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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग 30

भारत सरकार
त्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११००६६

Member - Secretary
National Commission for Backward Classes
Government of India
Trikool - 1, Bhikaiji Cama Place, New Delhi - 110 066

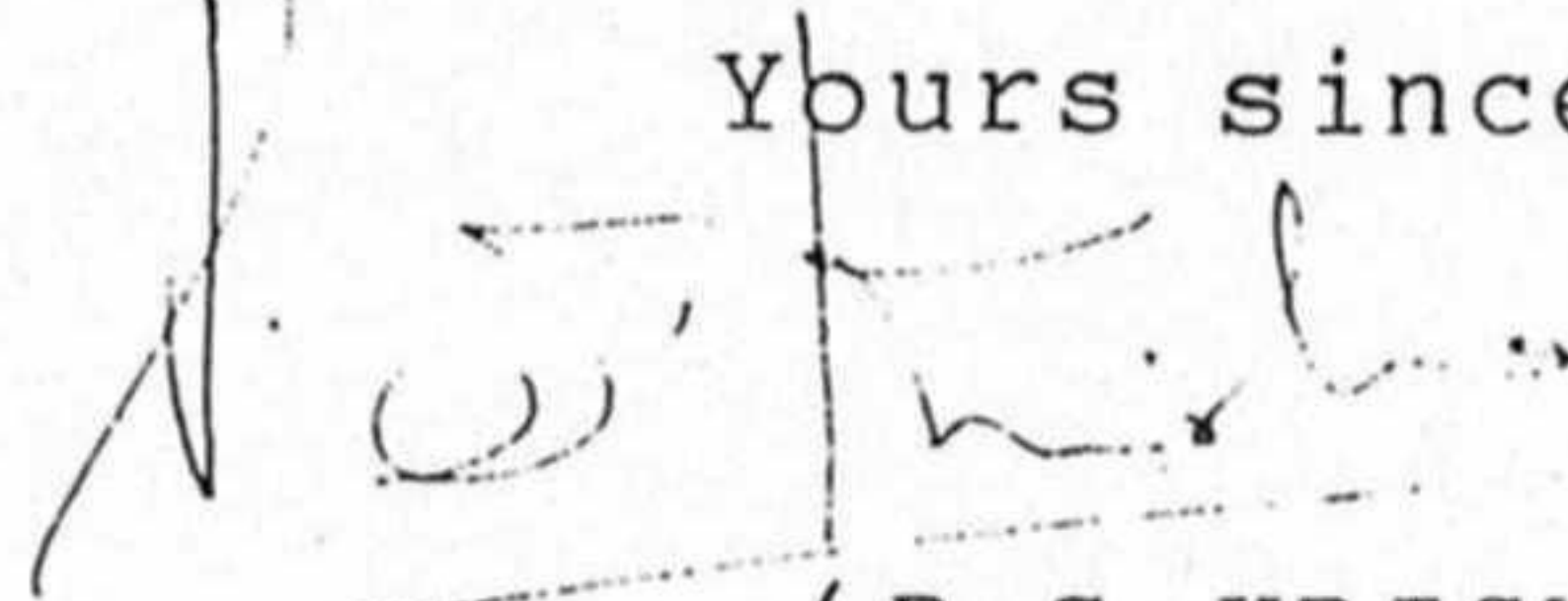
NCBC Advice No. M.P. 37/99

06.05.1999

Dear Smt. Das,

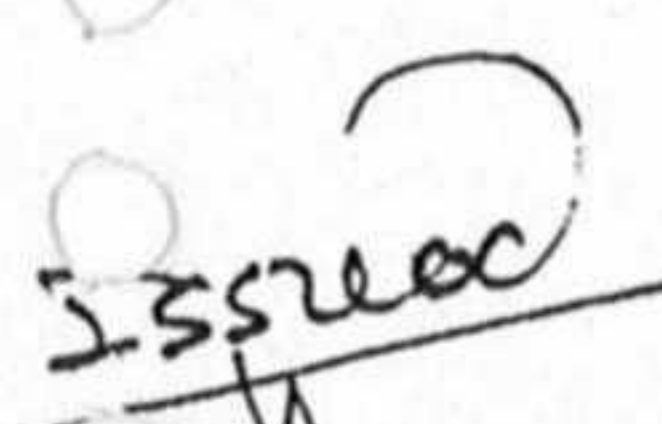
I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Rejection of the Request for inclusion of "Nagavamsam" caste/community in the Central List of Backward Classes for Madhya Pradesh, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Smt. Asha Das
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI


