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भारत सरकार
नई दिल्ली-110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI-110 066

DO NCBC Advice No. 49 Kerala/97

02. 01. 1998

Dear Shri Baksi,

I am sending herewith the Advice of the National Commission for Backward Classes under Section (1) of the National Commission for Backward Classes Act, 1993 for rejection of the Request for Inclusion of "Vaishnava Gowder" caste/community in the Central List of Backward Classes for Kerala, for necessary action by the Central Government under Section 9(2) of the Act.

Best wishes,

Yours sincerely

P.S. Krishnan
(P.S. KRISHNAN)

Encl: As stated

Shri K.K. Baksi
Secretary
Ministry of Welfare
Shastri Bhavan
NEW DELHI

NATIONAL COMMISSION FOR BACKWARD CLASSES

Kerala Bench

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Vaishnava Gowder" in the Central List of Backward Classes for Kerala.

I. Request

This case arises from the Request received in this Commission from the 'Wayanad Sree Vyshnava Samajam', Eranelur Post, Panamaram, Wayanad District, Kerala for the Inclusion of "Vaishnava Gowder" in the Central List of Backward Classes for Kerala.

II. Public Hearing

2. The 2-Member Kerala Bench of the N.C.B.C. consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Shri Navtej Puadhi, Hon'ble Member held a Public Hearing at Kozhikode on the 23rd September 1997 to examine this Request. During the Public Hearing the State Government was represented by Shri R.K. Raghunathan, Joint Secretary to the Government of Kerala in the Scheduled Castes & Scheduled Tribes Welfare Department and Shri V.R.Padmanabhan, Director, Scheduled Tribes Development and other officers. The Vyshnava Samajam was represented by its President Shri A. Ananthakrishna Gowder and S/Shri

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P. S. Krishnan
Member-Secretary
National Commission
for Backward Classes

E.D.Gopalakrishnan, E.R.Santosh Kumar, P.D.Ramakrishnan and V.Sreenivasan.

III. Facts

3. "Vaishnava Gowder" is not included in the first-phase Central list of Backward Classes for Kerala prepared in 1993 on the basis of the principle of commonality as at that time it was not included in both the State and Mandal Lists of Backward Classes for Kerala.
4. The community has not been included in the State List to date. During the Public Hearing the representatives of the State Government stated that the State Commission has only very recently received a representation for the Inclusion of this community in the State List.
5. In their Representation, the Vyshnava Samaj has stated that people of the "Vaishnava Gowder" community are residents of four Panchayats (viz., Panamaram, Kaniyampatta, Meenangadi and Muttill Panchayat) and the Kalpatta Municipality of the Wayanad District. The members of the community speak Kannada as their mother tongue. The community is in fact the same as the 'Namadhari Gowda' caste/community of Karnataka. The Representation also inter alia states that though "Gowda" is included in the Kerala BC List, the members of the community are denied benefits available for backward classes on the ground that they are known as "Gowder" and not "Gowda".
6. The NCBC's Questionnaire filled up and furnished by the Samajam gives "Agriculture" as the occupation on which the members of the caste/community mainly depend for livelihood and also states that their agricultural activities involve manual labour on own land. According to the Questionnaire, only 5% of

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the members of the community are landless manual (both agricultural and non-agricultural) labourers. Regarding the educational status of the community the Questionnaire states that, of the total population of 1097, 90% of the members of the community are literate (1993) as against the State literacy rate of 89.81% (1991). The total number of matriculates of the community is given as 480, out of which 67 are female. The total number of all graduates is 18, out of which 6 are female. The Questionnaire also states that while "20 Houses in Wayanad" are Kaccha houses, 170 are Pucca houses and also that 6 persons had surrendered agricultural land under the Land Ceiling Act of the State. It gives "Jains" and "Nairs" as the two castes/communities which are at a level immediately higher than the "Vaishnava Gowder" caste/community, while "Ezhavas" and "Ezhuthasan" are given as having the same level as the "Vaishnava Gowder".

