



पी.एस. कृष्णन्
P.S. KRISHNAN
TEL. : 6183190

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

DO NCBC Advice No.53 Kerala/98

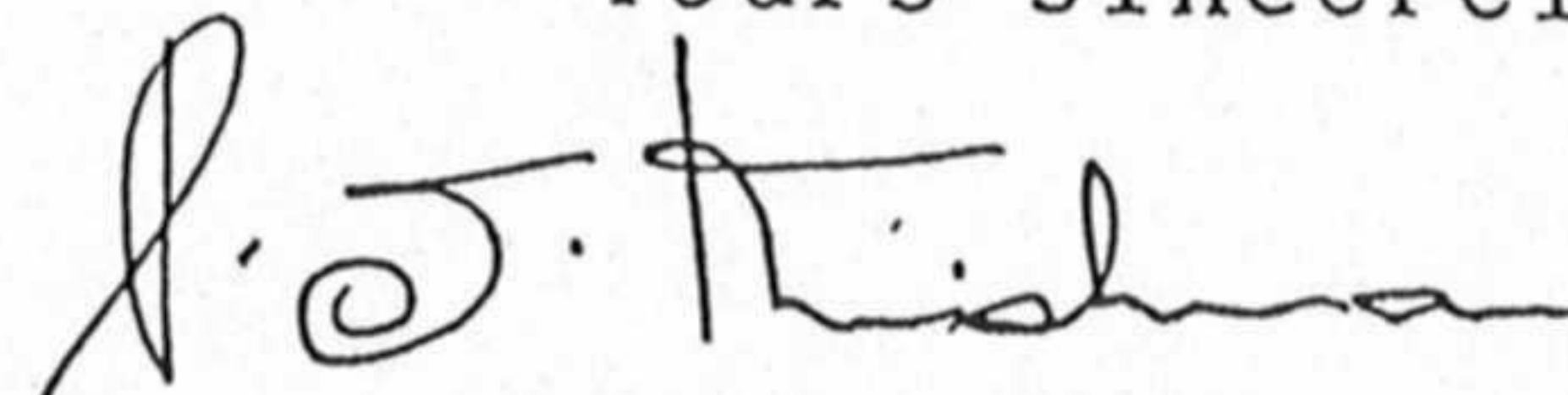
14. 09. 1998

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 the Rejection of the Request for Inclusion in the Central List of Backward Classes for Kerala of "Vania Vaishya" caste/community, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 356 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 353 are still pending with the Government for Notification.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

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

O/C

NATIONAL COMMISSION FOR BACKWARD CLASSES

KERALA BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Vania Vaishya" in the Central List of Backward Classes for Kerala.

I. Request

The Vaisya Samaj, Registered Office: Elamkara, Kochi-682 026, Kerala has made a Request to this Commission for "incorporation of the additional word 'Vaishya' against the community 'Vanian'" which is included in the the Central List of Backward Classes for Kerala at Sl.No. 61.

2. In its first letter of Request dated 18.9.94 to the Commission, the Vaishya Samaj has stated that, "we belong to the OBC of the State List "Vanian" and we are known as Vaniyan, Vaniyar, Vaishya and Maharashtra Vaishya". The Vaisya Samaj in its letter dated 13.10.1997 has also inter alia stated that they represent the "Maharashtra Vysia" community "who is otherwise known as 'Vanians', which is one of the slender minority community living in the State of Kerala, more particularly in and around Cochin, with a population of 6000 members. Some of the Streets in Fort. Cochin, where we are exclusively living is also known as 'Vaniya Theruvu'. We speak 'Konkani'. Even now, we are

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Economically, Socially and Educationally backward. Even though there was no specific traditional job, some of them were making puppads etc. and at present, some of them have availed self employment loan and running the petty tea/provision/stationery shops by the self, with an investment amounting to thousand to ten thousand." The Vaisya Samaj has further sated that "We settled in Cochin nearly 300 to 400 years ago and our earlier generation was using the surname 'Shety' after their respective name. Now most of them are not using the same."

