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

DO NCBC Advice No. 51 Kerala/98

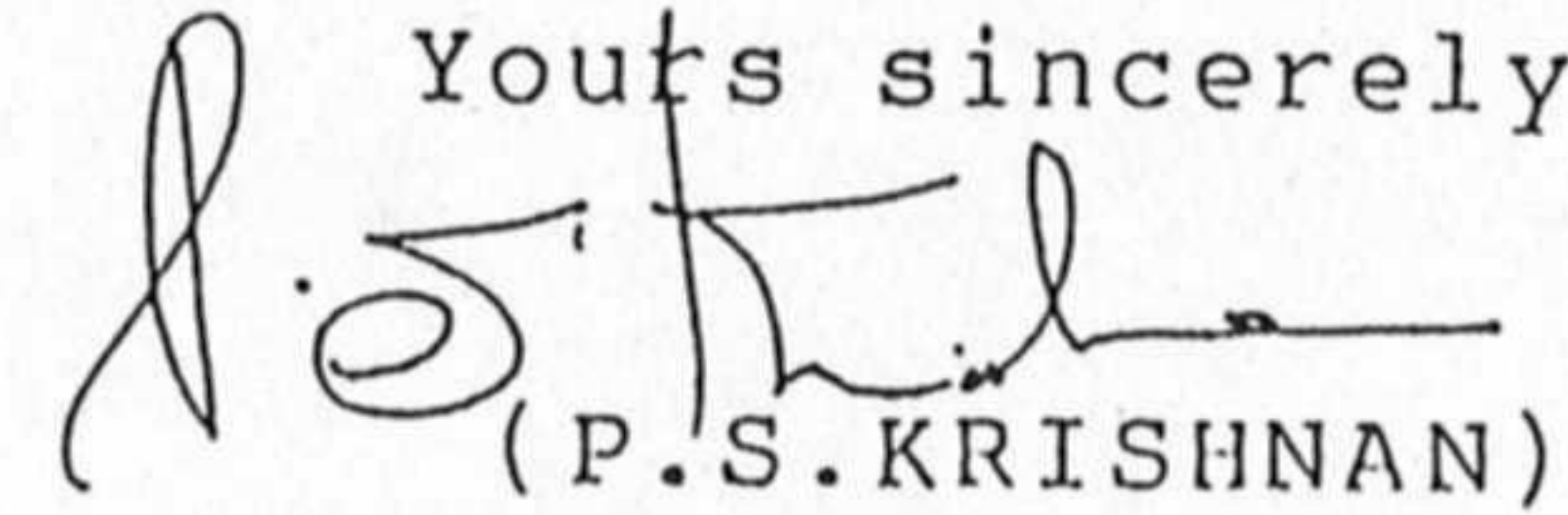
11. 08. 1998

Dear Shri Manavalan,

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 for Inclusion of 'Arya Vaisya' 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.

With kind regards,

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Shri D.K. Manavalan
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI 110 001



NATIONAL COMMISSION FOR BACKWARD CLASSES

KERALA BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for inclusion of 'Arya Vaisya' in the Central List of Backward Classes for Kerala

I. Request

This case arises from the Request received in this Commission from the 'Arya Vaisya Samajam', Surabhi, Karala Street, Koppam, Palakkad District, Kerala for the inclusion of 'Arya Vaisya' in the Central List of Backward Classes for Kerala.

II. PUBLIC HEARING

2. The 2-Member Kerala 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 inter alia in respect of this Request at Thiruvananthapuram on the 4th October 1997. During the Public Hearing the State Government was represented by Shri C. Chandran, Secretary, Shri R.K. Raghunathan, Joint-Secretary, Deptt. of Scheduled Castes & Scheduled Tribes Welfare, Shri V.R.Padmanabhan, Director, Scheduled Tribes Welfare and Shri Viswanatha Menon, Director, Kerala Institute for Research Training & Development Studies. The community was represented by S/Shri P.B. Gupta, C.T.Ramankutty Guptan and M.Jayadeva Guptan.

