



पी० एस० कृष्णन्
P. S. KRISHNAN
TEL : 6883190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार

त्रिकुट-१, भीकाजी कामा प्लेस, नई दिल्ली-११००६६

Member-Secretary
National Commission for Backward Classes
Government of India
Trikoot-1, Bhikaji Cama Place, New Delhi-110066

NCBC Advice No. Maharashtra 2, 3 /97

2. 7. 1997

Dear Shri Baksi,

I am sending herewith the unanimous Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act 1993 regarding inclusion of "Ansari" and 10 synonyms of "Koli" in the Central List of Backward Classes for Maharashtra, for necessary action under Section 9(2) of the Act by the Central Govt.

With kind regards

Yours sincerely

P. S. Krishnan

(P. S. KRISHNAN)

Shri K.K. Baksi
Secretary
Ministry of Welfare
Shastri Bhavan
NEW DELHI 110 001

NATIONAL COMMISSION FOR BACKWARD CLASSES
Maharashtra Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Ansari" as a synonym of "Julaha" and "Momin" in the Central List of Backward Classes for Maharashtra.

I. Request

This case arises from the Request of the Ansari Welfare Society, 3/11, Noorani Chawl, 107-C, M. Azad Road, Mumbai-400 008 for Inclusion of "Ansari" as a synonym of "Julaha" and "Momin" in the Central List of Backward Classes for Maharashtra. In its Request the Society has stated that Julaha, Momin and Ansari are the names of one and the same backward community of weavers and they are Socially and Educationally Backward. The members of the community have been using the name "Ansari" since many centuries either at the beginning or at the end of their personal names throughout the country because the word "Julaha" was being used by others to express their contempt, hatred and as a mark of disrespect to the members of this community engaged in spinning and weaving. In order to get rid of this mark of inferiority, contempt and hatred associated with the name "Julaha", the members of the community began to use the word "Momin" and/or "Ansari", more particularly the word "Ansari" as the word "Momin" is equivalent to the word "Muslim". In spite of the change in the name, they are still being looked down upon, treated as inferior and low-caste by the Sayeds, Shaikhs, Khans and other communities amongst the Muslims

who consider themselves as of high birth, caste and race.

II. Public Hearing

2. The 2-Member Maharashtra Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Sahu Akshaya Bhai, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Mumbai on 23.4.1997. During the Public Hearing the State Government was represented by Shri Ramdas Patil, Joint-Director, Social Welfare Deptt. and Member-Secretary, State Backward Classes Commission, Maharashtra and Shri Gavid, Under Secretary, Social Welfare Deptt., Govt. of Maharashtra. Justice S.N. Khatri, former Chairperson of the State Backward Classes Commission, Maharashtra was also present. The community was represented by Munshi M. Hasan, Chairman, Board of Trustees of Ansari Welfare Society and other members.

III. Facts

3. The relevant entries in different lists are as follows:-

(i) Central List of Backward Classes for Maharashtra

"50. Julaha"

"166. Momin"

(ii) Mandal List of Backward Classes for Maharashtra

"112. Julaha, Winkar, Vankar, Vanya, Vankar"

"171. Momin (Weaver)"

(iii) State List that existed at the time of the preparation of first phase Central List on the basis of the principle of commonality in 1993

"57. Julaha"

4. The State Government by its Order dated 9.8.95 has added "Ansari" to the existing entries "Julaha" and "Momin" in the State List and therefore the relevant entries in the latest State List read as follows:-

"57. Julaha, Ansari"

"191. Momin, Ansari"

5. The NCBC's Questionnaire filled up by the State Government states that "Ansari" is a sub-caste of Julaha & Momin and gives "Weaving" as the occupation with which the caste/community, in terms of the caste system, is traditionally identified with.

6. The State Govt. in its letter No. 1494/113/CR-46/BCW-5 dated 5th Aug., 1994 to this Commission has recommended the inclusion of "Ansari" in the Central List of Backward Classes for Maharashtra on the following grounds:-

"In Islam every born Muslim is called as Momin, but a section of the Muslim community which is engaged in thread-making is also called as Momin. This is a group that is socially and educationally backward. This community has its concentration in towns like Bhiwani in Thane district, Malegaon in Nasik district, Jalgaon in Jalgaon district, in Nagpur town and in Marathwada region. Elsewhere in the State this community is scattered and does not have a significant presence in districts other than those mentioned above.

