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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग भायोग
भारत सरकार
नई दिल्ली-110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI-110 066

DO NCBC Advice No. 67, 68/98 Karnataka

23. 01. 1998

Dear Shri Baksi,

I am sending herewith the Advices of the National Commission for Backward Classes under Section 9(1) of the National Commission for Backward Classes Act, 1993 for rejection of the Requests for Inclusion of

(1) Agamudi

(2) Mala Hegde

castes/communities in the Central List of Backward Classes for Karnataka, for necessary action by the Central Government under Section 9(2) of the Act.

Kind regards,

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated.

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

KARNATAKA BENCH

Findings

Case: Request for Inclusion of "Agamudi" Caste/Community in the Central List of Backward Classes for Karnataka.

Per Justice P.K. Shyamsundar, Chairperson.

The two-member Karnataka Bench of the Commission, consisting of the Chairperson and Member-Secretary, Shri P.S. Krishnan, have heard the representatives of the community at the public hearing on 28.10.97. It transpires from their statements and the stand taken on behalf of the community that Agamudi is a sub-caste of the Mudaliyar Community. We were told that the members of this caste migrated 60 years ago to the State of Karnataka from the neighbouring State of Tamil Nadu and that their children now study only the Kannada language and have totally adopted themselves to the Kannada culture in Karnataka. Ever so it is said that the Agamudi children are being discriminated against. On enquiry we found that they were not Agamudians of South Tamil Nadu but admitted that they are also otherwise known as Thuluva Vellalas.

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P. S. Krishnan

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

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Be that as it may, notwithstanding the ethnic title by which they are known in the neighbouring State of Tamil Nadu, we are not inclined to accept the candidature of this community for inclusion in the Central List of Backward Classes for the simple reason that the Agamudis being admittedly a cross section of the Mudaliyar community in Karnataka known for their enterprising and productive business like contractors, builders and even as traders cannot be candidates for the backward tag. Therefore, the Agamudi Caste does not merit inclusion in the list of Backward Classes of the Central List for they are not shown to be either educationally or socially backward. Accordingly, we advise the Government of India to reject the application of Agamudi caste for inclusion in the Central List.

P. S. Krishna
17.1.98

P. C. Srinivasulu
14.1.98

AUTHENTICATED

P. S. Krishna

P. S. KRISHNAN
Member, Commission
National Commission
for Backward Classes

Advice of the Commission:

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 "Agamudi" caste/community in the Central List of Backward Classes for Karnataka be rejected, as it is not Socially and Educationally Backward.

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P. S. Krishna
14.1.98

Kshayen
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22.1.98

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P. S. Krishna

P. S. Krishna
Member
National Commission
for Backward Classes

NATIONAL COMMISSION FOR BACKWARD CLASSES

Karnataka Bench

Findings

Case: Request for Inclusion of "Mala Hegde" caste/community in the Central List of Backward Classes for Karnataka.

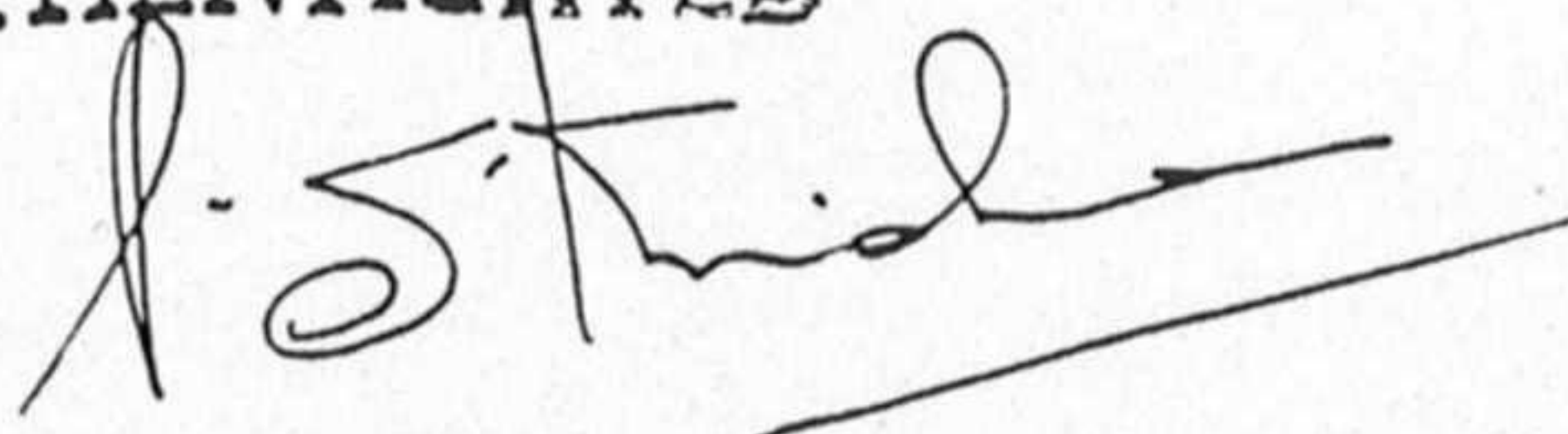
Per Justice P.K. Shyamsundar, Chairperson