III. FACTS

3. 'Arya Vaisya' is not included in the first-phase Central List of Backward Classes for Kerala prepared in 1993 on the principle of commonality because it was also not included in both the State Government's List of Backward Classes as well as the Mandal Commission's List of Backward Classes for Kerala.

4. In its letter of Request, the Samajam has inter alia stated that the ancestors of the community migrated from Cholamandalam in Tamil Nadu as refugees long back and that the "social status of a refugee class is lower than anybody else..." The Samajam has also stated that the main occupation of the community is agriculture. "So most of the children will be dropped out during their secondary stage of education. Previously we were tenants of landlords and had to pay heavy pattoms to landlords. Inspite of becoming landowners after the passing of Kerala tenant act the hardships have not been averted because the plight of a farmer is most deplorable in India".

5. According to the NCBC's Questionnaire filled up by the Arya Vaisya Samajam the 'Arya Vaisya' is a sub-caste of 'Vaisya' and are also known as "Guptan (Gupta), Moothan, Tharakan, Chorathon, Panicker, Mannadiar, Chetty, Pathukudi". The total population of the community is given as 104459 which is stated to be 0.34% of the State population. The community is largely concentrated in the Palakkad District and the Perinthalmanna Taluk of Malappuram District. The main occupation of the community is given as 'Agriculture' and 80% of the adult members of the community are said to cultivate their own land. The Questionnaire also states that the members of the community are also engaged in "business in small scale", as "general merchants, tea stall owners and servants". Further, a few of the members of the community are said to be private school teachers, defence personnel in lower

1. S. KRISHNAN
Member Secretary
Commission

ranks, Post & Telegraph Class III & IV employees and bank clerks. The Questionnaire gives the traditional occupations of the community as "Gurukulam Teachers (Ezhuthachan), Sprinkler(Chorathon)".

6. During the Public Hearing the representatives of the community stated before the Bench that the original name of their community is 'Moothan' and 'Gupta, Guptan' are mainly the titles used by the members of the community. 'Arya Vaisya' is a dignified name adopted by the community.

7. The Bench noted that similar Requests for inclusion of this community in the State List of Backward Classes were rejected by the State Government on the basis of the Advice of the Kerala State Commission for Backward Classes which, as noted in the G.O(Ms.) 3/95/P&ARD dated 6.3.1995 of the State Government, considered the relevant materials and reports of the Anantha Krishna Iyer International Centre for Anthropological Studies (AICAS) and took evidence from the community at the trials held. Though the Bench asked the representatives of the State Govt. to furnish a copy of the report of the AICAS in this regard, the same has not been made available. The representatives of the community stated that the said report of the AICAS referred to their community as a community closely related to the Nair caste and sought to contradict the reported connection or similarity between their community and the 'Nair' caste/community by citing certain apparent contradictions between these communities in terms of social customs such as the existence of patrilineal system of inheritance among Moothans as against the matrilineal system of inheritance among Nairs and the absence among 'Moothans' of the practice of 'Sambandham' which was prevalent among Nairs.

8. Though in their letter of Request and the Questionnaire, the Samajam has referred to L.K.Ananthakrishna Iyer and Thurston & Rangachari as attesting to the social backwardness of this community, they actually furnished only a copy of the

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[Signature]
R. S. KRISHNAN
Commissioner

Thurston & Rangachari's book 'Castes and Tribes of Southern India' and have not furnished a copy of the account of this community by L.K. Ananthakrishna Iyer. The Bench has gone through the three volumes of the 'Tribes and Castes of Cochin' by L.K. Ananthakrishna Iyer [Cosmo Publications, New Delhi, 1981, first published 1909] which does not contain any reference to this community. The Bench has also gone through the description of this community under the head 'Muttan' in Thurston & Rangachari's 'Castes and Tribes of Southern India', Vol.V [Asian Educational Services, New Delhi, Madras, 1993, first published 1909], which is as follows:-

"In the Madras Census Report, 1901, the Muttans are summed up as 'a trading caste in Malabar. The better educated members of it have begun to claim a higher social status than that usually accorded to them. Formerly they claimed to be Nayars, but recently they have gone further, and, in the census schedules, some of them returned themselves as Vaisyas, and added the Vaisya title Gupta to their names. They do not, however, wear the sacred thread, or perform any Vedic rites, and Nayars consider themselves polluted by their touch.'