Ansari is a surname borne by many of the Julahas and Momins. It is also seen that the persons with surname Ansari are being recognised as 'Ansari' in place of 'Julah' or 'Momin'.

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Ansari inhabit mud-houses. They stay in groups, in a particular pocket of the town. Their standard of living is also very moderate and many of them are economically poor....Ansaris are educationally backward and, their children are usually engaged in their traditional occupation rather than education. The proportion of literacy and education among Ansari women is very low."

7. This caste/community falls under the Fast-Track category as the occupation with which it, in terms of the caste system, is traditionally identified with, is "weaving", which has been covered by the Guideline 2(e) of the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of Under-Inclusion in the Central List of Backward Classes" and by Para 6 of Procedural Clarifications on the Guidelines.

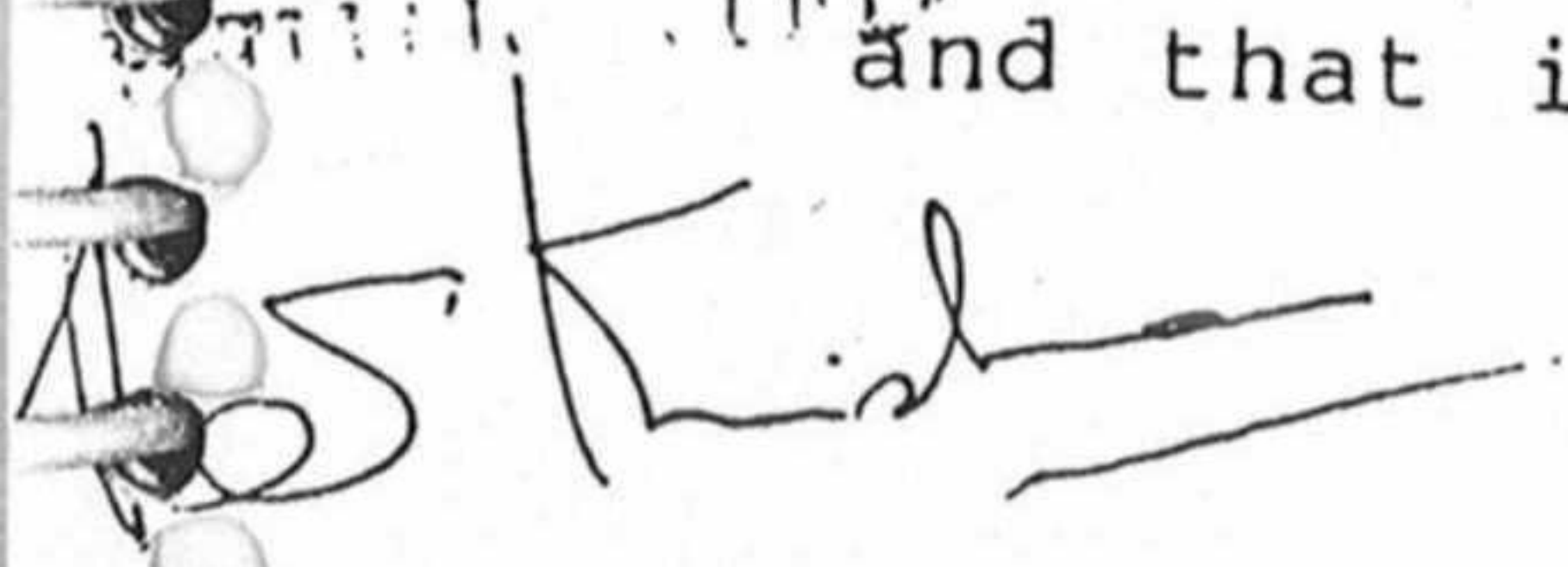
8. During the Public Hearing the representatives of the community said that the present separate entries in the Central List "50. Julaha" and "166. Momin" should be brought under one entry. They agreed to the suggestion of the Bench that, in order to preclude scope for any misuse, while adding "Ansari" to these entries the amended entry should be as follows:-

"50. Julaha, Momin, Julaha-Ansari, Momin-Ansari"

Those present during the Public Hearing, who were from different sections of the Society not only did not object to the proposed inclusion of "Ansari" in the Central List, but also supported it.

