



सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार

त्रिकूट-१, भीकाएजी कामा प्लेस, नई दिल्ली - ११००६६

श्री. एस. कृष्णन्
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Member - Secretary
National Commission for Backward Classes
Government of India
Trikoot-1, Bhikaiji Cama Place, New Delhi - 110066

NCBC Advice No. Karnatka 64/97

05. 11. 1997

Dear Shri Baksi,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for rejection of the Request of "Vaisya Brahmin, Vaishya Vani, Vani" caste/community of Karnataka seeking its inclusion in the Central List of Backward Classes for Karnataka, for necessary action under Section 9(2) of the Act by the Central Government.

With Best Wishes,

Yours sincerely

(P.S.KRISHNAN)

Encl: As stated.

Shri K.K.Baksi
Secretary
Ministry of Welfare
Shastri Bhavan
NEW DELHI 110 001

NATIONAL COMMISSION FOR BACKWARD CLASSES

KARNATAKA BENCH

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Vaisya Brahmin, Vaishya Vani, Vani" in the Central List of Backward Classes for Karnataka

I. Request

This case arises from the Request received in this Commission from the Kundapur Taluk Vaisya Brahmin Samaj Seva Samithi, Kundapur, Karnataka for the Inclusion of "Vaisya Brahmin, Vaishya Vani, Vani" in the Central List of Backward Classes for Karnataka.

II. Public Hearing

2. The two-Member Karnataka Bench of the 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 at Bangalore on 23.7.1997 to examine this Request. At the Public Hearing the State Government was represented by Shri K. Narayan, Director, Backward Classes and Minorities Deptt., Shri Krishna Gowda, Joint-Director and other officers of the Backward Classes and Minorities Deptt. The Kundapur Taluk Vaisya Brahmin Samaja Seva Samithi was represented by its President Sri Sathyanarayana Shet, its Secretary Sri Dayanand Rao, Sri Ramesh Shet, Shri Achutha Shet, Sri Vasantha Nayak and others.

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III. Facts

3. The Karnataka State List of Backward Classes is divided into a number of groups which underwent modifications from time to time. In the list that existed at the time of the preparation of the first-phase Central List of Backward Classes on the principle of commonality, there were 5 groups, viz., Group-A, Group-B, Group-C, Group D and Group E. In the latest State List which was issued with GO No. SWD 150 BCA 94 dated 17.9.1994 there are again 5 groups, renamed as Categories, viz., Category I, Category II(A), Category II(B), Category III(A) and Category III(B). "Vaisya Brahmin, Vaishya Vani, Vani" are not included in the latest State List. They were also not included in the State List that existed at the time of the preparation of the first-phase Central List of Backward Classes for Karnataka as well as in the Mandal Commission's List of Backward Classes for Karnataka. For this reason, they are also not included in the first-phase Central List of Backward Classes for Karnataka prepared on the basis of the principle of commonality in 1993.

4. The State Government of Karnataka had issued a List of Backward Classes in 1959 by its GO No. GAD 32 ORR 59 dated 19.7.1959. About this GO, there is a reference in the Order of the High Court of Karnataka dated 9.4.79 in Writ Petition numbers 4371, 5925, 6741, 7772 and 11603/77, pronounced in Somasekharappa and Others Vs. State of Karnataka and the Karnataka Public Service Commission, which inter alia reads as follows:- "By the said Order, except Brahmins, Banias and Kayasthas all other castes of Hindu religion as existing in the State were classified as Backward Classes." Since Banias and Kayasthas are not castes of Karnataka, this Order includes virtually all castes except Brahmins. It includes "Vysya, Arya Vaisya", but "Vaisya Brahmin, Vaishya Vani, Vani" are not found

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included in this virtually all-inclusive list of Backward Classes. The List of 1959 was quashed by the High Court of Karnataka in Ramakrishna Singh Rama Singh v. The State of Mysore (A.I.R. 1960 Mysore 338) on the ground that it was not in conformity with the Constitution of India.

