

NATIONAL COMMISSION FOR BACKWARD CLASSES

Hon'ble Justice M. N. Rao, Chairperson

Hon'ble Shri S. K. Kharventhan, Member

Hon'ble Dr. Shakeel-uz-Zaman Ansari, Member

Case: Request for Inclusion of "KASHYAP RAJPUT" as synonym of DHIMAR, DHINWAR, JHINWAR, KAHAR, MALLAH caste / community in the Central List of Other Backward Classes for the Union Territory of Chandigarh.

I. Request:

1. The Social Welfare Department of the Union Territory of Chandigarh has requested the NCBC to include the community KASHYAP RAJPUT as synonym of DHIMAR, DHINWAR, JHINWAR, KAHAR, MALLAH in the Central List of Other Backward Classes for the Union Territory of Chandigarh.

II. PUBLIC HEARING

2. The Commission consisting of Justice M. N. Rao, Hon'ble Chairperson, Shri S. K. Kharventhan, Hon'ble Member and Dr. Shakeel-uz-Zaman Ansari, Hon'ble Member, held a Public Hearing at Chandigarh to consider the request of the State Government for inclusion of "KASHYAP RAJPUT" caste / community in the Central List of Other Backward Classes for the

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Union Territory of Chandigarh on 12th March, 2013. The State Government was represented by Ms. Purna Puri, Additional Secretary, Personnel Department, Shri Vinod P. Kark, A.D.C. Chandigarh, Ms. Tanvi Garg, I.A.S., SDM (East), Chandigarh, Ms. Amandeep Kaur, SDM (S), Chandigarh, Shri Rajesh Jogpal, Director, Social Welfare Department, Shri Upkar Singh DPI (S), Chandigarh, Ms. Suman Khanna, Sr. Asst. O/O SDM (East); and Shri Bikram Singh Rana, SLO UT of Chandigarh.

III Findings

3. Entry No. 19 in the Central List of OBCs for the UT of Chandigarh reads as follows:

“DHIMAR, DHINWAR, JHINWAR, KAHAR, MALLAH”.

SL.No.33 of the UT List of Backward Classes reads as follows”

“DHIMAR, MALLAH/MALLAH, KASHYAP RAJPUT/KASYE RAJPUTS”.

Kashyap Rajput finds a place in the UT List of Backward Classes.

4. At the time of public hearing held at Chandigarh on 12th March, 2013, S/Shri Ashok Kumar, J.K.Dass, Joginder Singh and Hem Raj Kashyap on behalf of the Chandigarh Kashyap Rajput Sabha were present to support the request of the Union Territory of Chandigarh.

5. When we have looked into the records, it became clear that as far back in 1979, the Chandigarh Administration in the Gazette Notification dated 6th October, 1979 has included the following three communities in the list of Backward Classes at SL No.36:

“DHIMAR, MALLAH, KASYE RAJPUTS”

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6. The community 'Kashyap Rajput' came to be included in the UT List of Backward Classes subsequently in 1995. The notification containing inclusion of this caste does not give any reasons nor any material about the social and educational backwardness and inadequate representation in the public services of 'KASHYAP RAJPUT' community was placed before us at the time of public hearing by the officials present.

7. In the absence of evidence on record as to the above criteria, it is not permissible to include any caste in the list of Backward Classes. We, therefore, reject the request of the UT of Chandigarh for inclusion of KASHYAP RAJPUT caste/ community in the Central List of Other Backward Classes for the UT of Chandigarh.

IV. ADVICE OF THE COMMISSION

8. The Commission in view of the above findings has decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act for necessary action under Section 9(2) of the NCBC Act:-

"Request for inclusion of '**KASHYAP RAJPUT**' Caste/ Community be **rejected** as they are not socially and educationally a backward class."


(Justice M. N. Rao)

Chairperson



(S. K. Kharventhan)

Member



(Dr. Shakeel uz-Zaman Ansari)

Member

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