IV. Findings

9. From the above evidence, it is the Finding of the Bench that "Ansari" is a synonym of "Julaha" and "Momin" and that it falls under the Fast-Track category as it is,

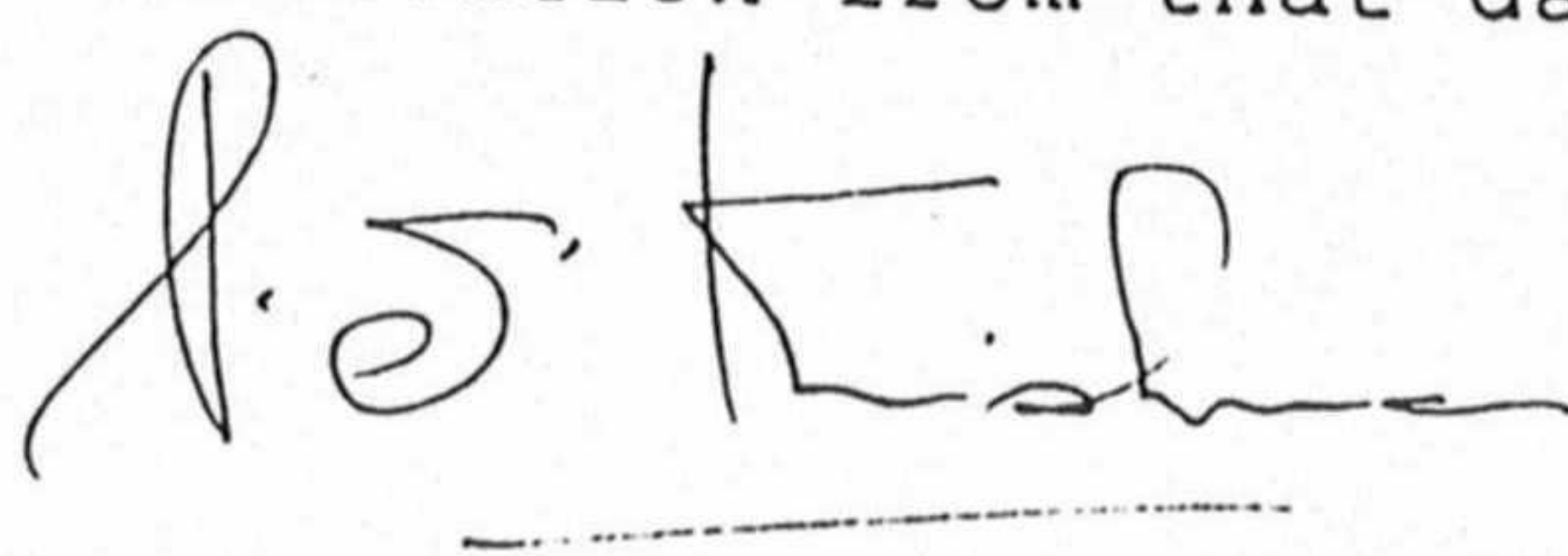


in terms of the caste system, identified with the traditional occupation of weaving, which has been covered by the Guideline 2(e) of the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of Under-Inclusion in the Central List of Backward Classes". Therefore, "Ansari" should be included in the Central List of Backward Classes for Maharashtra as synonym of "Julaha" and "Momin" and the present entry in the Central List "166. Momin" should be transferred to entry No. 50 and entry No. 50 should be amended as follows:-