5. "Vaisya Brahmin, Vaishya Vani, Vani" are also not included in the list of Backward Classes recommended by the Mysore Backward Classes (Nagan Gowda) Committee which was set up by the State Government in 1960 after the High Court quashed the above mentioned GO dated 19.7.1959. After the Nagan Gowda Committee, the State Government set up three Backward Classes Commissions, i.e., First Backward Classes(Havanur) Commission, the Second Backward Classes (Venkataswamy) Commission and the Third Backward Classes(Chinnappa Reddy) Commission. None of these Commissions included "Vaisya Brahmin, Vaishya Vani, Vani" in the list of Backward Classes respectively recommended by them. Therefore, they are not found included in the various Lists of Backward Classes issued by the State Governemnt from time to time.

6. Reports of the Havanur, Venkataswamy and Chinnappa Reddy Commissions do not discuss this caste/community separately, but, under the head "Vaisya", the Report of the Venkataswamy Commission mentions this caste/community as follows:-

"Vaishya: They are traditionally traders and are also called 'Komati' or 'Komatiga'.

Rajapuri who are also a trading class has been included under this group. They are called in the North as 'Bania'. Chetti or Chettiyar, the trading class of South India, is a related group. 'Vanis' are Marati speaking trading class.

Bandekara who are Konkani Vanis also call themselves as "Vaisya Brahmins". They are also kept under this group. Baandhis also take the surname, Bandekar."

7. Quoting Mr. H.A.Stuart [Manual of the South Canara District], Edgar Thurston and Rangachari ["Castes and Tribes of Southern India", Vol.VII, Asian Educational Services, New Delhi, Madras, 1993, first published 1909] write that the "Vanis or Bandekars...have been wrongly classified in the census returns (1891) as oil-pressers; they are in reality traders. They are said to have come from Goa, and they speak Konkani. Their spiritual guru is the head of the Kumbakonam Math." They further writes as follows:- "In the Census Report, 1901, it is noted that Vani, meaning literally a trader, is a Konkani-speaking trading caste, of which Bandekara is a synonym. 'They ape the Brahminical customs, and call themselves by the curious hybrid name of Vaisya Brahmans.'"

8. R.E.Enthoven ["The Tribes and Castes of Bombay", Vol.III, Asian Educational Services, New Delhi, Madras, 1990, first published 1922] writes about this caste/community under the head "Kudale Vanis" as follows:-

"Kudale Vanis, also known as Bandekar Vanis, are found mainly in the southern part of the Ratnagiri district, the Savantvadi State, Kanara and Goa. They call themselves Arya Vaishya or Arya Dakshini Vaishya, but are popularly known as Vanis. They are called Kudales and Bandekars after the Pethas of Kudal and Banda in the Savantvadi State, where they are found in large numbers. Their original home appears to be Goa, where they were both cultivators and traders, but on migrating to the Savantvadi State they gave up cultivation and continued only to trade, which is their present occupation. They claim to be Vaishyas, but the facts that till 1850 they dined with Marathas on the occasion of the Darbari shraddha ceremony at Savantvadi, and that they occasionally married Maratha girls, seem to show that they originally belonged to the same stock as the Marathas...."

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on Backward Classes. Therefore, the Request for inclusion of "Vaisy
Brahmin, Vaishya Vani, Vani" in the Central List of Backward Classes
for Karnataka should be rejected.

P. S. Krishna

29.10.97

P. S. Krishna

V.

Advice of the Commission

11. The Commission considered and agreed in full with the
above Findings of the Karnataka 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 "Vaisya Brahmin, Vaisya
Vani, Vani" in the Central List of Backward Classes for Karnataka
rejected as they do not constitute a Socially Backward Class.

P. S. Krishna

29.10.97

Madhavi S. S.
5.11.97

Lauter Elhi
29.10.97

P. S. Krishna

Kshayam
05.11.97

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