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नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

NCBC Advice No. 92 Karnataka/98

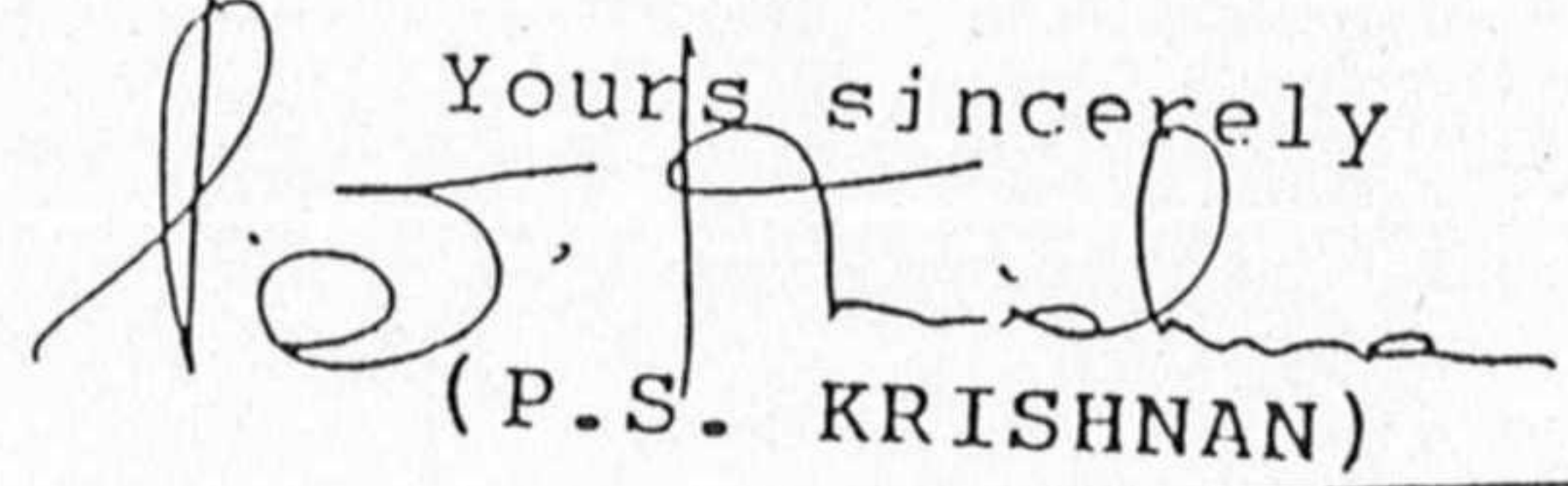
28. 08. 1998

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 Inclusion of 'Balyaya' caste/community in the Central List of Backward Classes for Karnataka, duly authenticated, for necessary action by the Central Govt. under Section 9(2) of the Act.

2. With this, Advices on 325 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 322 are still pending with the Government for Notification.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Shri DK. Manavalan
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

0/C



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सदस्य-सचिव
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Issued
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Shastri Bhavan
NEW DELHI

Yours sincerely

(P.S. KRISHNAN)

O/C

NATIONAL COMMISSION FOR BACKWARD CLASSES

Karnataka Bench

Findings

Per Shri Justice P.K. Shyamsundar, Chairperson

Case: Request for Inclusion of "Balyaya" as a synonym of Kanisan/Kaniyan in the Central List of Backward Classes for Karnataka.

I. Request

This case arises from the Request received in this Commission from D.K. Jilla Balyaya alias Kanishan Mahajana Sangha (regd.), Suman Vihar, Kembar, Padil, Mangalore-575 007 for inclusion of "Balyaya" as a synonym of Kanisan in the Central List of Backward Classes.

II. Public Hearing

2. The special three-Member Karnataka Bench of the Commission consisting of Shri Justice P.K. Shyamsundar, Hon'ble Chairperson, Shri U.P. Singh and Shri Navtej Puadhi, Hon'ble Members, NCBC held a Public Hearing in respect of this caste at Bangalore on 22.06.98. At the Public Hearing the State Govt. was represented by Shri Umesh, Deputy Director and Shri Mohammed Iqbal, Joint Director of Dept. of Backward Classes and Minorities Welfare, Govt. of Karnataka. The community was represented by Shri. Padmanabha, Secretary of D.K. Jilla Balyaya alias Kanisan Mahajana Sangha, Mangalore.