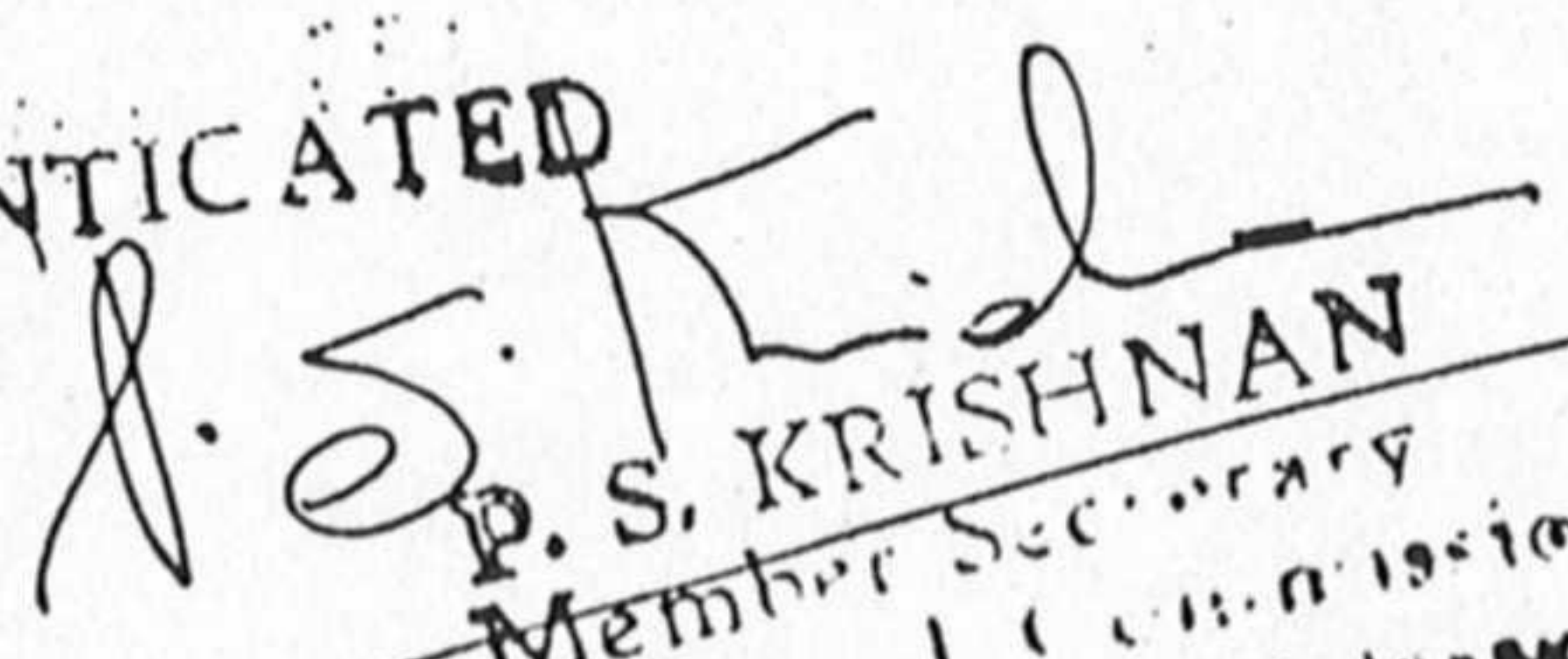
II. Public Hearing

3. The two-Member Kerala Bench of the NCBC consisted of Shri P.S.Krishnan, Member-Secretary and Shri Navtej Puadhi held a Public Hearing on the 4th October 1997 at Thiruvananthapuram in respect of this Request. At the Public Hearing the State Government was represented by Shri C. Chandran, Secretary and Shri R.K. Raghunathan, Joint Secretary, Scheduled Castes & Scheduled Tribes Welfare Deptt., Shri V.R. Padmanabhan, Director, Scheduled Tribes Welfare, and Shri Viswanatha Menon, Director, Kerala Institute for Research Training & Development Studies. The Vaisya Samaj was represented by S/Shri P.P. Vishnudas, P.S.Anantha Narayan, M.N. Manicken, B.S.Anandan and S.Udayabhanu.

III. Facts

4. Entry no. 61 in the first-phase Central List of Backward Classes prepared in 1993 on the basis of the

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principle of commonality(i.e., by including castes/communities common to both the Mandal Commission's List of BCs for Kerala and the State Government's List of Backward Classes) reads as follows:-

"61. Vanian
(Vanika
Vanika Vaisya,
Vanibha Chetty
Vaniya Chetty
Ayiravar,
Nagarathar and
Vaniyan)"

The corresponding entries in the State Government's List of BCs and the Mandal Commission's List of BCs are as follows:-

State Government's List

"70. Vanians (Vanika, Vanika Vaisya, Vanibhan Chetty, Vania Chetty, Ayiravar, Nagarattar and Vanian)"

Mandal Commission's List

"195. Vanian (Vanika, Vanika Vaisya, Vanikha Chetty, Vaniya Chetty, Ayiravar, Nagarthar and Vaniyan)"

5. The claim of the Vaishya Samaj that the "Vanian" of the above entries denote their community is factually not correct since the above entries do not refer to "Maharashtra Vaishya" community but denote the oil-pressing community of Kerala. This fact has been confirmed during the Public

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Hearing by the representatives of the State Government as well as by Shri Kuttappan Chettiar and others who were present during the Public Hearing representing the oil-pressing community of Vanians. Thurston and Rangachari ('Castes and Tribes of Southern India', Vol.VII, Asian Educational Services, New Delhi, Madras, 1993, first published 1909) also attests to the name "Vaniyan" for the oil-pressing caste in the following words:-

"The Vaniyans are, Mr. Francis writes, 'oil-pressers among the Tamils, corresponding to the Telugu Gandlas, Canarese Ganigas, Malabar Chakkans, and Oriya Tellis. For some obscure reason, Manu classed oil-pressing as a base occupation, and all followers of the calling are held in small esteem, and, in Tinnevelly, they are not allowed to enter the temples.....'"

6. When it was pointed out to the representatives of Vaishya Samaj that the above entries in the State and Central Lists of BCs actually denote the oil-pressing caste and not to their caste/community, they stated that members of their community have been availing Caste-certificates in the name of "Vanian" by virtue of the above entries in the State and Central Lists. This also was confirmed both by the representatives of the State Government as well as the representatives of the oil-pressing community of Vanians. The Bench felt that this amounts to malpractice not only on the part of those members of "Maharashtra Vaishya" community who have thus obtained false Caste-certificates but also on the part of the certificate-issuing authorities and suggested to the State Government representatives that there should be a mechanism to ensure that entries in the list of BCs are not misused by members of unintended castes/communities, and that false certificates thus issued in the case should be cancelled and their recipients and

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issuers punished appropriately.

7. The representatives of the Vaishya Samaj, however, insisted on their Request that "Vaniya Vaishya" should be included in the Central List of Backward Classes for Kerala. In response to the questions put to them by the Bench, they admitted that they are a business community with a total population of about 6000 concentrated in the Ernakulam District of the State. They speak Konkani language and their members wear the Sacred Thread. In the NCBC's Questionnaire filled up by the Samaj, the occupation on which the members of the community mainly depend for their livelihood is given as "Small Scale business". It is also stated in the Questionnaire that the members of the community, in terms of the caste system, are traditionally "Business man".