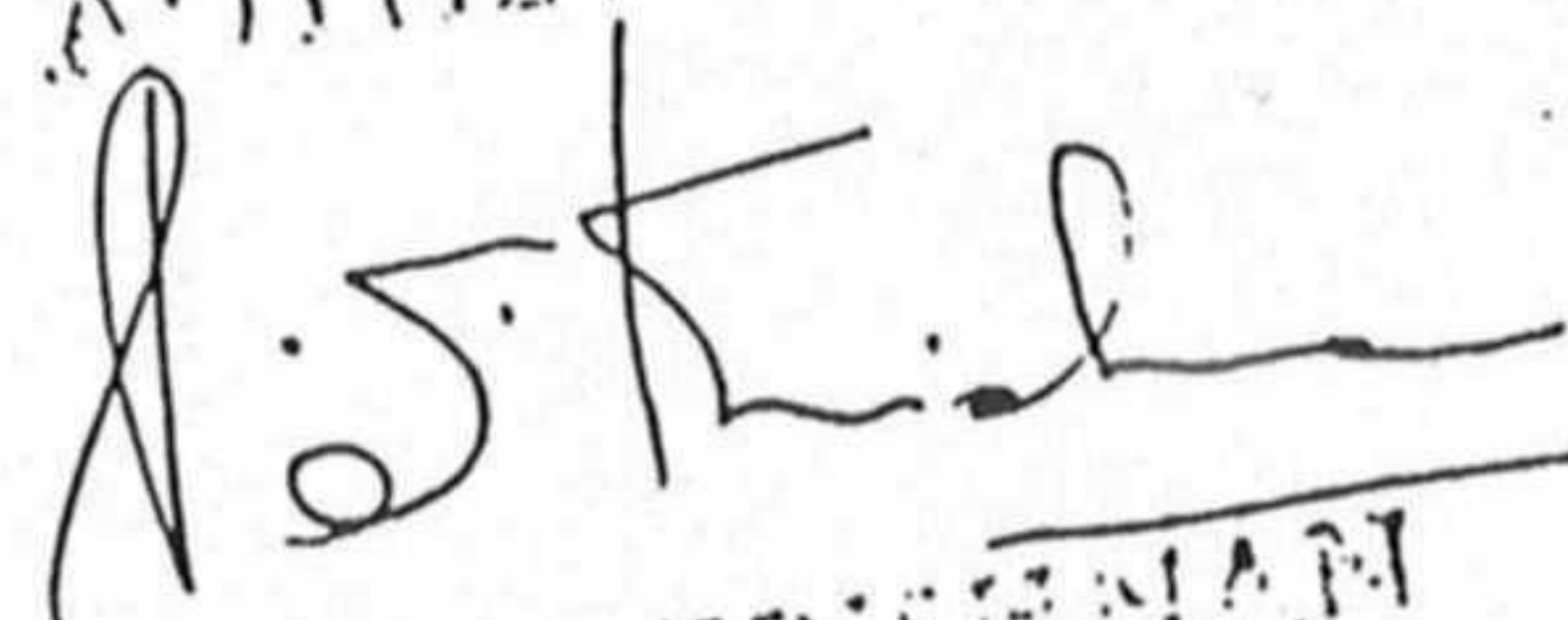
"50. Julaha, Momin, Julaha-Ansari, Momin-Ansari"

"50. जुलाहा, मोमिन, जुलाहा-अंसारी, मोमिन-अंसारी".

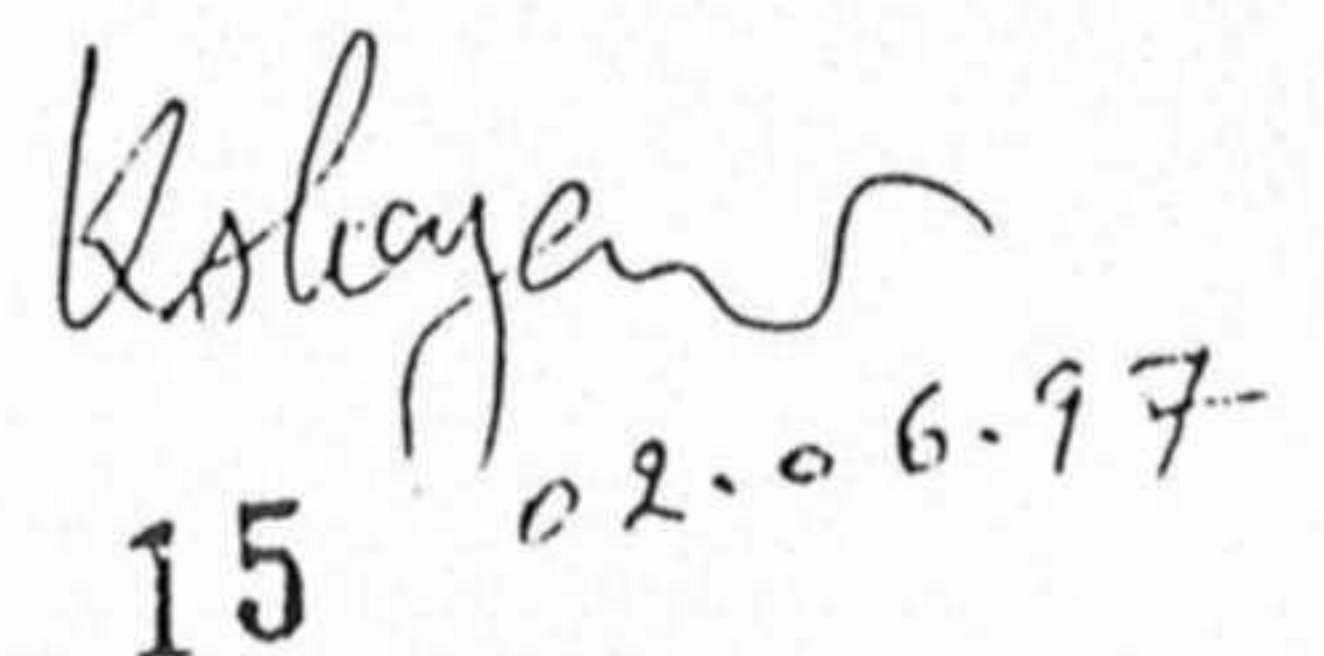
10. It is observed that in a number of cases, certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community became backward is centuries old. Its backwardness did not emerge suddenly on the date of the Notification. The relevance of the date of the Findings or the Advise or the Government's Notification is only that the backwardness of the caste/community, which was already a social reality, was, after enquiry, officially noted and recognised on that particular date. But the benefit of this recognition should be available from the date from which the reservations for Backward Classes in the Central Services came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the notifications takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community are eligible for reservation from that date.



