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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
Trikoort - 1, Bhikaiji Cama Place, New Delhi - 110 066

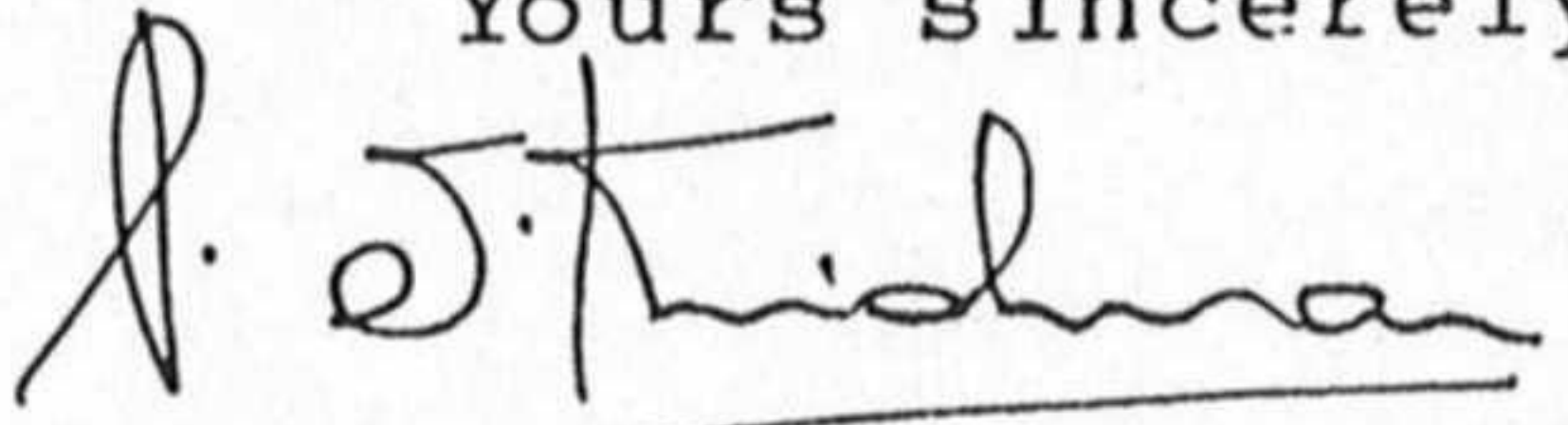
NCBC Advice No. Haryana 34, Delhi 15/99

25. 08. 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 "Vishwakarma Maithil Brahman" caste/community in the Central Lists of Backward Classes for Haryana and the National Capital Territory of Delhi, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