8. Anantha Krishna Iyer International Centre for Anthropological Studies (AICAS), Palghat in its Report on the Devadasi (Saraswat non-Brahmin Community of Kerala) submitted to the Kerala State Commission for Backward Classes while briefly discussing various Konkani speaking communities in Kerala has made a reference to the social status of the "Vania Vaisya" community. According to the Report, "On the basis of ritual and social status", Gowda Saraswat Brahmins are at the top of the caste hierarchy among the Konkani speaking communities. "Below them in status, but equally rich are the Konkini Vaisyas, also known as the Vaniya Vaisyas. They perform the Upanayanam, and are engaged mainly in trade, some of the biggest-warehouses in the area belonging to them. They brought 12 Karadi Brahmins, known as 'Bhattas' and as 'Pandithar', from Maharashtra to officiate as priests at ceremonies connected with life cycle rituals. Because of the occurrence of the term 'Vaniya' in the alternate ethonym 'Vaniya Vaishya' (in the State Government's List of Other Backward Classes), they enjoy the benefits granted to 'Other Backward Classes'".

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9. Thurston and Rangachari's account under the head "Vaniyan" referred to at para 5 above, apart from discussing the oil-pressing community of Vaniyans, also inter alia mentions the "Vaniyans of Cochin" about whom Thurston and Rangachari quotes the Cochin Census Report, 1901 as stating that "they are Vaisyas, and wear the sacred thread. In regard to marriage, inheritance, ceremonies, dress, ornaments, etc., there is practically no difference between them and the Konkanis. But, as they do not altogether abstain from meat and spirituous liquors, they are not allowed free access to the houses of Konkanis, nor are they permitted to touch their tanks and wells. They are Saivites. They have their own priests, who are called Pandithars. They observe birth and death pollution for ten days, and are like Brahmans in this respect. They are mostly merchants and shop-keepers. Some can read and write Malayalam,.....". Obviously, the discussion of the two distinct communities of oil-presser Vaniyans and the trader Vaniyans is owing to the similarity of the names. Thurston and Rangachari also attest to the confusion arising from such similarity of names when under the head "Vani" they state that the Vanis "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.....".

10. From the AICAS' Report and the ethnographic accounts as well as the statement of the representatives of the Vaishya Samaj discussed above, it clearly emerges that "Vaniya Vaishya" is a trader caste belonging, in terms of the Varna system of categorisation of castes, the Vaishya Varna. Castes/communities belonging to the Vaishya Varna have been generally excluded from the list of Backward Classes with rare exceptions as in the case of Bihar where

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Member, Backward Classes Commission

the inclusion a number of castes/sub-castes of the Vaishya category seems to be an aberration as brought out in the "Findings/Advices" of this Commission on the Requests for Inclusion of 12 Vaishya/Bania castes/sub-castes in the Central List of BCs for Bihar tendered to the Government vide DO NCBC Advice No. 7-18 Bihar/98 dated 13.8.1998 (relevant extracts enclosed as Annexure-I). In this context, it is pertinent to note that the four Varnas of the traditional Hindu society had not fully developed in Kerala society and hence the Kerala society has not got any caste fitting into the category of Vaisya Varna and, perhaps even the Kshatriya Varna. It is also a fact that trade as a significant economic activity also had developed in Kerala only to a limited extent even by the mid-19th Century. In his study of social and political change resulting from the impact of a cash economy, with particular reference to the Nair community, in the erstwhile Travancore State, Robin Jeffrey (The Decline of Nair Dominance, Manohar, 1994, first published 1976) observes that "although the export trade had long flourished and the pepper monopoly had provided the funds for Martanda Varma to reward his soldiers and officials, internal trade in Travancore was limited to a few articles." Jeffrey quotes Ward and Conner as writing in about 1820 that "Bazzars are not common". Jeffrey brings out that the inhibition self-imposed on themselves by higher castes in terms of Caste-occupational ideology as well as the social disabilities forced by them upon the lower castes had resulted in any section of the Kerala society not taking to trade or business. In this scenario, as Jeffrey further quotes Ward and Conner,

"The languid habits of the higher orders.... throws the trade into the hands of Lubbees, Konkans, Vauniens, Christians and Vellala Chetties, who are chiefly engaged... with the provinces of Tinnelvally, Madura and Coimbatore, from whence is imported cloth of every description.... tobacco and iron..."

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Jeffrey observes that, "of the categories mentioned, only Christians were natives of Travancore" and also writes that "Some writers see Syrians as filling the role of Vaisyas in the classical four-varna Hindu system." It could reasonably be deducted that, though in a limited way on account of their numbers being too small, the Vaniyans also fitted themselves into the void that resulted from the absence of a Vaisya category in the Kerala society.

11. During the Public Hearing, Shri Kuttappan Chettiar and others appeared before the Bench representing the oil-pressing community of Vanians expressed their objection to the inclusion of the trading caste of Vaniya Vaishya in the Central List of Backward Classes for Kerala.

IV. Findings of the Bench

12. From the above material and evidence, the Bench has arrived at the Findings that "Vaniya Vaishya" is a caste/community traditionally associated with trade and business and is a Socially Advanced community. Wearing of the Sacred Thread and engagement of Karadi Brahmins as priests at the rituals indicate their high social position. Therefore, "Vaniya Vaishya" does not deserve inclusion in the List of Backward Classes and the Request for Inclusion of "Vaniya Vaishya" in the Central List of Backward Classes for Kerala should be rejected.

