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

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

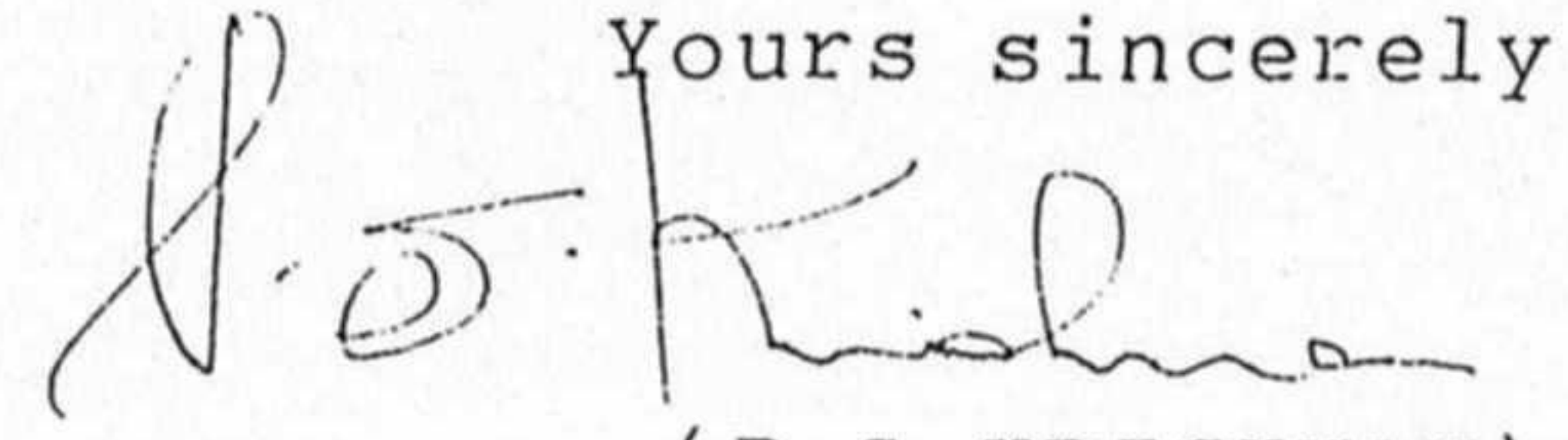
NCBC Advice No. Madhya Pradesh 44/99

08.06.1999

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 "Agrahari Vaishya" 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.

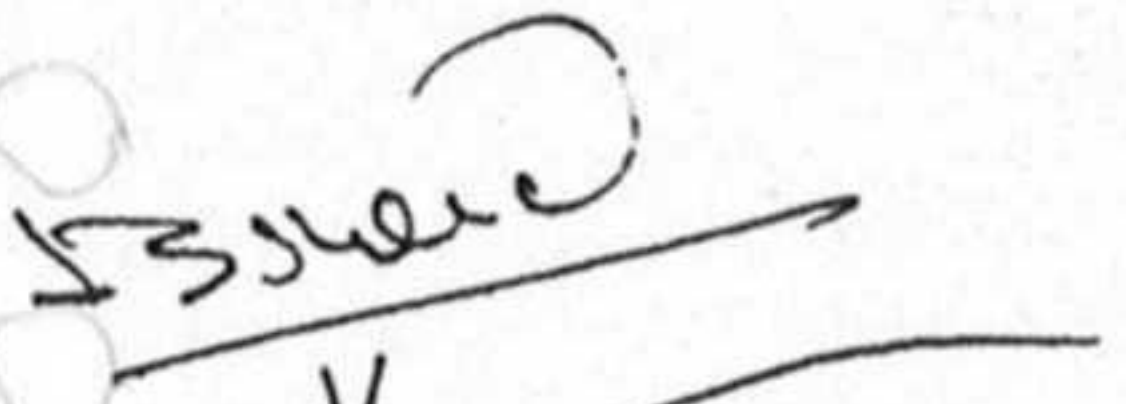
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

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




8/6/99

NCBC Advice No. M.P.44/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

MADHYA PRADESH BENCH

Findings

Case : Request for inclusion of "Agrahari Vaishya" caste/community in the Central List of Backward Classes for Madhya Pradesh.

PER SHRI SAHU AKSHAYA BHAI, MEMBER

I. Request :

1. This case arises out of the Request from Shri Dinesh Chandra Gupta, President, Madhya Pradesh Agrahari Vaishya Samaj, Raipur. for inclusion of 'Agrahari Vaishya' caste/community in the Central List of Backward Classes for the State of Madhya Pradesh.