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[Signature]
F. K. Shyamsundar
Chairperson
NCBC
Bangalore

III. Facts

3. Balyaya is not included in any of the BC lists. But Kanisan is included in the State List, Mandal List and Central List of Backward Classes for Karnataka at the following entries respectively:

STATE LIST

"B-62. Kanisan/..Kaniyan

MANDAL LIST

"141. Kanisan/...Kaniyan"

CENTRAL LIST

"106. Kanisan/...Kaniyan"

Besides the above inclusion of Kanisan caste in different lists of BC for Karnataka, Kanisan is also included in the Central List of Backward Classes for Kerala.

4. The written representation received from the community states that Kanisan is generally known as BALYAYA in Dakshina Kannada District of Karnataka State and the members of the community use BALYAYA as surname. But the Certificate-issuing Authorities refused to issue certificate in the name of BALYAYA as the same was not found in the Central List of BC.

5. The questionnaire filled in by the community states that their caste is considered backward due to low social position in the traditional Hindu hierarchy. Their population is said to be about 3200 concentrated only in Dakshina Kannada District of Karnataka State. Their main

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occupation was Astrology. Some of the members of the community were engaged in manual labour also. Nearly 90% of them were landless and 95% of them live in Kuchha houses. Only 25% of them were literate and only 7 members were represented in Govt. services against their total population of about 3200.

6. Balyaya as a synonym of the main caste/community Kaniyan appears in the Venktaswamy Commission Report under the list of castes/communities whose population cannot be ascertained. Under the head 'Kaniyan', the Report of Venktaswamy Commission mentions that "Kanisan is a Malayalam corruption of Sanskrit word 'Ganika' which means Astrologer. They have the title Panikka. Panikkas are also known as Asan." According to the State Govt. of Karnataka, "the Balyaya caste is found mainly in South Canara area where the caste Kaniyan mainly exists. It is said that these people have migrated from Kerala State to the border area of Karnataka, i.e South Canara. In 'Tulu' - the language of South Canara - Baliye means Kavade in Kannada and Cowrie in English, by which they practice Astrology. Practice of Astrology is their main occupation, which is also the main occupation of Kaniyans."

7. During the public hearing, Mr. Padmanabha, Secretary of D.K. Jilla Balyaya Alias Kanisan Mahajana Sangha (regd.), Mangalore appeared before the Bench and stated that they were a community of astrologers similar to Kaniyans of Kerala. They make predictions by using Courie (sea-shell). He also added that women of the caste were not allowed to wear upper clothes and men had to remove their upper clothes when they appeared before upper caste people. They lacked respectability in society due to their low social status and lack of education.

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Commission
Classes

IV. Findings

8. It is evident from the above material that Balyaya caste is similar to that of Kaniyan/Kanisan caste/community of Kerala in terms of the traditional occupation followed by them and has perforce to be treated as Socially Backward. Therefore, the Bench recommends inclusion of "Balyaya" caste as a synonym of Kanisan/Kaniyan caste/community in the Central List of Backward Classes for Karnataka.

P. K. Shyamsundar
21/8/98
(Justice P.K. SHYAMSUNDAR)

U.P. Singh
21/8/98
(U.P. SINGH)

Note: The Findings do not bear the signature of Shri Navtej Puadhi, one of the Members of the Karnataka Bench, who unfortunately passed away quite suddenly on 16.08.98. But the Findings represent the conclusion jointly arrived at by the three Members of the Bench.

AUTHENTICATED
P. S. Krishnan
P. S. KRISHNAN
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Nati
for Backward Classes

V. Advice of the Commission

9. 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 by the Central Government under Section 9(2) of the Act:-

"Balyaya" caste/community be included as a synonym of "Kanisan/Kaniyan" in the Central List of Backward Classes for Karnataka as it is Socially Backward.

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P. J. Kline

28.8.98

Note: Shri Navtej Puadhi,

Hon'ble Member of the Commission unfortunately passed away quite suddenly on 16.08.98 before he could sign this Advice. This is for information and also to explain why only 4 Members of the Commission have signed the Advice, which in the circumstance has to be treated as Advice of the Commission.

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25 Feb

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