13. The claim of the Vaishya Samaj that they are the same as "Vanian" which is included in the State and Central List of BCs is ab initio false as the "Vanian" of the State and Central Lists denotes the oil-pressing community of Vaniyans and not the trading caste of Vaniya Vaishyas. The Bench felt that the Vaishya Samaj has tried to take undue advantage of the similarity in the names and that this

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Member Secretary
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tendency needs to be curbed. In view of the malpractices on the part of many members of the trading community of Vaniya Vaishya in obtaining false Caste certificates brought to light during the Public Hearing, the Bench felt that there is need for an effective mechanism to preclude the possibility of such malpractices. In view of this the Bench felt it desirable that the Central Government as well as the State Governments take the following steps, as already advised by the Commission while tendering Advices regarding Requests for Inclusion of a number of Lingayat castes/communities in the Central List of Backward Classes for Karnataka vide DO NCBC No. Karnataka 69-87/98 dated 31.3.1998:-

(a) Provide a statutory base for the process and machinery of caste-certification, which should be fully transparent, either as an Independent Act or as a chapter included in the relevant Acts already existing in some States, covering different aspects of reservation, with the twin-objective of expeditiously issuing caste-certificates to the genuine members of Backward Classes (and also of SCs and STs) without any scope for harassment and effective detection of false claims and nipping in the bud of such claims, and if, in rare cases, false claimants escape vigilance at entry point, providing for the earliest subsequent detection and severe penalties both for holders and beneficiaries and for issuers of false certificates.

(b) encourage setting up of a watch and ward system of internal vigilance and safeguards within the Backward Classes and adopt measures for guidance and monitoring of such watch and ward systems by the Central Government and the respective State Governments so as to ensure that such systems function effectively

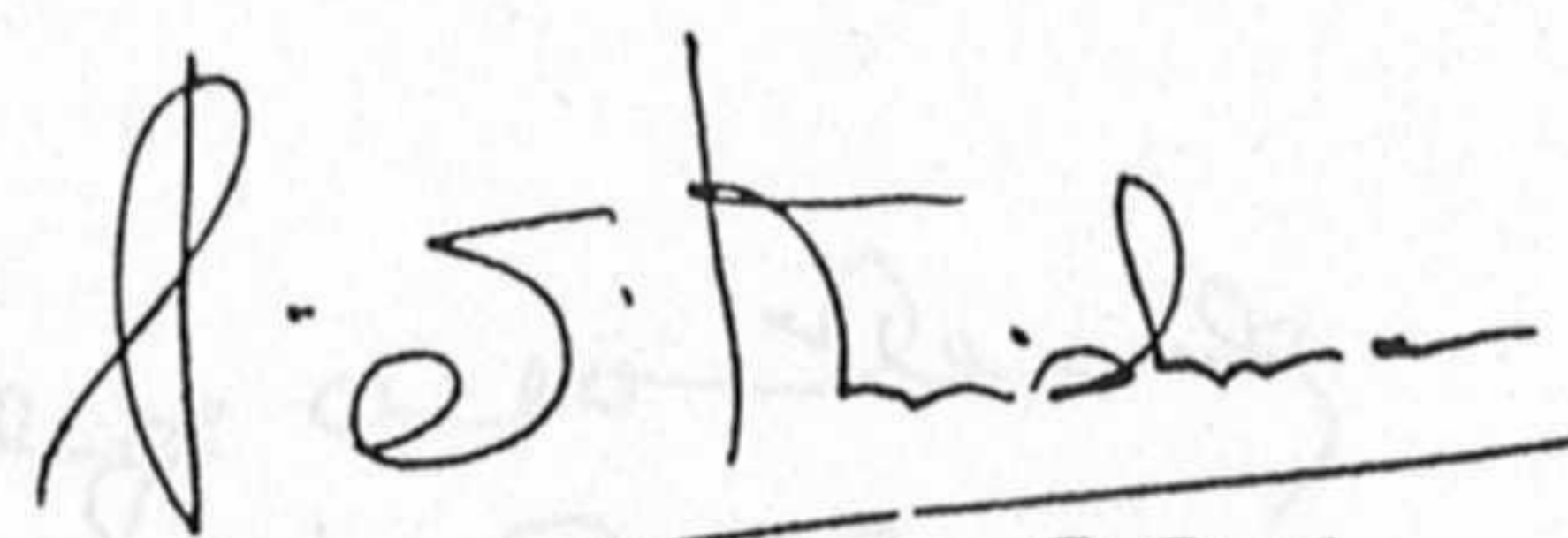
(c) The Central Government, in addition to implementing this part of the Advice, should also address all the State

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Governments/UTs in this regard and pursue it effectively until such statutory systems are established in each State/UT and, thereafter, the Central Government should guide and monitor such statutory systems in each State/UT so as to ensure their effective and continuous functioning without any deterioration.

14. It is also necessary for the Central Government and the State Government to immediately cancel false certificates issued to members of this community and appropriately punish recipients and issuers of such false certificates.

15. As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.8.1998, the Findings are signed only by one Member, who is also the co-ordinating Member of the Bench, but the Findings represent the conclusion jointly arrived at by both the Members.


25.8.98

V. Advice of the Commission

16. The Commission considered and agreed in full with the above Findings of the Kerala Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

(i) The Request for Inclusion of "Vaniya Vaishya" in the Central List of Backward Classes for Kerala be rejected.


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(ii) In view of the malpractices indulged in by many members of this community in getting false Caste certificates, the Central and State Governments should take the steps mentioned at (a) to (c) of Para 13 and at Para 14 of the Findings above.

17. On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.98, this unanimous Advice of the Commission does not bear the signature of that Member. The validity of the Advice, notwithstanding the vacancy caused by the demise of the aforesaid Member, is protected by Section 7 of the NCBC Act, 1993.

