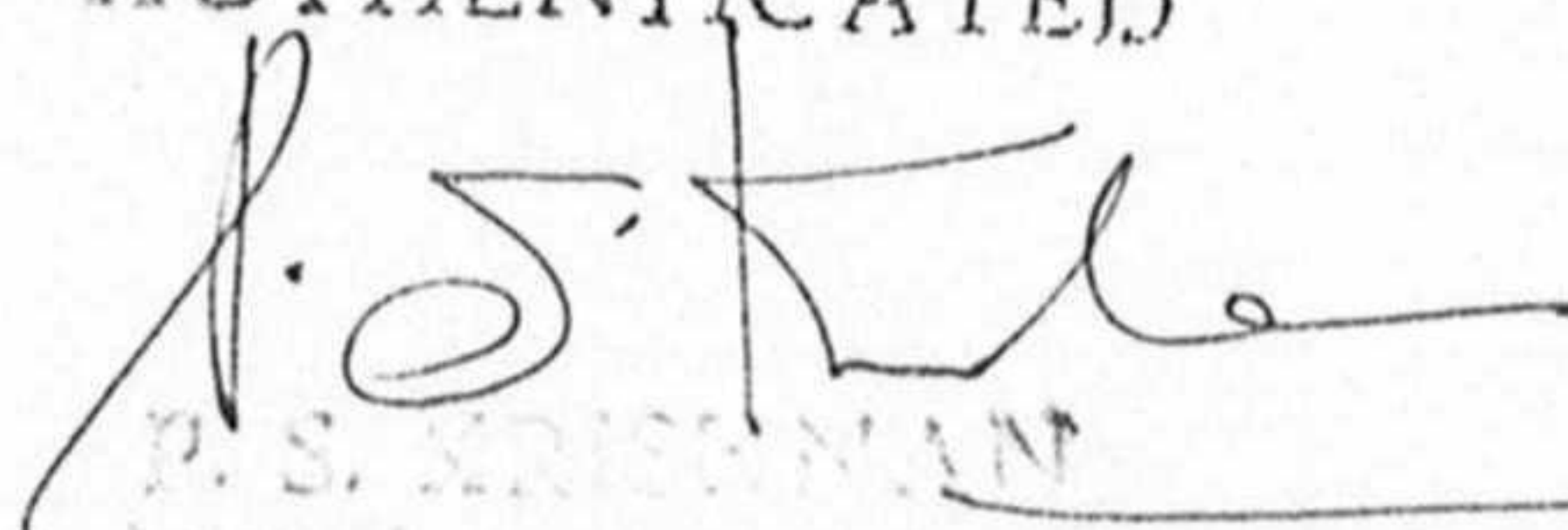
In Marwar the Jats generally form a large proportion of the Sadhus. They join the sect merely to lead an idle existence or to be exempt from all their liabilities rather than devote themselves to a religious life,....

.....

Various sects are said to have sprung among the Sadhus each being distinguished by its distinctive mark or Tilak. They are named chiefly after their founders, and may be divided into three different heads. Among the Vishnuvites, those who worship idols, may be mentioned as the Ramavat, the Kumbhavat Sadhs whereas those who renounce idol worship, are known by the name of Ramsnehis, the Niranjana Sadhus & c. The third group consists of several Punths, who neither worship Vishnu nor follow Shiva, but believe in the unity of God. They are the Kabir panthis, the Dadu-panthis and the Nanakshais."

Munshi Hardyayal Singh further describes each of the above sects among Sadhs separately and under the head 'The Ramavat Sadhus', he mentions that the "Ramavats admit disciples from every high

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caste."

8. Sadh, Swamy or Sadh Swamy is not included in the Central List of BCs for any State except for Rajasthan in the first-phase Central List for which "Sad, Swamy" is found included. Since this inclusion of "Sad, Swamy" in the first-phase Central List of BCs for Rajasthan was based on the mechanical process of common-listing, i.e., inclusion in the Central List of castes/communities which were found both in the Mandal Commission's List for the State and the State Government's List of BCs and as there was no indepth analysis of objective data involved, it cannot be treated as a relevant precedent. The account of Munshi Hardyal Singh quoted above, particularly the mention that the Ramavats admit disciples from every high caste, clearly militate against its eligibility for inclusion in the list of Backward Classes. The issue of its continuance in the Central List for Rajasthan can arise, not now, but only if and when there is complaint of over-inclusion in respect of this community or at the time of the general revision envisaged under Section 11 of the NCBC Act.

IV. Findings

9. From the above material and evidence, the Bench came to the Finding that "Sadh" or "Swamy" or "Sadh Swamy" is a religious sect, members of whom were originally recruited or are recruited from different castes. Therefore, this sect or order cannot be considered as an inter-generationally continuous and identifiable social group. As mentioned in ethnographic accounts a person who is Sadh by sect can also be a member of particular castes, such castes being of different and varying social standing including clearly advanced castes like Jats. Therefore, "Swamy Sadh" cannot be taken as a category of social class for considering inclusion in the List of BCs. Even if we reckon it to be a social class fit for consideration, it emerges from ethnographic accounts that their members are/were associated with priestly activities and ascetic practices. Such practices/activities are

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not considered inferior or lowly by the general society but are held in reverence. Occupations traditionally allotted to or associated with a social group or caste/community is an important criterion in deciding whether it is correctly classifiable as socially backward or not. The traditional vocations of Swamy Sadh such as priestly practices and spiritual-disseminational activities do not justify its inclusion in the List of Backward Classes. It is also seen that their admitted literacy rate of 48% (which is not established, and could be an under-estimation or under-statement) is not considerably below the State average of 55.85% and therefore this community also does not seem to be educationally backward. In view of these, the Request for Inclusion of Swamy Sadh in the Central List of Backward Classes for Haryana should be rejected.

10. 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.

P. K. Agarwal
26/3/

A. S. Thakur
22.3.1999

V. Advice of the Commission

11. 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 'Swamy Sadh' in the Central List of Backward Classes for Haryana be rejected as it is not a social class and, even if taken to be a social class, it is not

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socially and educationally backward.

12. 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. C. Aggarwal
26/3/

P. S. Krishnan
22.3.1999

Madan Mohan
30.3.99

K. S. Srinivasan
26.03.99

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