7/5/99



NATIONAL COMMISSION FOR BACKWARD CLASSES

MADHYA PRADESH BENCH

(Findings)

Case : Request for inclusion of "Nagavamsam" caste in the Central List of Backward Classes for the State of Madhya Pradesh.

PER SHRI SAHU AKSHAYA BHAI, HON'BLE MEMBER.

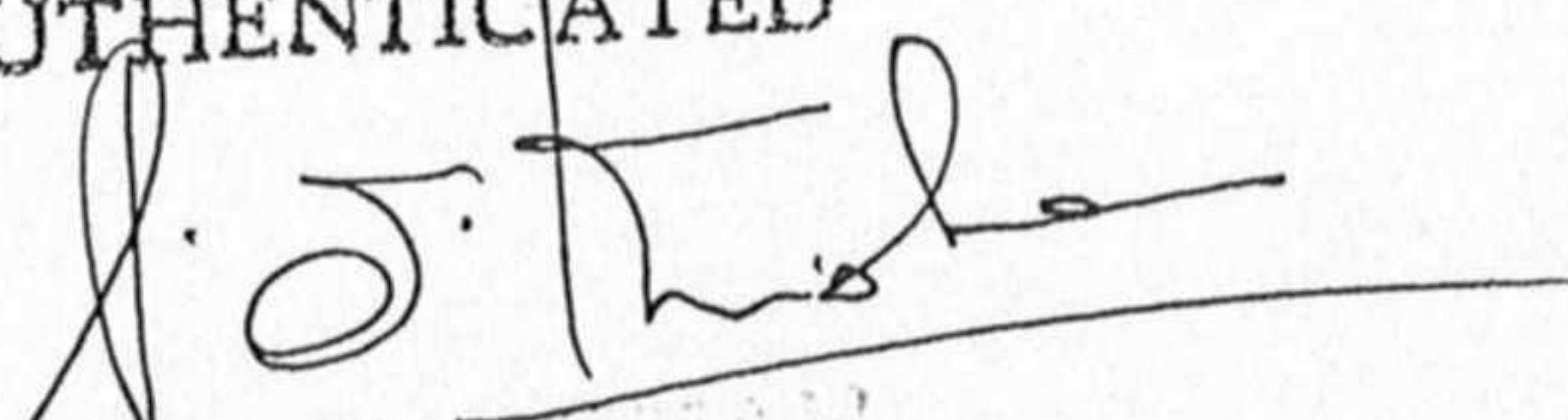
I. Request :

1. This case arises out of the request received from Shri B. Rosa Rao, Jagdalpur, Madhya Pradesh for inclusion of 'Nagavamsam' caste/community in the Central List of Backward Classes for the State of Madhya Pradesh.

II. Public Hearing

2. The two Member Madhya Pradesh Bench of the Commission consisting of Hon'ble Members S/Shri Sahu Akshaya Bhai and U.P. Singh held a Public Hearing at Bhopal on 3.6.98 and 28.1.99 in respect of this request. At the Public Hearing the State Government was represented by Shri A.L. Naharia, Shri Neeti Raj Singh, and Shri S.P. Arzaria. Nobody on behalf of the caste/community appeared before the Bench.