R. S. Krishnan
25.08.98

P. S. Krishnan
25.8.98

Navtej Puadhi
31.8.98

P. K. Jayaraman
11.9.98

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Extracts from "Findings/Advice" of the NCBC on
Requests for Inclusion of 12 Bania/Vaishya
Castes/communities tendered to the Central Govt.
vide NCBC Advice No. 7-18 Bihar/98 dated 13.08.1998

V. Bania/Vaishya Castes in Kaka Kalelkar Commission's List for Bihar and other North Indian States, Lists of Bihar and other State Governments, Mandal Lists and Central Lists for Bihar and other North Indian States and their Implications for New Requests for Inclusion of Bania/Vaishya castes

44. The Kaka Kalelkar Commission had listed, in its recommended list of Backward Classes in respect of Bihar, certain castes as having the traditional occupation of "shop-keepers" and "traders". They are the following:-

1.	Agrahari Vaishya	Shop-keepers
2.	Barnwal Bania	Traders
3.	Janupur Bania	Traders
4.	Kasodan Bania	Shop-keepers
5.	Modakmora, Modi, Nichundia Modi, Modi	Traders
6.	Mohani	Traders
7.	Paisari Bania	Traders
8.	Patwa Bania	Traders
9.	Runiar Bania	Traders
10.	Sundi	Traders
11.	Surhi Bania	Traders

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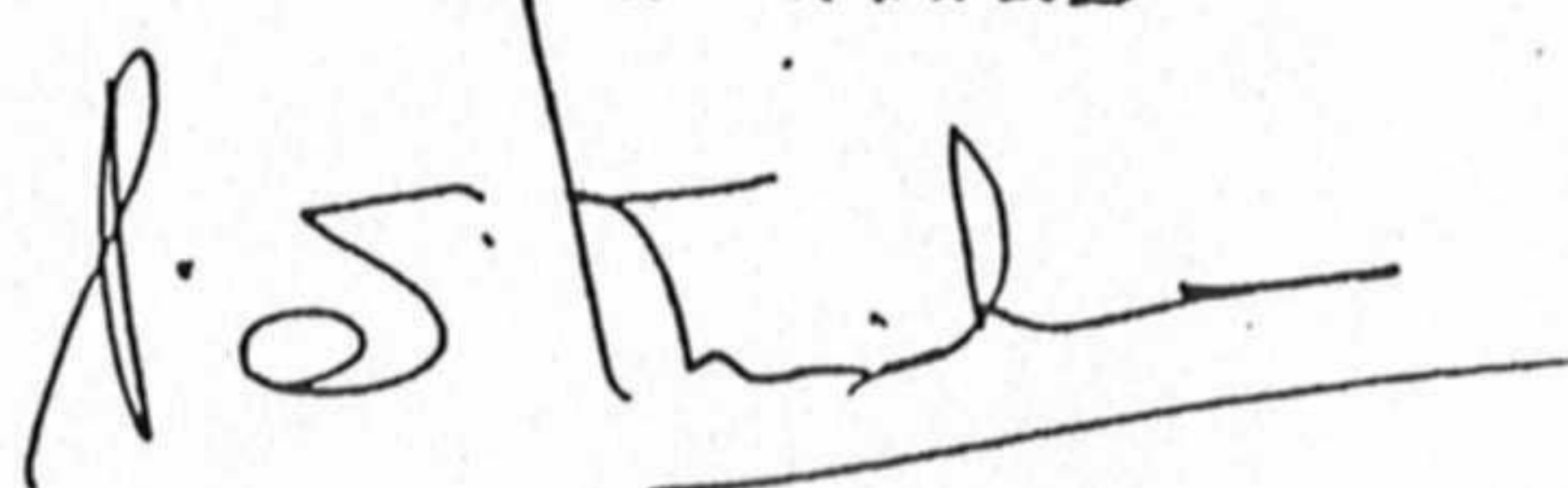
In addition, Kaka Kalelkar Commission also lists certain other communities with the suffix of 'Bania' or 'Vaish', viz.,

1. Kalwar Bania Wine distillers and sellers
2. Kamlapuri Vaish Teli Oil pressing --- this is a puzzling "name" as oil-pressing is the traditional occupation of Teli, while Kamlapuri Vaish is a community different from Teli.

45. Out of the above castes/communities, 'Janupur Bania', 'Mohani' and 'Kasodan Bania' are not included in the State Government's List of Backward Classes that existed at the time of the preparation of the first-phase Central List, and the rest are included in the State List either in the same form or with the addition or deletion of the suffix 'Bania' or with apparent spelling variations. Out of the 18 castes included in the State List as in 1993 under 'Bania', only 7 can be traced in the Kaka Kalelkar Commission's Report as castes of which the traditional occupation is shown as 'Shop-keepers' or 'traders', in some cases with apparent spelling variations and in some other cases with the addition or deletion of the suffix 'Bania', viz.,

1. Sudi (apparently the same as that shown in Kalelkar's Report as 'Sundi' at item no. 121 and as 'Surhi Bania' at item no. 122.)
2. Roniyar (Kalelkar's Runiar Bania at item no. 112)
3. Pansari (perhaps same as 'Paisari Bania' of Kalelkar's List at item no. 103)
4. Modi (apparently the same as 'Modakmora, Modi, Nichunda Modi, Modi' of Kalelkar's List at item No. 95)
5. Patwa
6. Burnwal
7. Agrahari Vaishya