7. During the Public Hearing the representatives of the community stated that the members of their community were among the first to occupy the lands in the then hostile and inhospitable terrain of Wayanad and that at that time when land in Wayanad was not in demand the members of their community occupied and tilled the land. They also stated that almost all families of the community, except perhaps about 5 percent, own land. They at first stated that about 2/3rd of the land, mostly highly profitable plantation land, in the four Panchayats where they are resident, belonged to the community, though on second thoughts they tried to retreat from this statement. They also said that there is no political representation for the community in the State. When the Bench specifically asked the representatives of the community whether the community is actually "socially backward", they were not in a position to say anything forthright or with conviction and they only said that their community cannot be said to be socially backward if it is compared with such castes/communities as Vettuva Navithan etc.

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IV. Findings

8. On their own admission, almost all families of the community own land. In fact, it would be seen that there may be virtually no exception because even the exception of 5% is qualified by them with a "perhaps"! It would also appear that in the four Panchayats where they reside, the land, which is highly profitable plantation-land on their own admission, mainly belong to the members of the community. They put their share at about 2/3rds. Their effort to resile from this statement seems to be an effort to bail out of an inconvenient truth that had been blurted out. They have stated that in Wayanad there was no demand for land at one point of time. Wayanad is a well known traditional tribal area. Tribals had their own method of occupying land marked by peculiar features like shifting cultivation in accordance with their culture as well as, probably, technology appropriate to the topography and ecology. Non-tribals from other parts of Kerala have been economically invading this territory, taking advantage of the peculiar characteristic of tribal occupation of traditional land and the integration and unification of Kerala, which had earlier been divided into Malabar district of the Madras Presidency and the Travancore and Cochin States, has had the unfortunate consequence of the speeding up of this process, as has also happened in States like Andhra Pradesh. No credit can be given to any community for occupation of the traditional tribal land. The statement that the land was not in demand stems from a market-oriented approach, which is neither the traditional tribal approach to land nor the general Indian peasant-approach to land sometime back before agricultural land became a commodity available for purchase and sale in the market. Apart from the fact that the community seems to have a large share, approaching a monopoly of the highly profitable plantation-land in the four Panchayats where they are resident, the nature of

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the community is also evident from the fact that, on their own admission in the NCBC's Questionnaire, only 5% of the community are landless manual labourers(both agricultural and non-agricultural). This profile does not fit in with the profile of typical castes/communities of Backward Classes. Along with this, the fact that as many as 6 persons in a small community with a population of 1097 came within the ambit of Land Ceiling Act is also significant. Their literacy undoubtedly is not less than that of the literacy of the State and is perhaps a shade better. In fact, the correct comparison is not with the literacy of the State, but with the literacy rate of the only District where they are resident. On this correct basis, their educational advancement becomes clearer, for the literacy rate of Wayanad District is only 82.73%, while the literacy rate of Vaishnava Gowder at an admitted 90% is significantly higher. As many as 480 matriculates in a small community with a population of 1097 is remarkably high. They have mentioned Ezhavas as one of the two communities who are at the same level as themselves. Ezhavas are known to have been discriminated against in various manners usually associated with the castes now included in the List of Scheduled Castes like prohibition against not only entering temples but even walking along the streets around the temples, wearing of foot-wear, and wearing of upper-clothes by their women, etc. No such discriminations against themselves were mentioned by the representatives of the "Vaishnava Gowder" community during the Public Hearing. On the contrary, they themselves admitted that they cannot be said to be Socially Backward if they are compared with the communities like Vettuva Navithan etc. Their reference to Vettuva Navithans was occasioned because the Request for Inclusion of that community in the List of BCs was also heard in the course of the same Public Hearing in the open court when representatives of different communities and the press were present. It came out during the enquiry that Vettuva Navithan community had been subjected to the discriminations of the type which the Ezhavas