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III. Facts

3. "Nagavamsam" is not included in the first-phase Central List of Backward Classes for Madhya Pradesh prepared and notified in 1993 on the basis of the principle of commonality i.e. inclusion in the Central List of castes/communities which were found included in both the Mandal Commission' List as well as the state Government's List that existed at that time) because they were not included in both the Mandal Commission's List as well as the State Government's List that existed at that time and therefore did not satisfy the criterion of commonality. Even now the caste/community is not included in the State Government's List of Backward Classes.
4. The request-maker who is an employee of the State Bank of India and has been residing in Jagdalpur, District Bastar, M.P. for the last 16 years has stated that there are twelve families of the caste in Jagdalpur area. He has also mentioned that "Nagavamsam" caste/community is already included in the Central List for Andhra Pradesh. In support of his request, he has enclosed a copy of his caste certificate which indicates that the request-maker is originally a resident of Salur in Srikakulam District of Andhra Pradesh and belongs to "Nagavamsam" caste/community, which is enlisted at Entry No. 81, Group 'D' in the Central List of BCs for Andhra Pradesh. He has also enclosed a copy of the self attested domicile certificate issued by the Councillor of Jagdalpur on 14.6.1995 which states that the requester has been residing in Jagdalpur for the last 10 years. He has requested for the inclusion of the Nagavamsam caste in the OBC list on the sole ground that the caste is included in the OBC List of the State of Andhra Pradesh.
5. The caste/community has not submitted filled-up NCBC's Questionnaire and the request-maker or any other person did not appear before the Bench at the time of Public Hearing. The Request maker has not indicated the

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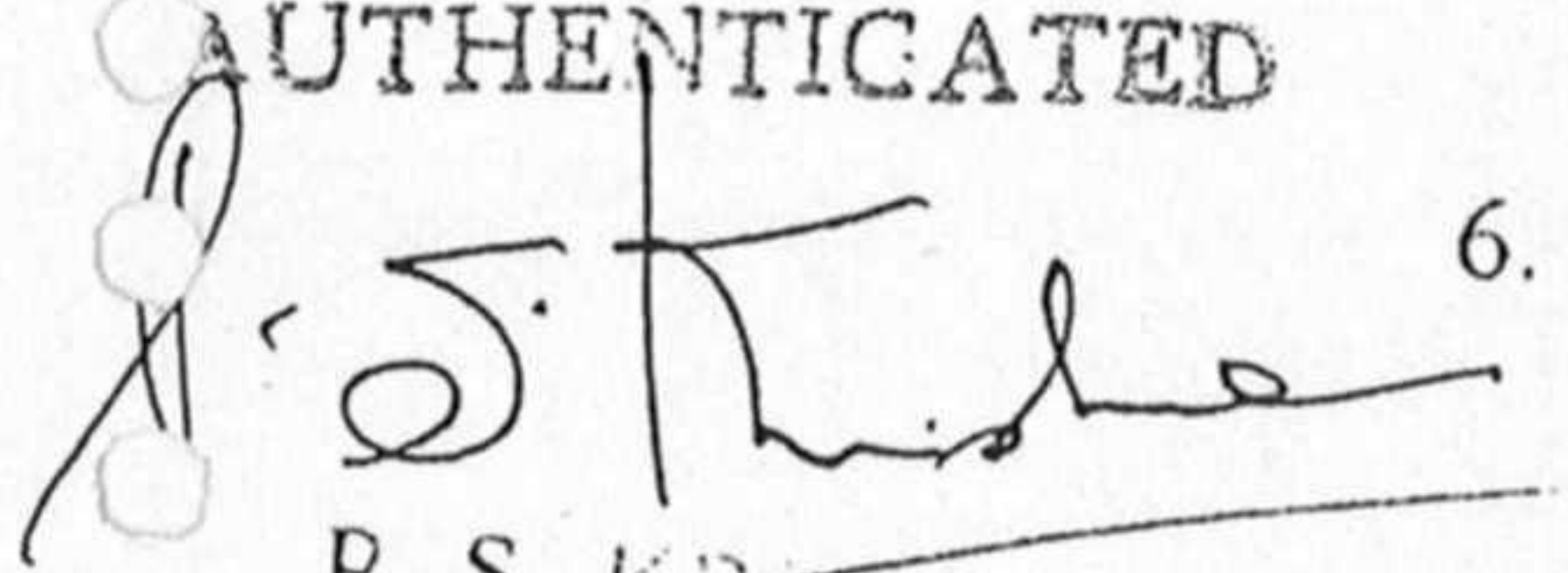
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traditional occupation and the present occupation on which the caste/community depends for their livelihood for the purpose of establishing the social and educational backwardness and has desired the inclusion in the OBC List solely on the ground that the caste is included in the OBC List of the State of Andhra Pradesh. At the time of Public Hearing, the representatives of the State Government and the Commission informed that they have not received any Request from 'Nagavamsam' caste/community for inclusion in the State List. It has also been stated by the representatives of the State Government and the Commission during the Public Hearing that the caste/community does not exist in the State of Madhya Pradesh. This statement gets corroborated from the fact that the Mahajan Commission which was set up by the Madhya Pradesh government in 1980 to identify the backward classes in the State in its Report, which is based on survey of all districts of the State, representations received from the representatives of various castes/communities and public and on the basis of other documents, does not give indications of its existence in the State of Madhya Pradesh. The Census of India, 1931 (Central Provinces & Berar- Report) for the Central Provinces also does not enlist the existence of 'Nagavamsam' caste. The Request maker is not a normal resident of Madhya Pradesh and has been here only since 16 years, apparently in the exigencies of services, being originally a resident of Andhar Pradesh. The member of families, viz. 12, is very small and are presumably in Madhya Pradesh only as recent immigrants like the Request-maker.