It is recorded, in the Madras Census Report, 1891, under the conjoint heading Muttan and Tarakan, that 'these two are allied castes, but the latter would consider it a disgrace to acknowledge any affinity with the former. Tarakan literally means a broker. Dr. Gundert says that these were originally warehouse-keepers at Palghat. Muttan is probably from Muttavan, an elder. Tarkans have returned Muttan as a sub-division, and vice versa, and both appear as sub-divisions of Nayar. We have in our schedules instances of persons who have returned their caste as Tarakan, but with their names Krishna Muttan (male) and Lakshmi Chettichiar (female).... Both these castes follow closely the customs and manners of Nayars but there are some differences.... The Muttan and Tarakan castes are practically confined to Palghat and Walluvanad taluks.'

In a note on some castes in Malabar which are most likely of foreign origin, it is stated in the Gazetteer of Malabar,

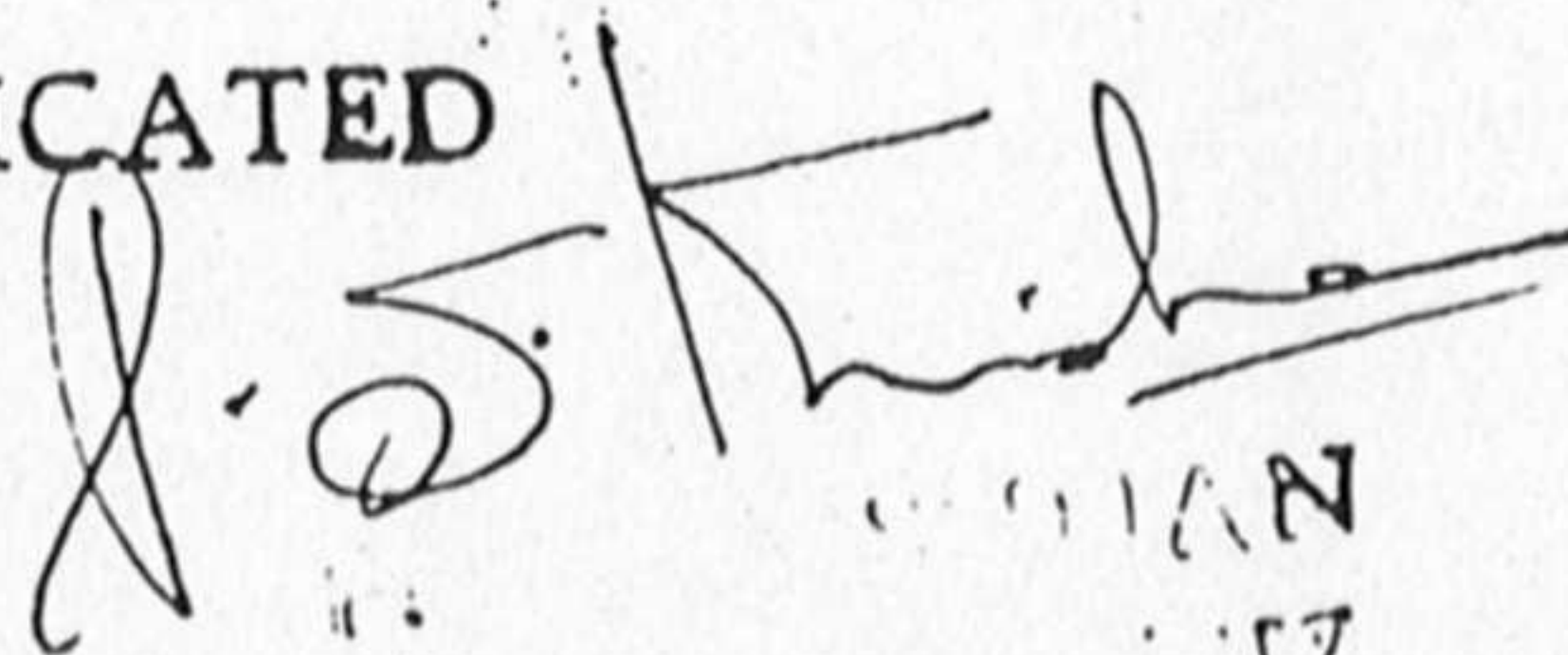
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Member Secretary
Muttan and Tarakan