ATTESTED



P. S. KISHAN
Secretary
Commission
Backward
Classes


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V. Advice of the Commission

11. The Commission considered and agreed in full with the above Findings of the Maharashtra Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993:-

"Ansari" be included in the Central List of Backward Classes for Maharashtra as synonym of "Julaha" and "Momin" and the present entry in the Central List "166. Momin" be transferred to entry No. 50 and entry No. 50 be amended as follows:-

"50. Julaha, Momin, Julaha-Ansari, Momin-Ansari"

"50. जुलाहा, मोमिन, जुलाहा-अंसारी, मोमिन-अंसारी."

12. In view of the difficulties faced by the members of Backward Classes in getting Backward Class certificates for the period prior to the Notification, a proviso should be included in the Notification to be issued that "the Notification will take effect from 8.9.1993", the date from which reservation for Backward Classes in the Central Services came into effect.

A. S. Krishna

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Maharashtra Bench

Per Shri P.S.Krishnan, Member-Secretary

I. Request

- (i) Bhoi Koli
- (ii) Christian Koli
- (iii) Chumble Koli
- (iv) Gabit
- (v) Kharve (Kharvi)
- (vi) Macchimar
- (vii) Mangela
- (viii) Panbhare (Panbhari)
- (ix) Son Koli
- (x) Koli Suryavamshi
- (xi) Tandel
- (xii) Vaity

AUTHENTICATED

A. S. K.

FOR YOUR INFORMATION

II. Public Hearing

The 2-Member Maharashtra Bench of the Commisison consisting of
ri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Sahu Akshaya

Shri. Hon'ble Member, NCBC held a Public Hearing at Mumbai on 23. 4. 1997 in respect of this Request. At the Public Hearing, the State Government was represented by Shri Ramdas Patil, Joint-Director, Social Welfare Deptt. and Member-Secretary, State Backward Classes Commission, Maharashtra. Justice S.N. Khatri, former Chairperson of the State Backward Classes Commission, Maharashtra was also present. The Community was represented by S/Shri N.D. Koli, G.R. Jawde, G.G. Bajal, V. Jalgaonkar and others.

III. Facts

3. The relevant entries in different lists are as follows:-

(i) Central List for Backward Classes for Maharashtra

- "56. Kharwa or Kharwi"
- "58. Koli Suryawamshi"
- "65. Koli"
- "82. Mangela/Mangala"
- "142. Vaiti"
- "173. Gabit" (misprinted as "Gabil")

(ii) Mandal List of Backward Classes for Maharashtra

- "70. Dhimar, Dhivar, Gabit, Harkantra, Mangeli, Mangela, Page, Sanduri"
- "130. Kharwa or Kharwi"
- "132. Koli, Koli-Suryawamshi, Malhar Koli, Christian Koli"
- "162. Mangala"
- "259. Vaiti"

(iii) State List:- In the State List that existed at the time of the preparation of the first phase Central List, "Koli" and its four synonyms have been included at separate entries, as follows:-

- "64. Kharwa or Kharwi"
- "68. Koli Suryawamshi"

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A. S. Kishore

"78. Koli"
 "95. Mangela"
 "163. Vaiti"
 "201. Gabit"