II. Public Hearing

2. The three Member Bench of the Commission for Madhya Pradesh consisting of Hon'ble Members S/Shri Sahu Akshaya Bhai and U.P. Singh and Navtej Puadhi held a Public Hearing at Bhopal on 4.6.98 to examine the request in respect of this case. The State Government was represented by Shri A.L. Naharia, Secretary and Shri Neeti Raj Singh, Deputy Director of State Commission for Backward Classes and Shri M.L. Khanna, Asstt. Director and Shri S.P. Tewari, Research Officer of Directorate of Backward Classes Welfare. Shri Dinesh Chandra Gupta, President

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Madhya Pradesh Agrahari Vaishya Samaj, Raipur was present during the hearing.

III. Facts

3. 'Agrahari Vaishya' 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's List as well as the State Government's List that existed at that time) because it was not included in Mandal 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 'Agrahari Vaishya' caste/community is not included in the State Government's List of Backward Classes.
4. In the filled-up questionnaire it is mentioned that 'Vaishya' is the main caste and the sub-castes are Agrahari Vaishya/Gupta/Bani. The population of the caste/community in the State is 1,00,000. Mainly the caste is spread over in Bilaspur, Raipur, Durg, Jabalpur and Satna Districts of Madhya Pradesh. It is stated that they follow Hindu religion. At Sr. No. 2(a) of A. Social of Part-II of the Questionnaire, the main occupation of community for livelihood has been indicated as small Kirana shop, chat thela, selling goods in village market carrying on horseback or bullock carts, collecting grain from villages and selling to grain merchants. Against Sr. No. 2(b) where the nature of the occupation whether agricultural or non-agricultural was to be indicated, it has been indicated as agricultural labour and Commission-agents on petty scale and the same has been reiterated against 2(d) (i). Children especially boys engage themselves for their families livelihood in agriculture labour. It is also

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mentioned in the questionnaire that the caste has been termed as Bania Bakkal. Forty percent people of the caste/community are literate in the State. It is mentioned in the filled-up questionnaire that 50% people of their caste/community in villages live in Kachha houses. One thousand people of the caste/community are stated to be employed in state government job under group 'C' and 500 people are in group 'D'. Two hundred people are working in State level public undertakings, autonomous/semi-autonomous establishments, hundred are working as teachers in colleges and universities. Among the members of the caste/community in the state 20 are Doctors, 30 are Lawyers, 30 are Engineers and Architects, 5 are Chartered Accountants, 5 are Income Tax officials, Financial and Management Consultants and only 1 person is in media profession. About 50 persons are employed in Group 'C' and 50 in Group 'D' service of Central Government. Approximately 2% people of the caste/community are tax payers. According to them the caste is educationally and socially backward so much that marriages are performed in the caste only as nobody of other caste give his daughter or boy in their caste/community. Two castes, i.e, 'Sahu and Jaiswal' are stated as immediately higher than their caste. The request maker in the letter dated 20 April 1996 have stated that in Bihar the caste/community is included in the state list of BCs

5. During the Public Hearing the member of the caste/community told the Bench that they are landless agriculture labourers and educationally & socially backward. Ninety percent people of the caste/community are illiterate. Their 'gotra' is Kashyap. Raja Agrashen was their ancestor. 'Sahu', 'Jaiswal' are at higher level, but Shri Dhanaram Sahu, member of Teli (Sahu) caste who was also present during the Public Hearing told the Bench that 'Agrahari Vaishya' is at higher level than 'Sahu'.

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[Signature]
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Member, Bihar Sahasra Shiksha Mission
for Bihar Sahasra Shiksha Mission

6. In "The Tribes and Castes of Central Province" R.V. Russell and Hiralal writes under the head 'Bania, Agrahari' as "Mr. Crook states that they claim partly a Vaishya and partly a brahmanical descent, and wear the sacred thread. Like that of the Agarwala Banias their name has been connected with the cities of Agra and Agroha. The Agrahari Banias are Hindus, and some of them belong to the Nanakpanthi sect. They are principally dealers in provisions and they have acquired some discredit as compared with their kinfolk the Agarwalas, through not secluding their women and allowing them to attend the shop..... The richer member of the caste are bankers, dealers in grain and pawnbrokers."
7. Jogendra Nath Bhattacharya in his book 'Hindu Castes and Sects' states that "the Agraharis are found chiefly in the districts round Banaras.--- They take the sacred thread, and, like the other leading Baniya clans, are strict vegetarians and teetotalers. There are many Agraharis who have embraced the Sikh faith...."
8. Sherring brings out the social status of 'Agraharis' as follows:
"This clan has the tradition of being descended partly from a Vaishya and partly from a Brahmanical ancestor. It is, however, regarded as of a Vaisya tribe, and, like other Baniyas, is engaged in trade. The members of the clan wear the sacred cord but this also is the practice of many other clans of this great tribe..... The Agraharis form a very numerous class of tradesmen in that city, many of whom are of slender means....."(Hindu Tribes and Castes, as represented in Benares, Vol.I, p.292)