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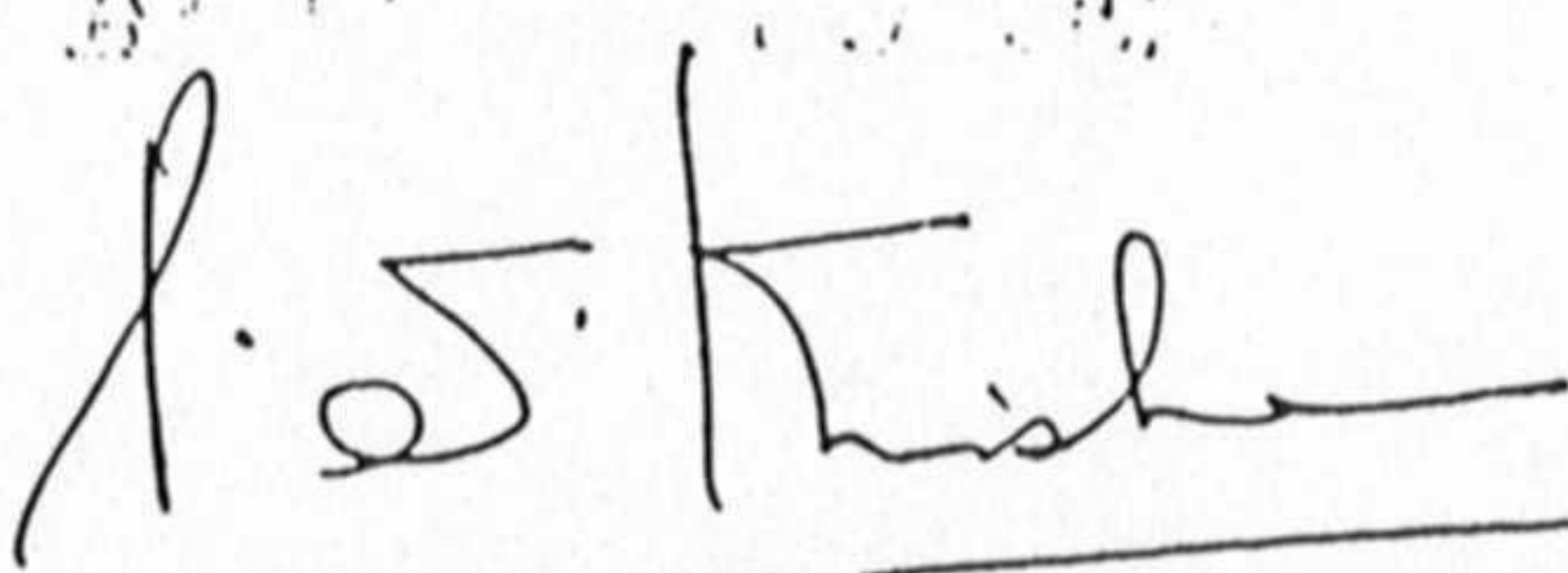
'Kesarvani', which is included in the State List as a Bania caste (sub-caste) is included in the Kalelkar's List along with Kasera and Thathera and their traditional occupation is given as "Brass utensil makers", which is also puzzling for reasons similar to that mentioned in respect of "Kamlapuri Vaish Teli" at para 44 above.

46. Out of the 18 castes/communities listed in the State List against 'Bania'; three, viz., Kasera, Thathera and Kalwar are really not what are traditionally known as Bania/Vaishya castes/communities. So far as 'Kalwar' is concerned, this fact has been mentioned in the NCBC's Advice (No. Delhi 6/98) on the Request for inclusion of this caste/community in the Central List of Backward Classes for Delhi and also in the separate Advice (No.5-6 Bihar/98) on the Request for Inclusion of Jaiswar, Kalal, and Eraqui as synonyms of 'Kalwar' in the Central List of Backward Classes for Bihar. As brought out in these Advices, and as also mentioned in paras 7 and 43 above, Kalwar is a caste traditionally associated with the occupation of "distilling of liquor", and Kasera and Thathera are really artisan castes. That is apparently why the Mandal Commission has rightly shown Kalwar and Thathera separately. Patwa of the State List (perhaps totally or partly the same as the Patwa Bania of the Kalelkar Commission's List) is also an artisan caste as brought out in the Advice (No.25/UP/98 dated 3.7.98) on the Request of this caste/community's inclusion in the Central List of Backward Classes for Uttar Pradesh. That is apparently why Mandal Commission has rightly shown Patwa too separately --- though in this and in the case of Kalwar and Thathera, the Expert Committee on Backward Classes which compiled the Common List in 1993 chose to go back to the State List's inaccuracy in this regard in preference to Mandal's greater correctness.

47. 'Sudi' of the State List and 'Sundi' and 'Surhi Bania'

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of the Kalelkar Commission's List are apparently one and the same caste/sub-caste/community and is also really not what is normally considered as a Bania or Vaishya caste/community. This is brought out by Risley (The Tribes and Castes of Bengal, Firma Mukhopadhyaya, Calcutta, 1981, first edition 1891) when he describes this caste under the head "Sunri" as "a large and widely-diffused caste, found in most districts of Bengal and Behar, whose original profession is believed to be the "manufacture and sale of spirituous liquors". Though according to Risley, "Many of its members have now taken to mercantile pursuits, call themselves by the title Shaha, and disown all connexion with those who still follow the characteristic occupation of the caste", he also points out that "Their striving for social advancement has as yet not been entirely successful, and in spite of their wealth and enterprise ancient associations still hold them down. The bond of tradition is hard to break. According to Hindu ideas distillers and sellers of strong drink rank among the most degraded castes,...." Specifically about the Sunris of Bihar, Risley records that the "entire caste, however, occupies a low position in the Hindu social system, and the Telis are the highest caste which will take water from their hands...."

48. Therefore, leaving out Patwa, Sudi, Kalwar, Kasera and Thathera and adding Kamlapuri Vaish (but not Teli) and Kesarvani (but not Kasera and Thathera) only 8 entries of real Bania/Vaishya castes shown in the State List as in 1993 are traceable in the Kalelkar's List for Bihar.