The State Govt. by its subsequent Order dated 9.8.95 has brought four of the above 5 entries except "201. Gabit" together at entry no. 4 under "Special Backward Classes" and has also added ten more synonyms of "Koli" in this entry leaving "Gabit" above at the original entry No. 201 with two spelling variants, viz., "Gavit, Gabit" (गावित, गाबीत). The amended entries in the latest State List read as follows:-

Other Backward Classes

"201. Gavit, Gabit"

Special Backward Classes

"4) 1) Koli, its synonyms 2) Macchimar Koli, 3) Ahir Koli, 4) Khandesi Koli, 5) Pankoli, 6) Christian Koli, 7) Chumble Koli, 8) Panbhare Koli, 9) Koli Suryavanshi, 10) Mangela, 11) Sonkoli, 12) Vaiti, 13) Kharwa or Kharwi, 14) Koli, not included in the ST List"

Some communities bearing the name Koli have been included in the Govt. of India's List of Scheduled Tribes for Maharashtra, as follows:-

"28. Koli, Dhor, Tokre Koli, Kolcha, Kolgha"
 "29. Koli Mahadev, Dongar Koli"
 "30. Koli Malhar"

This is not the subject of this enquiry or within the NCBC's jurisdiction to examine whether these and the Koli listed as OBC are part of the same larger community or not.

During the Public Hearing the representatives of the community stated that the traditional and main occupation of their community is

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fishing. They have also stated that some sub-sections of their community have already been included in the ST List and that their request for inclusion of the entire Koli community in the ST list is pending with the Govt. of India. They have requested the Bench that until the entire Koli caste/community is included in the ST list, which is not within the jurisdiction of this Commission, all the sub-castes and synonyms of Koli, other than those which have already been included in the ST List, should be included in the Central List of Backward classes for Maharashtra.

6. The representatives of the community also said that all the synonyms that have already been included in the Central List of Backward Classes for Maharashtra should be brought under one entry since these are part of one and the same community with the only difference of local and regional variations in the nomenclature.

7. Koli and a few of its synonyms have been included in the Central List of Backward Classes in the neighbouring States of Goa and Gujarat, follows:-

<u>S.No.</u>	<u>Name of the State</u>	<u>Entry in the Central List</u>
1.	Goa	"6. Koli, Kharvi (including Christian Kharvi)
2.	Gujarat	"14.Chuvalia Koli" "16.Divecho Koli" "24.Ghedia Koli" "37.Koli Idaria Koli Kharwa-Koli Rathwa-Koli Bariat-Koli Bhebaria-Koli"

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K. S. Kulkarni
Commissioner
Backward Classes

About this community R.E.Enthoven (The Tribes and Castes of Bombay,

Asian Educational Services, New Delhi, Madras, 1990, first published 1922) gives the following account:-

"Koli a term of vague meaning covering a number of tribes of inferior status which have little in common beyond a position inferior to the Kunbi or cultivating caste. Probably the term Koli has been used for centuries to describe the greater part of the original inhabitants of the Presidency so long as they adhered to a tribal organisation.... The Kolis of the Deccan and Konkan have the following divisions:- Agri, Ahir, Band, Bhil, Bhilave or Bhirale, Chachi, Dhor or Tokre, Helmuar, Kabber, Karade, Khar, Konkan, Kulparna, Mahadev, Dongar or Raj, Malhar, also called Kunum, Chumli, Pan or Panchari, Maratha, Marvi, Mendale, Meta or Dhangar, Musale or Bhandu, Nehre, Rahtadkar, Shingtoki, Son, Solesi also called Kashti or Lallangoti, Suryavanshi, Tankri, Tayade, Thankar or Christian, Wali....."

9. Those present during the Public Hearing who were from different section of the Society not only did not object to the proposed inclusion of these synonyms/sub-castes of Koli in the Central List of Backward Classes for Maharashtra, but also supported it. The State Govt. representatives also supported the Request.