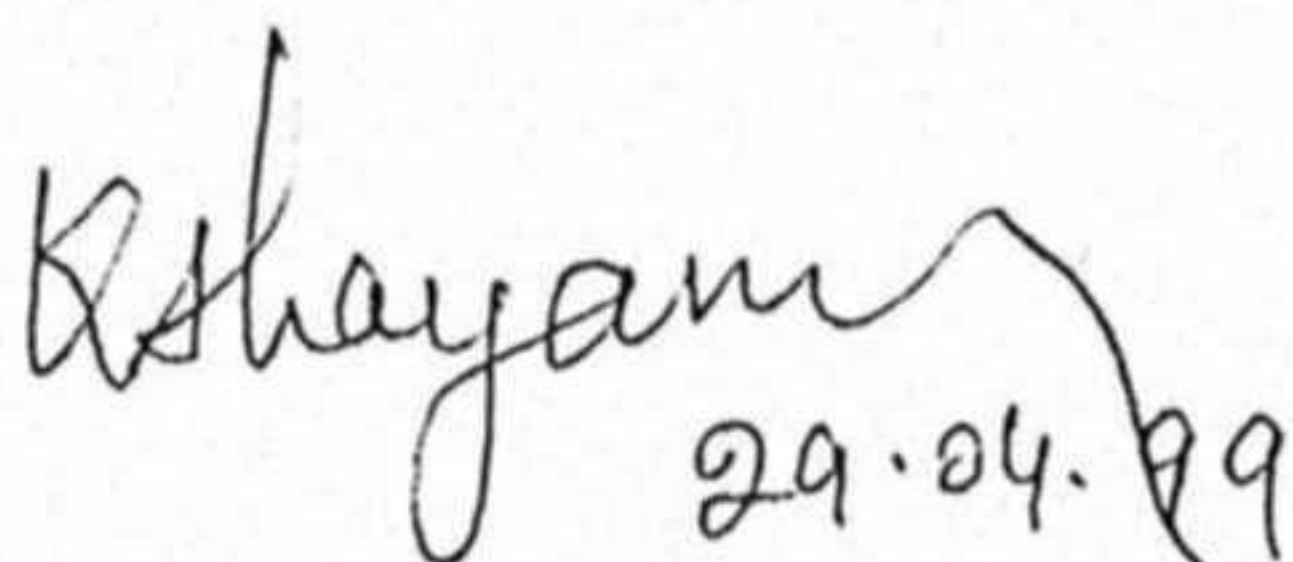
IV. Findings:

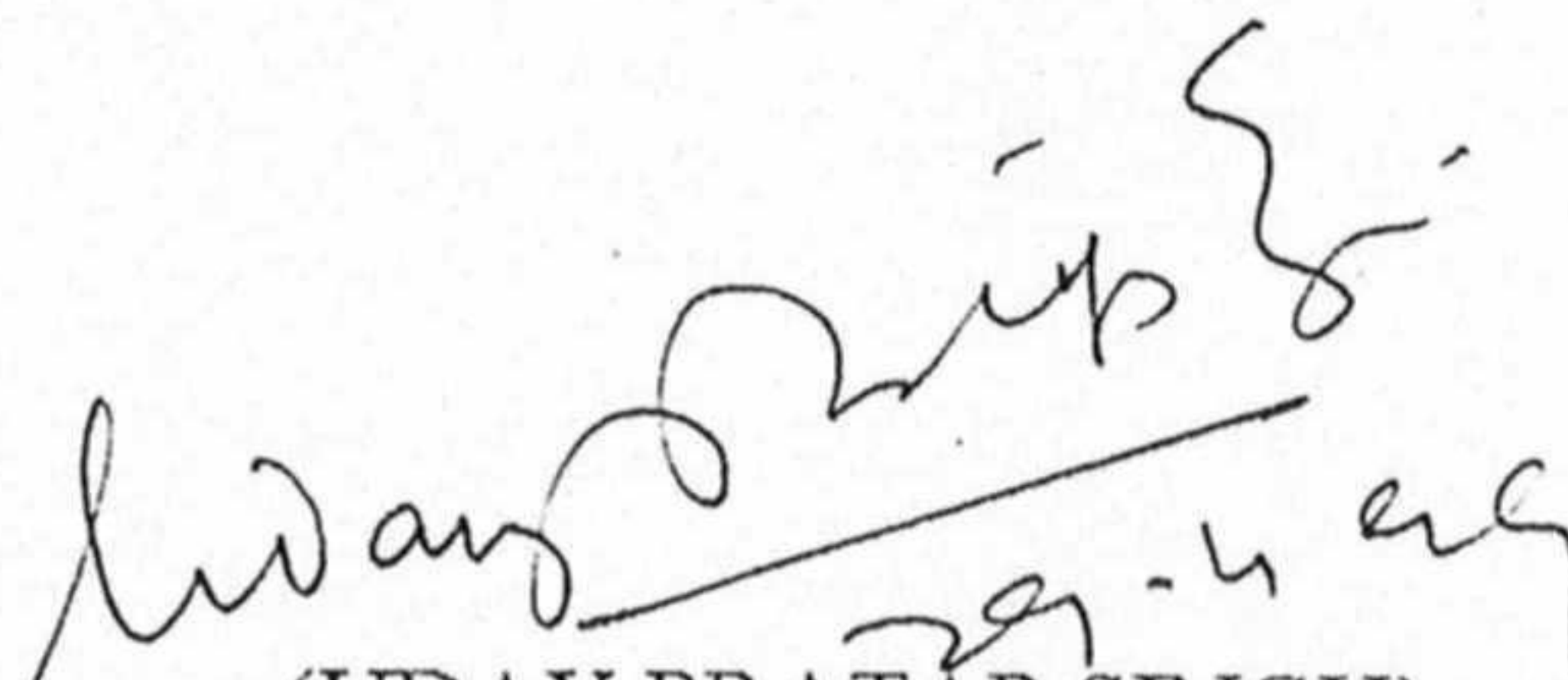
6. From the above facts and evidence, it is clear that this caste/community belongs to state of Andhra Pradesh, Though the