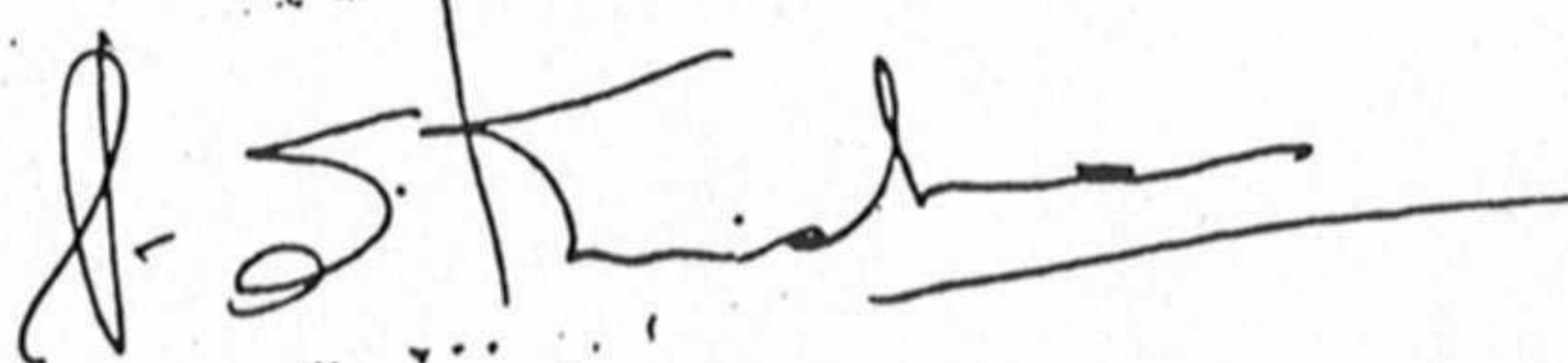
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had been subjected to. Thus their statement in which they compared themselves to the Ezhavas is obviously neither seriously made nor based on facts and truth. No genuinely socially backward caste/community will have any hesitation to call itself Socially Backward. But the claim of the representatives of the "Vaishnava Gowder" community to social backwardness was not made in a forthright manner but was made with the hedging, equivocating clause that "if it is compared with communities like Vettuva Navithans etc." It is also significant that by their own admission almost all their houses are Pucca.

9. Kerala is composed of three regions. Wayanad was part of the Malabar district of the Madras Presidency under direct British rule. The other two regions, viz., the Cochin and Travancore areas had had a history of carefully and selectively listing Backward Classes, while the Madras Presidency has had a liberal tradition of including most castes/communities with rare exceptions other than Brahmins, Nattukotai Chettiar and certain privileged sections of peasant castes etc. in the list of Backward Classes. In this context, the non-inclusion of "Vaishnava Gowder" caste/community in the list of BCs in Kerala is significant. Even the representatives of the community seem to be not sure that it is Socially Backward because if it believed so it ought to have approached the State Commission much earlier. The Bench is of the opinion that this is one of those unfortunate cases of castes/communities which, though by any stretch of imagination are not Socially Backward and have never been included in the list of Backward Classes, are now trying their "luck", a tendency which is found in different States and must be firmly discountenanced.

10. From the above evidence it is the Finding of the Bench that "Vaishnava Gowder" community of Kerala is not only not Socially Backward, but also not Educationally Backward. Since they do not pass the threshold of social backwardness even without taking into account that they are educationally not

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backward, they do not deserve inclusion in the List of Backward Classes. Therefore, the Request for Inclusion of "Vaishnava Gowder" in the Central List of Backward Classes for Kerala should be rejected.

L. S. Kishan
30.12.97

P. K. Shyamsundar
30.12.97

V. Advice of the Commission

11. The Commission considered and agreed in full with the above Findings of the Kerala 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 "Vaishnava Gowder" caste/community in the Central List of Backward Classes for Kerala be rejected, as it is Socially Advanced and is also educationally advanced.

L. S. Kishan
30.12.97

P. K. Shyamsundar
30.12.97

Justice K. J. Somayaji
1.1.98

Justice K. J. Somayaji
01.01.98

P. K. Shyamsundar
2.1.98

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JUSTICE P. K. SHYAMSUNDAR
Chairperson
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