This case arises from the Request received in this Commission from Dakshina Kannada Jilla Hindulida Jathigula Vokkuta, Jyoti Bldg., Near Lady Goshen Singh Hospital, Maidan Road, Bangalore-575 001 for the Inclusion inter alia of "Mala Hegde" caste/community in the Central List of Backward Classes for Karnataka.

2. The two-Member Karnataka Bench of the Commission, consisting of the Chairperson and Member-Secretary, Shri P.S. Krishnan, NCBC held Public Hearings at Bangalore on the 22.07.97 and 28.10.97. At the Public Hearing held on 22.07.97, the community was represented by Karunakar G. Hegde and five others. They were asked by the Bench to furnish detailed data/information regarding the caste/community by filling up the NCBC's Questionnaire, a copy of which was handed over to them. The State Government representatives and others present during the Public Hearing on 22.07.97 said that they are not aware of this community.

3. During the Public Hearing held on 28.10.97 no member or representative of the community was present despite personal intimation to the Request-making parties and also despite

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wide publicity about the Public Hearing through mass media. The Bench is also not in receipt of filled-up Questionnaire from the community till now though more than a half-year has passed since the NCBC's Questionnaire was handed over to them. On 28.10.97 also the State Government officials collaborating with us at the hearing were unable to give any information on this case.

4. The apparent apathy we notice towards pressing the claim of the community, before us, at the Public Hearing should be a good ground for rejecting the application. It is also to be noted that this community has never been included in any of the Lists of Backward Classes in Karnataka.

5. This community has also not been recommended by the Nagan Gowda Committee or the First Backward Classes (Havanur) Commission or the Second Backward Classes (Venkataswamy) Commission or the Third Backward Classes (Chinnappa Reddy) Commission. The non-recommendation of this community by any of the above bodies must be seen against the background that Karnataka has had the largest number of Committees/Commissions in the country to identify Backward Classes.

6. This Community has also not been described in any of the ethnographic accounts like that of Edgar Thurston and K. Rangachari, L.K. Ananthakrishna Iyer, etc.

7. This all-round silence is reinforced by the silence of the community itself in not coming forward with a filled-in questionnaire and by explaining to the Bench of this Commission in a cogent and convincing manner how they could have been omitted by successive State Governments and

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For Backward Classes

successive Committees and successive Commissions and so many ethnographic accounts. All that the Bench have had from them is a cryptic letter dated 22.07.97 signed by Shri K.G. Hegde which merely mentions their population to be about 8,000 concentrated in Dakshin Kannada District and claiming that their main occupation is agriculture without mentioning whether they are peasants actually cultivating their land along with their women and children, as peasant castes usually do, or they are non-cultivating land-owners. The highlight of this brief letter is a riddle-like statement that their caste "does not belong to Jain, Brahmin, Bunts, Gowda Saraswath Bramins or Konkarnis wherein the surname Hegde is also frequently used." This riddle-like statement does not say what they are and only says what they claim they are not.

8. There is a tendency in many States including in Karnataka for Requests for inclusion in the list of Backward Classes by castes or in the name of the Castes which have never been heard of as Backward Classes and which have never been included in the Lists of Backward Classes as though to try their luck in a lottery. This tendency needs to be severely checked in the interests of the genuinely backward classes whose legitimate and long-delayed opportunities will be diluted by the inclusion of communities which are not clearly found to be socially backward in the light of the Constitutional provisions as interpreted in the landmark Judgement of the Supreme Court dated 16.11.92 in the Mandal Case.

9. From the above facts, the only conclusion the Bench can arrive at is that this is a light-hearted application, not seriously followed up and that Mala Hegde is not a Backward

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class. Accordingly it is the Finding of the Bench that "Mala Hegde" is not a Backward Class and the Request for Inclusion of "Mala Hedge" in the Central List of Backward Classes for Karnataka should be rejected.

P. S. Kishan

19.1.98

P. L. Channarayana
15/1/98

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P. S. Kishan

For Backward Classes

Advice of the Commission:

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 "Mala Hegde" caste/community in the Central List of Backward Classes for Karnataka be rejected.

J. S. Krishna
19.1.98

P. Le. S. Ganesan
15.1.98

Madan Mohan S.
20.1.98

R. Shyam
21.01.98

Harthyalu
22.1.98

AUTHENTICATED

J. S. Krishna

P. S. KESAVAN
M. S. KESAVAN
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