49. A number of castes which do not find place in the Kaka Kalelkar Commission's List as castes with the traditional occupations of shop-keeping and trade have entered into the State List of Backward Classes such as Poddar, Bangiya Vaishya (Bangal Bania), Avadh Vaishya, Sinduriya Bania, Mahuri Vaishya and Kamlapuri Vaishya (though 'Kamlapuri Vaish Teli'

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is seen in the Kalelkar's List with "Oil Pressing" as its occupation). With regard to the last one of these, there is confusion as the State, Mandal and Central Lists mention 'Teli' as an independent caste. The bringing together of "Kamlapuri Vaish Teli" as a single item raises a question mark about some of the listings in the Kalelkar Commission's Report, as also the bringing together of "Kaisarvani, Kasera, Thathera" and of "Halwai, Kandhu, Kanu". The State, Mandal and Central Lists show "Kanu" as a separate entry ("Kandhu" is not found in them at all); while the Mandal List shows Thathera as a separate entry, while Kasera is shown with Bania castes.

50. In the Kalelkar Commission's list of BCs in respect of the neighbouring State of U.P, which is in the same geographical and cultural region, very few castes are seen of the type seen in Bihar. Of the 11 communities shown as "traders" in Bihar by Kalelkar, only 'Kasaundhan' and 'Rauniyar' are included in the Kalelkar's List for next-door Uttar Pradesh. In addition, the UP List also contains 'Kesarwani' as a "trader" caste, while in the Bihar List 'Kaisarwani' is shown along with 'Kasera, Thathera'. In this regard, the entry for U.P, seems factually correct. Representatives of the Kesarvani community, who were heard by the Delhi Bench on 2.7.1997 on their Request for Inclusion in the Central List for Delhi did not claim to be the same as/synonym of "Kasera, Thathera". But the UP List of Kalelkar repeats Kamlapuri Vaishya as if it is a synonym of Teli. From the UP Bench of the NCBC, which heard the representatives of the Kamlapuri Vaishya community on 21.4.1998 on their Request for Inclusion in the Central List for U.P., it is learnt that Kamlapuri Vaishya did not claim to be the same as/synonym of Teli.

51. In the Kalelkar Commission's List for U.P.. 'Kamboh' is also shown as a trading caste. but according to all

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available literature and local knowledge, it is a cultivating community. Crooke (op.cit., Vol. III) describes "Kamboh" as an "influential cultivating and land owning class found in the Meerut and Agra Divisions".

52. In the Kalelkar Commission's List for U.P., 'Patwa' has been entered with the correct occupational description, viz., "Threading ornaments".

53. Of the four entries of Bania/Vaishya or trading castes in the Kalelkar Commission's U.P. List, none has been entered in the State List as in 1993 at the time of common-listing or in the Central List. In the Mandal List for U.P. 'Roniaur' is seen which is apparently the same as 'Rauniyar' of the Kalelkar's List. But, there are Requests for Inclusion in the Central List of BCs for UP from or on behalf of as many as 9 castes/communities of which two are all-comprehensive requests for inclusion of 'Bania' and 'Vaishya Samaja'.

54. In respect of another State of the same cultural region, i.e., Madhya Pradesh, there is not a single entry in the Kalelkar's list pertaining to any caste shown as having their traditional occupation of trade or shop-keeping or recognised as a caste which is generally considered as belonging to the Bania ;or Vaishya category --- though there is an entry "Parasher" against which the traditional occupation is shown as "Shopkeepers and peddlars". There is no such caste as "Parasher" described in Russell and Hiralal (op.cit). "Patwa" has been entered in this list with a description even more precise than in the case of U.P., viz., "makers of silk braided thread"

55. In respect of Kalelkar Commission's List for 'Vindhya Pradesh', which is now part of M.P., the position is the same, except that the entry "Parasher" is not in this list.

This is

also the position with regard to "Madhya Bharat", another constituent unit of the present M.P. The entry 'Hammal' in respect of which the traditional occupation is given as "Rural traders on barter" is obviously not a Bania/Vaishya caste. Hammals are really labourers who lift and transport, load, and unload various goods manually and they are not a caste, but include labourers from different castes and communities.

56. The Madhya Pradesh State List does not have the entry "Parasher" or any other Bania/Vaishya castes. However, from this State, where no Bania/Vaishya caste is included in the List of BCs, there are Requests for inclusion in respect of 2 Bania/Vaishya castes, viz.,

1. Agrahari Vaishya, and
2. Kamlapuri Vaishya.

which are only in the State List of Bihar (but only one of them in the Central List for Bihar). Agrahari Vaishya is also among the Bania/Vaishya castes in respect of which there are Requests for inclusion in the Central List of Backward Classes for Maharashtra and Uttar Pradesh, while Kamlapuri Vaishya is among those covered by the Requests for Inclusion in the Central List for Bihar, U.P. and West Bengal.

57. In Rajasthan also, no Bania/Vaishya caste is included in the State or Central list of Backward Classes. The position is the same in respect of Haryana. In Delhi, which is an enclave within the cultural region consisting of the States mentioned in paras 44-55, though as the capital city it has got a cosmopolitan nature, the State List does not include any Bania/Vaishya caste, but there are Requests for inclusion of 3 castes/communities of this category, viz.,