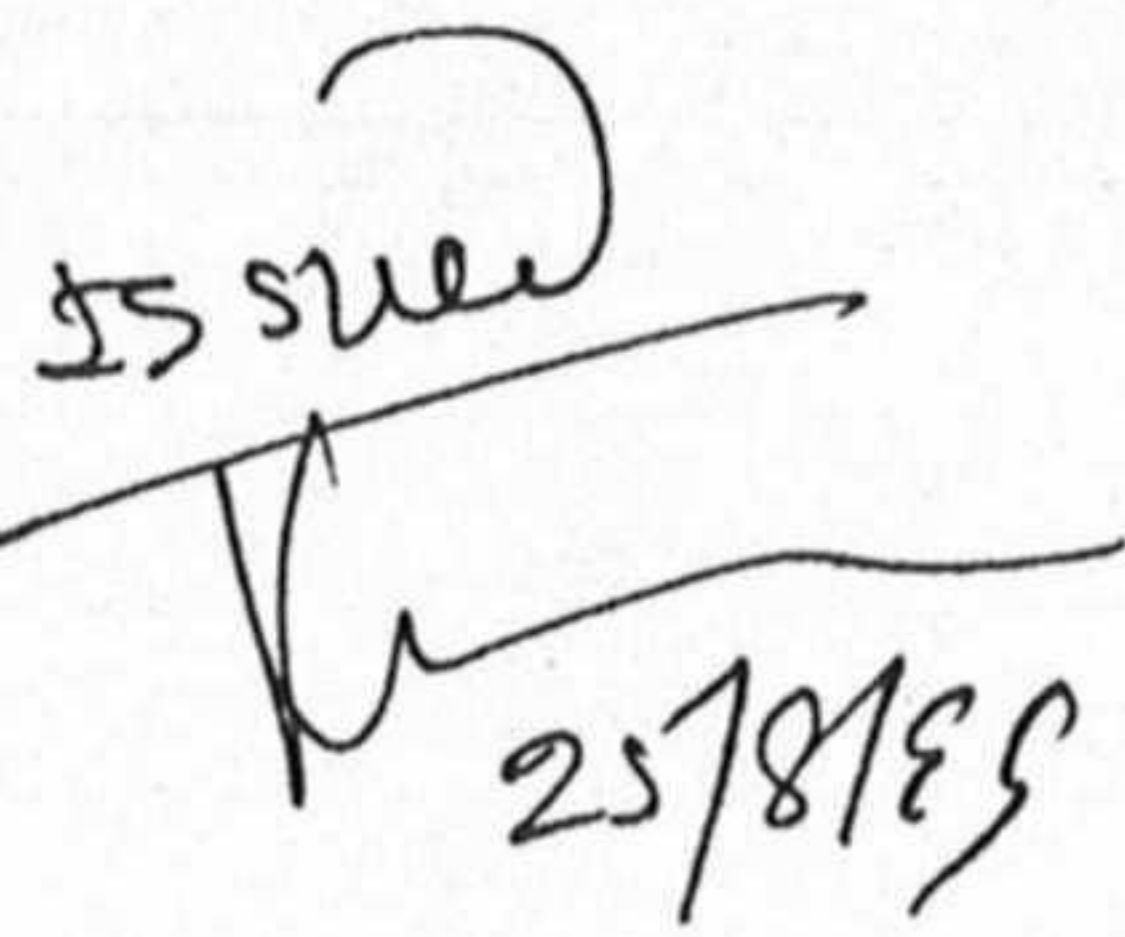
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

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

O/C

Issued

25/8/99

744/371 Incl + 372
35

NATIONAL COMMISSION FOR BACKWARD CLASSES

HARYANA & DELHI BENCHES

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Requests for Inclusion of "Vishwakarma Maithil Brahman" in the Central List of Backward Classes for Delhi and Haryana.

I. Requests

These cases arise from the Requests made to this Commission separately by the Akhil Bharatiya Viswakarma Maithil Brahman Mahasabha, Haryana Branch and by the Akhil Bharatiya Viswakarma Maithil Brahman Mahasabha, Delhi Branch for the Inclusion of "Viswakarma Maithil Brahman" in the Central List of Backward Classes for Haryana and Delhi respectively.

II. Public Hearings

2. The two-Member Haryana Bench of the Commission, consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing at Chandigarh in respect of the Request for the inclusion of "Viswakarma Maithil Brahman" in the Central List of BCs for Haryana on 14.7.97. The two-Member Delhi Bench of this Commission, consisting of Hon'ble Justice Shri P.K. Shyamsundar, Chairperson, NCBC and Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC held a Public Hearing in the Court Room of the office of the NCBC to examine the Request in respect of inclusion of "Viswakarma Maithil Brahman" in the Central List of BCs for Delhi on 24.02.1998. At the Public Hearing at Chandigarh, the Haryana State Government was represented by Smt.

Komal Anand, Secretary, Department of Scheduled Castes and Backward Classes Welfare, Shri Sushil Kumar, Director and Shri Maniram, Deputy Director in the Directorate of Social Welfare. The community was represented by Shri Bahal Singh Bharadwaj and Shri Ram Sukh Maithil. At the Public Hearing at Delhi, the Govt. of the NCT of Delhi was represented by Shri F Pahnuna, Principal Secretary, SC & ST Welfare Deptt. and Shri Brahmanand, Deputy Director, Directorate for the Welfare of SCs/STs. Shri Hukumchand Sharma, General-Secretary, Akhil Bharatiya Viswakarma Maithil Brahman Mahasabha represented the "Viswakarma Maithil Brahman" community. As the facts and circumstances in respect of the community in both the States are the same, it was decided that common Findings and Advice in both the cases would be appropriate and convenient.

III. Facts

3. "Vishwakarma Maithil Brahman" has not been included in the Mandal, State and Central Lists of Backward Classes for Haryana and Delhi.