mobile and has been upgrading its social status since about at least a century back and seems to have achieved significant success in this. All these provide the factual and social background against which this community has not been perceived as Socially Backward and therefore not been included in any of the lists of Backward Classes so far issued by the State Government. The State Commission for Backward Classes, established pursuant to the Supreme Court's directions in the Mandal Case in 1992, has also, after considering the report of a reputed research body and enquiry, come to the conclusion that this community is not fit to be included in the list of Backward Classes.

10. Ethnographic literature have been equating this community with the Nair caste. This does not mean that every custom should be the same as that of the Nair caste. The presence of the patrilineal system of inheritance and the absence of 'Sambandham' does not necessarily mean that the Muttans are socially inferior. There are some other communities in Kerala which have got the patrilineal system of inheritance and followed the practice of Sambandham which are socially on the top, like the Nambudiris and other Brahman castes/communities. There are also communities practising the patrilineal system of inheritance and are perceived as Socially Backward like the Ezhavas. The systems of inheritance and the practice of 'Sambandham' do not necessarily have a decisive contribution to the social status of a caste/community. Even in the Questionnaire, the Samajam has given Nambudiris and Kshatriyas as castes/communities at a level immediately above their caste/community. If their social position is just below the Nambudiris and Kshatriyas, they are obviously socially high and share a broad slot with castes like Nair. In the Questionnaire, against the column asking to name two designated backward castes/communities in the State which are more or less at the same level as the

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caste/community under consideration,, the Samajam has mentioned the names of 'Ezhuthachan' and 'Vellala'. Out of these, 'Vellala' is not a Backward caste/community in Kerala. 'Ezhuthachan' included in the list of Backward Classes of Kerala are the same as 'Kadupattans', whom L.K. Ananthakrishna Iyer (op.cit.) definitely describes as a "Backward community".

11. In their letter of Request, the Samajam has stressed that they are migrants from Tamil Nadu and that the social status of a migrant community is lower than others. While it seems to be true that they are migrants from Tamil Nadu, the latter part of their claim is too sweeping. All migrants are not inferior or lower than others. Migrants have two distinct streams --- an elite stream and a lower stream. Instances of migrants or immigrants of both these streams can be found all around in India and also in many parts of the world. The 'status' of migrants by itself does not establish a class of people to be Socially Backward. In the present case, notwithstanding their status of migrants, the picture emerging from the totality of evidence in respect of this community is not that of a Socially Backward caste/community. Therefore, the Request for Inclusion of 'Arya Vaisya' in the Central List of Backward Classes should be rejected.

K. S. Krishnan
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K. S. Krishnan
3.7.98

V. ADVICE OF THE COMMISSION

12. The Commission considered and agreed in full with the above Findings of the Kerala Bench and decided to tender the

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Member Secretary
Commission

following Advice to the Central Government under Section 9(1) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the Act.

The Request for Inclusion of 'Arya Vaisya' in the Central List of Backward Classes be rejected as it is not a Socially and Educationally Backward Class.

Sanjay Kumar
7.7.98

P. S. Krishnan
3.7.98

Sanjay Kumar
14/7/98

Rshayan
14.07.98

P. S. Krishnan
11.8.98

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