IV. Findings

10. From the above evidence, it is the Finding of the Bench that

- (i) Christian Koli
- (ii) Chumble Koli
- (iii) Gabit
- (iv) Kharwa or Kharwi
- (v) Macchimar
- (vi) Mangela
- (vii) Panbhare(Panbhari)
- (viii) Son Koli
- (ix) Koli Suryawamshi
- (x) Vaiti

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R. S. Kishore

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are the synonyms or sub-communities of "Koli" caste/community. "Koli"

comes under the "Fast Track" category of cases in terms of Paras 6 & 7 of the Procedural Clarification on Guidelines of the NCBC's Guidelines for Consideration of Requests for Inclusion and Complaints of under-Inclusion and the above synonyms are covered by Para 9 of the same Procedural Clarifications. Therefore the above synonyms should be included in the Central List for Backward Classes for Maharashtra at entry no. 65, some by transfer of the existing entries "56. Kharwa or Kharwi", "58. Koli Suryawamshi", "82. Mangela/Mangala", "142. Vaiti" and "173. Gabit" to entry no. 65 and the rest as additions. "Gabil" in the Central List is a printing error and should be corrected as "Gabit". The amended entry no. 65 should read as follows:-

"65. Koli

- Christian Koli
- Chumble
- Gabit
- Kharwa or Kharwi
- Machhimar Koli
- Mangela/Mangala
- Panbhare (Panbhari)
- Son Koli
- Koli Suryavamshi
- Vaiti"

"65 कोली

क्रिश्चन कोली
चुम्बले
गाबित
खारवा या खारवी
माचिमर कोली
मांगेला / मांगला
पानभरे (पानभरी)
सोन कोली
कोली सुर्यवंशी
वैती"

10. This would cover 10 out of the 12 synonyms of "Koli" in respect of which the Akhil Koli Samaj Parishad, Maharashtra has made the Request for Inclusion in the Central List of Backward Classes for Maharashtra. The remaining two synonyms, viz. (1) Bhoi Koli and (2) Mandel are not included in the State List of Maharashtra, though "Bhoi" is found included in the Central List of Backward Classes for Karnataka at entry No. 87 which pertains to castes with fishing as the traditional caste-occupation. The Bench requested the State Government and State Commission to expeditiously examine whether these two are also authentic synonyms/sub-communities of Koli in Maharashtra and if so take steps to include them in the State List without loss of time. Thereafter these two will be considered by the NCBC. The

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representatives of the community were advised to be in touch with the State Government and move the NCBC after the State Government's/State Commission's examination is completed.

1. It is observed that in a number of cases, certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community became backward is centuries old. Its backwardness did not emerge suddenly on the date of the Notification. The relevance of the date of the Findings or the Advice or the Government's Notification is only that the backwardness of the caste/community, which was already a social reality, was, after enquiry, officially noted and recognised on that particular date. But the benefit of this recognition should be available from the date from which reservation for backward classes in the central services came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the notifications takes effect from the date from which reservation for backward classes came into effect and the members of the caste/community are eligible for reservation from that date.

A. S. Kishan

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Advice of the Commission

2. The Commission considered and agreed in full with the above findings of the Maharashtra Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993:-

- (i) Christian Koli
- (ii) Chumble Koli
- (iii) Gabit

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for Backward Classes

- (iv) Kharwa or Kharwi /
- (v) Macchimar
- (vi) Mangela -
- (vii) Panbhare (Panbhari)
- (viii) Son Koli
- (ix) Koli Suryavamshi -
- (x) Vaiti -

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 Director
 Maharashtra
 Backward Classes

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be included in the Central List of Backward Classes for Maharashtra at entry no. 65, some by transfer of the existing entries "56. Kharwa or Kharwi", "58. Koli Suryavamshi", "82. Mangela/Mangala", "142. Vaiti" and "173. Gabit" to entry no. 65 and the rest as additions. The spelling of "Gabil" should be corrected as "Gabit". The amended entry no. 65 should read as follows:-

- "65. Koli
- ✓ Christian Koli
 - ✓ Chumble
 - ✓ Gabit
 - ✓ Kharwa or Kharwi
 - ✓ Machhimar Koli
 - ✓ Mangela/Mangala
 - ✓ Panbhare (Panbhari)
 - ✓ Son Koli
 - ✓ Koli Suryavamshi
 - ✓ Vaiti"

"65 कोली
 क्रिश्चन कोली
 चुम्बले
 गौबीत
 खारवा या खारवी
 माचिमर कोली
 मांगेला/ मांगला
 पानभरे (पानभारी)
 सोन कोली
 कोली सुर्यवंशी
 वैती"

In view of the difficulties faced by the members of backward classes in getting caste certificates for the period prior to the Notification, a proviso should be included in the Notification to be issued that "the Notification will take effect from 8.9.1993", the date from which reservation for backward classes in the Central Services came into effect.

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