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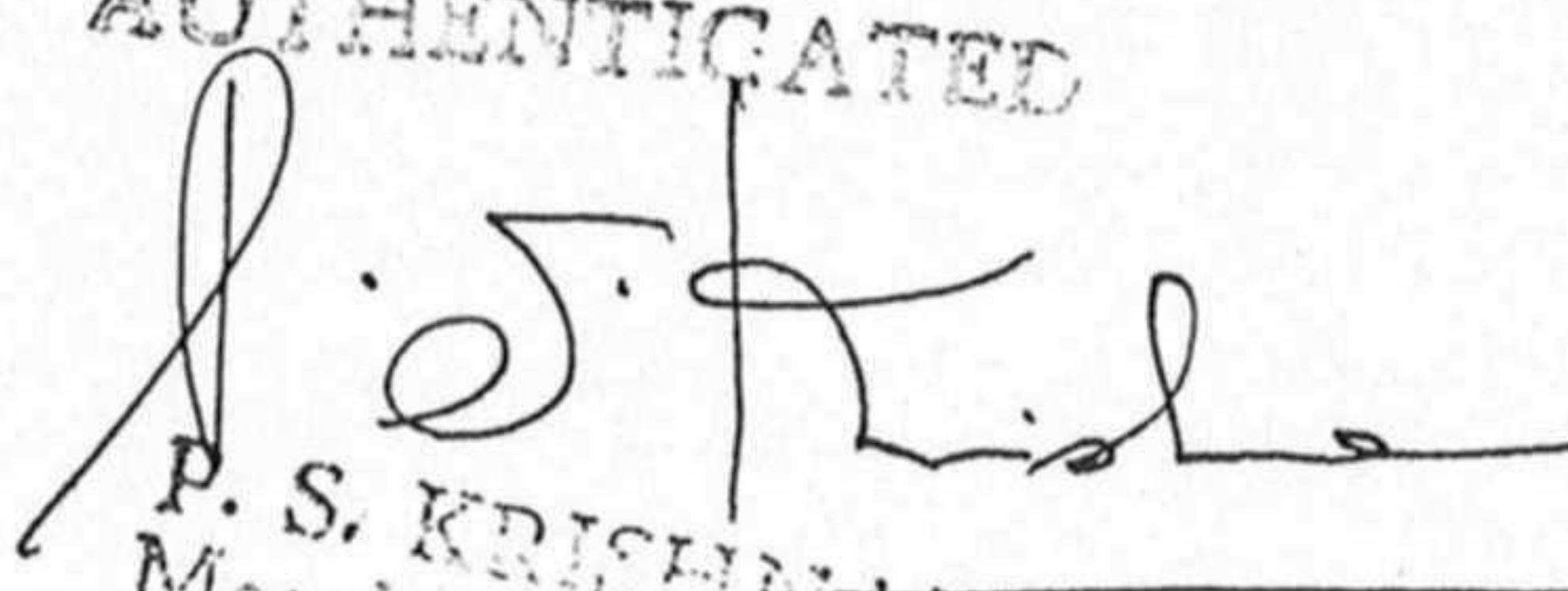

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representatives of state commission/state Government has stated during the Public Hearing that the community does not exist in the state of Madhya Pradesh, it appears from the papers/documents furnished by the Request maker that there are a few families of this community at Jagdalpur in Madhya Pradesh who have migrated in the recent past from Slikakulam district of Andhra Pradesh to earn their livelihood. The request maker neither appeared before the Bench in spite of the repeated opportunities afforded to him to give evidence nor submitted any document to establish that the community is socially Backward in the milieu of their place of migration. In view of this the Bench is of the view that the request for inclusion of 'Nagavamsam' caste/community in the Central list of Backward Classes for Madhya Pradesh be rejected.


29.04.99
(SAHU AKSHAYA BHAI)


29.4.99
(UDAY PRATAP SINGH)

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V. Advice of the Commission

7. The Commission considered and agreed in full with the above Findings of the Madhya Pradesh Bench and decided to tender the following Advice to the Central Government under Section 9(I) of the NCBC Act 1993 for action by the Central Government under Section 9(2) of the Act.

The Request for inclusion of 'Nagavamsam' caste/community in the Central List of Backward Classes for Madhya Pradesh be rejected as this caste/community is not normally resident in the State of Madhya Pradesh.

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