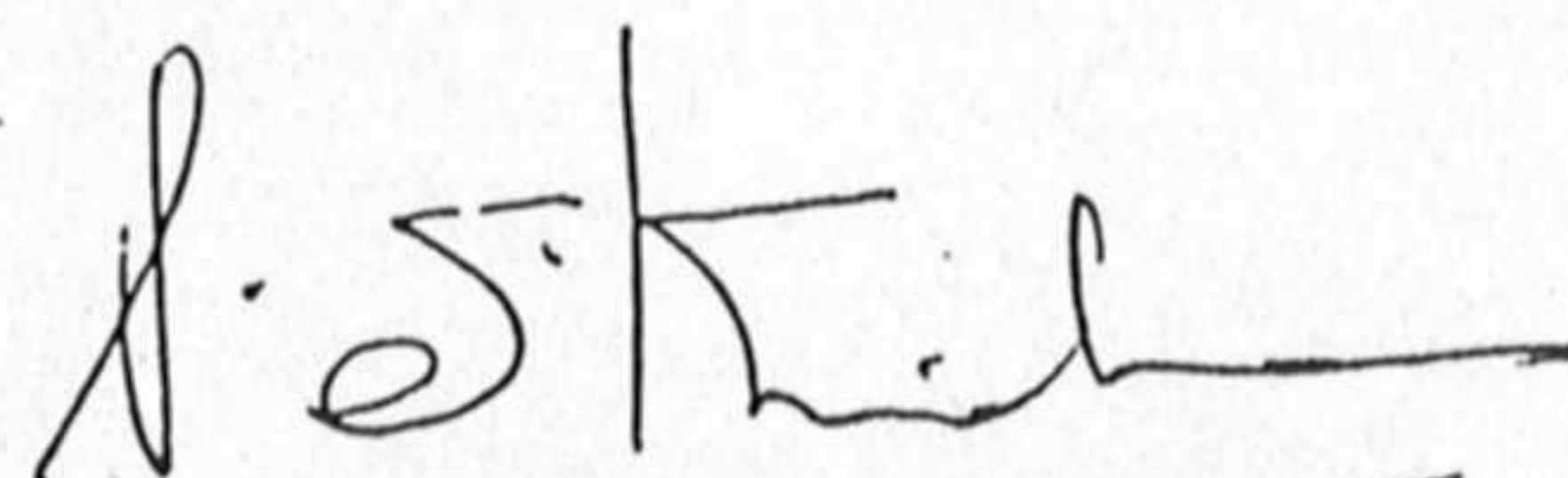
1. Poddar
2. Kesarvani Vaishya
3. Rauniyar Vaishya,

all of which are only in the Bihar State list (but only two of them in the Central List for Bihar).

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P. S. KRISHNAN
Member Secretary
National Commission
Backward Classes



P. S. KRISHNAN
Member Secretary
National Commission

58. Thus, in the entire Hindi-speaking cultural region, Bihar stands out as a unique exception with regard to inclusion of castes/sub-castes which are generally considered to be belonging to the Bania/Vaishya category and have trade or shop-keeping as their traditional occupation. The situation in Bihar seems to have triggered off a spate of Requests for Inclusion of castes/sub-castes of this category in the neighbouring states including Delhi and even in distant Maharashtra, apart from Requests from Bihar itself which are presently under consideration. Apart from this apparent triggering off of a spate of Requests, in some other States also, Vaishya/Bania castes which have never been included in the State List or Mandal List, have sought inclusion in the Central List now. In the case of Bihar, without taking into account those entries under 'Bania' such as Kalwar etc., which are really not Vaishya or Bania, according to general perception, the inclusion on a large scale of Bania/Vaishya castes is puzzling not only in itself, but also in the context of the description of some of these castes in the Report of the Mungeri Lal Commission which recommended their inclusion in the State List of Bihar. The Report of the Mungerilal Commission describes "Kamlapuri Vaishya" inter alia as follows:-

"अन्य उच्च वर्गों के हिन्दुओं से इनका संबंध सामान्य रहता है। जाति व्यवस्था में इस समुदाय को वैश्य माना जाता है। इनका पेशा तथा जलपान सर्वर्ण जाति के जैसा है।"

About 'Burnwal', it is inter alia mentioned in the Report that, "वर्ण व्यवस्था में यह समुदाय वैश्य में गिना जाता है।" Apart from this, classic ethnographic descriptions of some of these castes also reinforces the question mark with regard to the inclusion of this category of castes/sub-castes in the Bihar List. Risley in his book 'The Tribes

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

P. S. KRISHNAN
Member Secretary
National Commission

and Castes of Bengal' (op.cit.) has the following observations to make on some of such castes/sub-castes:-

"Mahuri, a sub-caste of Baniyas in Bihar, who occupy nearly as high a rank as the Agarwals in social estimation.... Trade and money-lending are the proper occupations of the Mahuri. Some of them have acquired substantial tenures and set up as landholders and zamindars."

"Rauniar, Raunia, Noniar, a sub-caste of Baniyas in Behar.... trade, and trade only, was his original function.... The Rauniyars of Behar profess to have come from the North-West Provinces, and their allegation is likely enough to be correct....

In their religious and ceremonial observances the Rauniars are orthodox Hindus and employ Brahmans, whose social position is no way affected by serving them....

Trading in grain, cloth, etc. and lending money, are their special functions, but of late years some of them have taken to agriculture, and a few have risen, probably as a consequence of money-lending transactions, to be zemindars. In Champaran Rauniyars are found as occupancy raiyats, but such cases are rare."

"Sinduriya, Sindurhar, a class of Bania who sell sindur or vermillion;...."

"Agrahari, Agrahri, a trading and cultivating caste of Behar and Upper India, who are probably closely related to the Agarwala."

Of the above, there is interesting educational statistics about Roniyar with regard to literacy in English. In terms of number of literates in English per 1,000 in the Census of as far back as 1911, reproduced by Girish Mishra and Braj Kumar Pandey ('Sociology and Economics of Casteism in India', Pragati Publications, Delhi, 1996), out of 26 communities for which statistics are given, Roniyar ranked 6th after only Kayasth, Brahmin, Rajput, Bhumihar and Kalwar. Further, it is seen that between 1901 and 1911 Roniyars registered a spurt of increase of 1500%, i.e., 15 times in terms of Literacy in English, even Kayasthas registered only about 30% increase and Brahmins only 30%, Bhumihars about 25% and Rajputs less than 50%.