

National Commission for Backward Classes

Maharashtra Bench

Case: **Request for inclusion of the castes/sub-castes/communities/synonyms in the Central List of Other Backward Classes for the State of Maharashtra**

I. Request

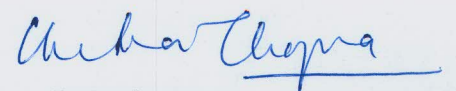
This case arises from the requests received in the National Commission for Backward Classes from the State Government of Maharashtra for inclusion of the following castes/sub-castes/communities/synonyms in the Central List of Other Backward Classes for the State of Maharashtra.

Castes/Communities

1. Mariaiewala, Kadklakshmiwale, Margammawale
2. Gihara/Gahara
3. Darwesi, Vaghware-Shah(Muslim religion), Aashwalwale
4. Hasmi/Dafli
5. Gavlon (Gavalvansh)
6. Ladasi
7. Udasi
8. Singaade Banjara
9. Phande Banjara
10. Sunar Banjara
11. Shighadya Banjara
12. Koli Bariya
13. Begari
14. Burbuk
15. Chadar
16. Chandal
17. Korachar or Korwe
18. Manjhwar
19. Mujawar
20. Watas, Bhadwal, Rajaak

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21. Kandel
22. Rautiya
23. Sanpagarudi (Muslim Religion)
24. Kudmude (synonym of Joshi)

II. Public Hearing

2. The Maharashtra Bench of the Commission consisting of Justice S. Ratnavel Pandian, Hon'ble Chairman, Dr. Subbha Somu, Hon'ble Member, Shri Ram Awadhesh Singh, Hon'ble Member and Shri Abdul Ali Azizi, Hon'ble Member held a Public Hearing at Mumbai on 25th April, 2008 in respect of the requests received in the Commission from Maharashtra Government. At the Public Hearing, the State Government of Maharashtra was represented by Shri J N Rathod, Dy Secy, Deptt of Social Justice & Special Assistance, Government of Maharashtra, Dr. S.G. Kolate, Managing Director, Backward Classes Development Corporation, Govt. of Maharashtra and other officials of Deptt. of Social Justice and Special Assistance.

III. Facts

3. Out of the 24 castes/communities, only 3 castes/communities appeared before Bench:-

1. Darwesi, Vaghware-Shah(Muslim religion), Aashwalwale
2. Udasi
3. Kudmude

4. The following are the entries in respect of the castes/communities in various Lists and the submissions made by the representatives of the castes/communities who appeared before the Bench:

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1. Darwesi, Vaghwale-Shah(Muslim religion), Aashwalwale

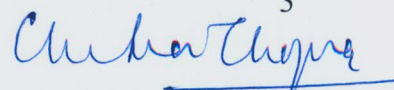
Mandal List : Not included

State List : 37. Darwesi, Vaghwali-Shah(Muslim religion), Aashwalwale

Central List : Not included

On behalf of the caste/community '**Darwesi, Vaghwali-Shah(Muslim religion), Aashwalwale**', Dr. Habib Dhandibhai Shaikh, President, Darwesi, Waghwale , Aswalwale Vikas Mandal, Vill & Post – Bramhanwada, Taluka – Akole, Distt-Ahmednagar (Maharashtra) appeared before the Bench and stated that the total population of the caste/community in the State is thirty five thousand approximately. Their traditional occupation is begging. They are dependent on agriculture and other manual labour for their livelihood. They are Nomadic tribe and some of the caste/community members still do begging, which is considered as undignified occupation. The women and children of the caste/community are also engaged in agricultural as well as non-agricultural activities like manual labour and begging. The caste/community members mainly reside in the districts of Ahmednagar, Beed, Pune, Nashik, Jalgaon, Solapur, Nanded etc. They are considered backward by other castes in the State. The literacy rate of the caste/community is very low, less than 1 per cent. Most of the caste/community members reside in kachha houses. Representation of the caste/community members in State and Central Government Services as well as in Parliament/Assembly/Panchayati Raj Institution are negligible. The representationist requested the Commission Bench to include their caste/community in the Central List of OBCs for the State of Maharashtra so that they can avail the benefit of reservation.

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The ethnographic account in respect of the caste/community "**Darwesi, Vaghwale-Shah(Muslim religion), Aashwalwale**" is as under:-

Darveshis : Literally religious beggars, seem to be converts, perhaps of the Shikari caste. They are a class of wandering bear and tiger showmen. They marry either among themselves or with any other religious beggars and form a separate community and settle social disputes at meetings of the men under a headman or Sargiro, who has the power of fining any one who breaks their caste rules. They are sunnis of the Hanafi school, but are not religious. Their only communication with the Kazi is that they employ him as marriage registrar.

2. Udasi

Mandal List : Nil
State List : 207. Udasi
Central List : Nil

On behalf of the caste/community 'Udasi, its representative Shri Pramod Rajendraprasad Udasi, Secretary of Amravati District, Akhil Bhartiya Grihastha Udasai Samaj Seva Mahamandal, C/o Soft Vision Computers, 34 Dande Colony, Sai Nagar, Amravati, Maharashtra appeared before the Bench. It was submitted that their community were initially sanyasis who wandered from place to place to spread spiritual messages and did services to people. Of late the members of the community have also started leading family life. Apart from the traditional service, the members of the caste/community work as daily wage labourers. Most of the caste/community members reside in village area. They are socially and economically weak, educationally and politically backward. They are the

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followers of Saint Sri Chandra who was born in Punjab in 1551 vikram era. They are spread out in different parts of India, especially in Punjab, Maharashtra, Bihar, Jammu & Kashmir, Assam, Madhya Pradesh etc. The organization has more than 1500 branches. It was requested that they are socially, educationally and financially backward and requested for inclusion of their caste/community "Udasi" in the Central List of OBCs for the State of Maharashtra.