4. The Akhil Bharatiya Viswakarma Maithil Brahman Mahasabha, Haryana and Delhi branches in their separate letters of Requests have stated that the Viswakarma castes/communities of Khati, Badhai, Luhar, Suthar, Panchal, Dhiman, Jangid Brahman have been included in the List of BCs for Haryana and Delhi but 'Viswakarma Maithil Brahman' has not been included. According to the Mahasabha, "Viswakarma Maithil Brahman" is also an artisan (Shilpkar/Dastakar) community which is socially, economically and educationally backward and therefore deserves inclusion in the List of Backward Classes.

5. During the Public Hearings at Chandigarh and Delhi, the representatives of the community asserted that theirs is not a Brahmin community but is an artisan community like other Viswakarma communities. They said that most of their members are engaged in carpentry. They stated that their community is found in Delhi,

15/5/74
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National Commission
for Backward Classes

Haryana, Rajasthan and Uttar Pradesh. The representatives of the State Government of Haryana and the Govt. of NCT of Delhi informed that the Requests for the inclusion of Viswakarma Maithil Brahman in the respective State Lists are under the consideration of the respective State Commissions. They said that they do not have any information regarding "Viswakarma Maithil Brahman".

6. The Haryana State Government has subsequently asked the Deputy Commissioner, Faridabad to furnish information regarding the Viswakarma Maithil Brahman and the Deputy Commissioner, Faridabad has vide letter dated 14. 7. 99 addressed to the Director, Scheduled Castes and Backward Classes Welfare Deptt. and a copy endorsed to this Commission, given the following information gathered after an enquiry:-

- "1. Some members of this caste do the work of Khati (carpenter) and some others work as labourers.
2. Main caste is Brahman. In 1946, there was a Mahapanchayat of the people of this caste in Mauja Aurangabad of Faridabad district. Since then they declared themselves as Maithil Brahman. They do not have any written records in this regard.
3. Members of the are generally called as 'Sharma ji'. They are not socially and educationally backward. All are well to do people.
4. In the Society, they get respect.

.....in view of the above it is not proper to include them in the List of Backward Classes."

7. The Commission has received letters from the Akhil Bharatiya Maithil Brahman Mahasabha, Delhi Pradesh stating their objection to

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the inclusion of 'Viswakarma Maithil Brahman' in the Cental Lists of BCs for Haryana and Delhi. According to this 'Mahasabha', there is no caste/community in existence as 'Viswakarma Maithil Brahman' and it is an artificial and unreal name.

8. Available ethnogrpahic accounts and Census reports do not mention any caste/community as "Viswakarma Maithil Brahman". It is also not found included in any of the Lists of BCs for any State.

IV. Findings

9. From the above material and evidence, it is the Finding of the Bench that "Viswakarma Maithil Brahman" is a name adopted by some members of the Brahmin community who have taken to carpentry as their occupation. Since they belong to the Brahmin community, they cannot in any way be considered as a socially backward class. They cannot be equated with the artisan castes coming under the umbrella name of "Viswakarma", which have been traditionally looked down upon in the context of India's social system. In view of this the Requests for Inclusion of "Viswakarma Maithil Brahman" in the Central List of BCs for Haryana and Delhi should be rejected.

10. As one of the Members of the Haryana Bench, Shri Navtej Puadhi, who was one of the Members in the Haryana Bench, unfortunately passed away on 16.8.1998, these Findings are not signed by him, and is signed by both Members of the Delhi Bench and one Member of the Haryana Bench, the latter Member being common to both the Benches.

Dr. Jagdish Kumar
18/8/99

P. S. Krishnan
18.8.99

V. Advice of the Commission

11. The Commission considered and agreed in full with the above Findings of the Haryana and Delhi Benches and decided to tender the following Advice to the Central Government under Section 9(1) of the

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Commission
Classes

NCBC Act, 1993 for necessary action by the Central Government under Section 9(2) of the Act :-

The Request for Inclusion of "Viswakarma Maithil Brahman" in the Central List of Backward Classes for Haryana and the NCT of Delhi should be rejected as it is not a socially backward caste/community.

Noted & approved
18/8/99

Aditya
19.8.99

P. S. Krishnan
18.8.99

Ashayam
20.08.99

P. S. Krishnan
23/8/99

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