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Member, Library
National Commission
for Educational Research

IV. Findings

9. The Statements made during the Public Hearing that they are landless agricultural labourers and the information given at Sr. No. 2(a) of A. Social (Part-II), where the main occupation has been indicated as small kirana shop, chat thela, selling goods in village market, carrying on horseback or bullock carts, collecting grain from villages and selling to grain merchants etc., are contradictory. The information Sr. No. 2(a) further contradicts with the information furnished at Sl. No. 2(b) where the occupation has been described as agricultural labour and commission agents on petty scales which is primarily an agricultural occupation. The contradictory statements at various places in the questionnaire and during the Public Hearing create doubt about the authenticity of the information and also about the intention of the community and can hardly be prima-facie relied upon.
10. From the above facts and evidences including ethnographic accounts it is found that 'Agrahari Vaishya' is indeed a section of Bania/Vaishya community, which is a trader caste and ranked third in the social order of the Varna system next to Brahmans and Kshatriyas. The Bench does not find that this caste/community had suffered any kind of social ostracism or social deprivation in the relevant past practised by castes of either of the two Varnas superior to Vaishyas, the Brahmans and Kshatriyas. Their argument for assigning them the backward tag emphasizing their literacy rate, which is said to be low, even if true does not strengthen the case as this issue of educational backwardness arises only if and after social backwardness is established, which is not the position in this case. Further, any caste which does not suffer from any kind of social disability and is also fairly well to do is not likely to be significantly backward on the

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Member, Commission
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educational front. It is improbable, if not impossible, for a trader caste to be backward in literacy and education. The bench is satisfied from the submission made by the representatives of the community and the factual admission that the community is of traders whether petty or big. The fact that some of them are eking out a living as labourers even if true has little to do with the degree of escalation the community as an entity enjoys socially. The request maker in his letter stated that the caste has found acceptance in the State list of BCs for Bihar based on the Mungerilal Commission Report. But this argument merits no importance. The Mungerilal Commission also certified that the caste/community is regarded "Vaishya". This Commission has already taken note of certain deficiencies, inconsistencies and internal contradictions in the Report of the Mungerilal Commission with respect to a number of Bania/Vaishyas castes/communities and brought them out in the NCBC's Findings/Advice on the Request for inclusion of 12 Bania/Vaishya castes of Bihar, (Advice No. 65-74 UP/99 dated 2.2.99) which put a question mark on the tenability of inclusion of a large number of Bania/Vaishya castes in the Bihar State list. As a matter of fact Bihar is the only State where a large number of Bania/Vaishya category of castes/communities are included in the List of Backward Classes. This obviously is an aberration. The Commission has rejected the request of inclusion of 'Agrahari Vaishya' in the Central List of Backward Classes for the State of Uttar Pradesh vide its advice no. 65 UP/99 dated 2.2.1999.

11. Thus the Bench conclude that "Agrahari Vaishya" is not Socially Backward and is in fact socially advanced and does not deserve for inclusion in the list of BCs and therefore the request for inclusion of 'Agrahari Vaishya' in the Central List of BCs for the State of Madhya Pradesh should be rejected.

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P. S. Kishore
P. S. KISHORE
Member Secretary
National Commission
for Backward Classes

As one of the Members of the Bench Shri Navtej Puadhi unfortunately passed away on 16.08.1998, the Findings are formulated and signed only by two Members, including the co-ordinating Member of the Bench.

Ashaya
03.06.99

(SAHU AKSHAYA BHAI)

Uday Pratap Singh
4.6.99
(UDAY PRATAP SINGH)

V. Advice of the Commission

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

Request for inclusion of 'Agrahari Vaishya' caste/community in the Central List of Backward Classes for Madhya Pradesh be rejected as it is not a socially Backward but is socially advanced and one of the dominant communities of Madhya Pradesh.

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.

Ashaya
03.06.99

Uday Pratap Singh
4.6.99

P. S. Krishna

7.6.99

P. S. Krishna
8/4/99

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