The representative of the State Government submitted that the caste/community "Udasi" is included in the State List of backward classes at Serial No. 207.

3. Kudmude

Mandal List : Nil
State List : 13 Joshi, 13(c) Kudmude
Central List : 199. Joshi

The caste/community 'Kudmude' was represented by Shri Kailasrao Hendre, President, Maharashtra Joshi Samaj Sanghtana who appeared before the Bench and submitted the following:-

The caste/community 'Kudmude' is considered backward in the State and is included in the State List of OBCs. They are spread out in most of the districts in the State. At present the caste/community members are concentrated in various districts of Pune, Satara and Sangli. They are mainly found in urban and adjoining areas. Their mother tongue is Marathi. They can also speak in Hindi. They use the Devanagri script. The people are classified as a Nomadic Tribe in Maharashtra.

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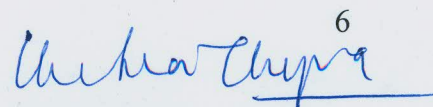
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The traditional occupation of the people was fishing but now they are involved in the business of old clothes. They take old clothes in exchange for stainless steel utensils. This job is generally done by the womenfolk. However, sometimes, the men also accompany them. The old clothes collected are washed, mended and given a new shape and size and sold in the market. This job is done by men only. Besides, the members of the community are also engaged in tailoring and petty business. Children also work in various categories of occupations. The representationist further stated that the members of the caste/community are also engaged in traditional occupation of moving here and there with humped Ox. Women of the caste/community are engaged in manual labour. In Parliament and State Legislature there is no representation of the caste/community. In Panchayati Raj the caste/community representation is negligible. 95.0 percent of the caste/community members live in Kachha house. Literacy rate of the caste/community is very low in the State.

The representative of the State Government submitted that the caste/community "Kudmude" is included in the State List of backward classes at Serial No. 13(c).

During the Public Hearing those present who were from different sections of the society as well as from the State Government not only did not oppose to the proposed inclusion of the above castes/communities in the Central List of OBCs for the State of Maharashtra, but also supported it.

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IV. Findings

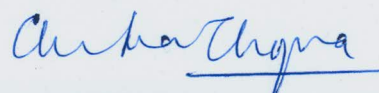
I. The Commission while considering the above cases took note of the following in respect of the socio-economic and educational conditions of the castes/sub-castes/synonyms under reference:

- a) The castes/sub-castes/synonyms under consideration belong to the lower strata of the society. These castes/sub-castes/synonyms are already included in the State list of Backward Classes.
- b) As per information provided by the State and the submissions made by the representatives of the castes/ sub-castes/synonyms, the Bench observed that the representation of these castes/ sub-castes/synonyms in service seems to be low. Similarly a vast majority of the members of these castes/ sub-castes/synonyms are engaged in their traditional occupations or working as manual labour which fall within the lower rung of occupational hierarchy. Their living conditions are also indicative of their poor socio-economic conditions.
- c) During the Public Hearing, members of different castes/communities and the State officials who were present did not oppose to the submissions made by the representatives of the above castes/sub-castes/ synonyms in the Central List of OBCs for the State of Maharashtra.

II. In view of the foregoing facts and evidence, the submissions made by the representatives of the castes/sub-castes/communities/synonyms and the representatives of the State Government, evidence & documents presented at the time of public hearing and also on a perusal of ethnographic literature by eminent authors, reports of State Backward Classes Commissions and other available informations, the Bench is of the

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considered view that the following castes/synonyms are socially & educationally backward and should be included in the Central List of OBCs for the State of Maharashtra:

1. Darwesi, Vaghwale-Shah(Muslim religion), Aashwalwale
2. Udasi
3. Kudmude

After the inclusion of the above caste/community, the respective entries will read as under:

"237. Darwesi, Vaghwale-Shah(Muslim religion), Aashwalwale"

"238. Udasi"

"199. Joshi, Kudmude"

(Justice S. Ratnavel Pandian)
Chairperson

(Dr. Subbha Somu)
Member

(Ram Awadhesh Singh)
Member

(Abdul Ali Azizi)
Member

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V. Advice of the Commission

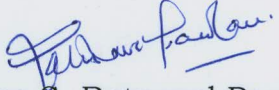
The Commission considered and agreed in full with the above Finding of the Maharashtra Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

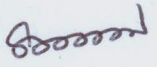
The following castes/communities/sub-castes/synonyms are socially and educationally backward and should be included in the Central List of Other Backward Classes for the State of Maharashtra. The entry after inclusion will read as under:-

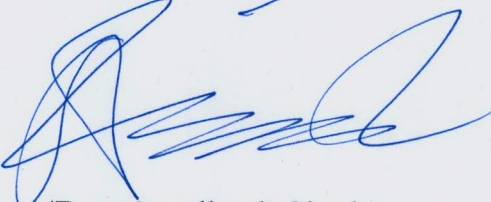
“237. Darwesi, Vaghware-Shah(Muslim religion), Aashwalwale”

“238. Udasi”

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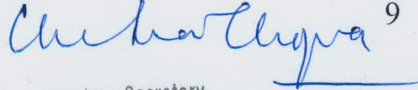

(Justice S. Ratnavel Pandian)
Chairperson


(Dr. Subbha Somu)
Member


(Ram Awadhesh Singh)
Member


(Abdul Ali Azizi)
Member

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