

पी एस. कृष्णन्
P. S. KRISHNAN
6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
बिल्डिंग १, भीकैजी कामा प्लेस, नई दिल्ली - ११००६६

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

NCBC Advice No. A.P. 38/1998

02. 12. 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 for the Rejection of the Request for Inclusion of "Agamudiyar including Thuluva Vellala" caste/community in the Central List of Backward Classes for Andhra Pradesh, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 473(275 for Inclusion + 198 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 467 (269 for Inclusion + 198 for Rejection) are still pending with the Government for Notification.

Yours sincerely


(P. S. KRISHNAN)

Encl: As stated.

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

O/c

NATIONAL COMMISSION FOR BACKWARD CLASSES

Andhra Pradesh Bench

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Agamudiyar including Thuluva Vellala" in the Central List of Backward Classes for Andhra Pradesh

I. Request

This case arises from the Request received in this Commission from Shri C.S. Saravanan on behalf of The Thuluva Vellala Association, 230/3 RT Vijayanagar Colony, Hyderabad-500 457 A.P., for the inclusion of "Agamudiyar including Thuluva Vellala" in the Central List of Backward Classes for Andhra Pradesh.

II. Public Hearing

2. The Two-Member Andhra Pradesh Bench of the NCBC consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Shri Sahu Akshaya Bhai, Hon'ble Member held a Public Hearing inter alia in respect of this caste/community at Hyderabad on 5.5.98. At the Public Hearing the State Government was represented by Shri L. Shafiquzzaman, Secretary in charge of Backward Classes Welfare, Shri Chandrasekhara Rao, Joint-Director, BC Welfare and other officers in the office of the Commissioner for Backward Classes Welfare. The community was represented by Shri C.S.Saravanan, Dr. T.Yogender, Shri V.P.Hari Krishna and Shri A.R.Govindraj.

AUTHENTICATED

P. S. KRISHNAN

Member

Nat.

for Backward

III. Facts

3. The caste/community under consideration is included in the Mandal Commission's List of Backward Classes for Andhra Pradesh, as follows:-

(5) "C"267. Thuluva-Vellala, Agamu-Daiyan"

This caste/community is not included in the State Government's List of Backward Classes as it existed at the time of the preparation of the first-phase Central List of BCs for Andhra Pradesh and therefore it is also not included in the first-phase Central List of Backward Classes for Andhra Pradesh prepared on the basis of the principle of commonality (i.e., inclusion in the Central List of castes/sub-castes/communities which were found included in both the State Government's List as well as the Mandal Commission's List) in 1993.

4. The Thuluva Vellala Association in its various letters/representations/papers furnished to this Commission has stated the following:-

(1) Agamudiyar and Thuluva Vellala are synonymous. There is marriage alliances between these two sects as they go by the name Agamudiyars in some parts and as Thuluva Vellalas in other parts of A.P., as well as in other States. Most of the people of the Thuluva Vellalas would call themselves as Mudaliars, which is a title and not a caste name. Mudaliar as a title is also used by other Vellalas and some other castes.

(2) The traditional occupation of the caste/community is "Agriculture".

(3) The caste/community is one among the sub-sects of

AUTHENTICATED

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

170

"Vellalas".

(4) The people of the caste/community is a Tamil speaking linguistic minority in Andhra Pradesh residing in sizeable numbers in Chittoor District, twin-cities of Hyderabad and Secunderabad, Khammam and Nellore Districts and in small numbers in other Districts of A.P. which are called as caste/community.

(5) "Our people are mostly agricultural labourers, stone cutters, workers in Beedi and Match Factories, drivers and conductors in Transport Services and Petty shop keepers. Both our men and women work in most of these menial avocations. It shows the social degradation of our people."

5. In support of the claim for the inclusion of the caste/community in the Central List of BCs for Andhra Pradesh the Association has also inter alia stated that the caste/community was in the list of Backward Classes of the erstwhile composite state of Madras and is still continued to be recognised as Backward Class in Tamil Nadu and Pondicherry, and in Andhra Pradesh the caste/community was included in the List upto 1970. Recently the Government of Karnataka has also "included our caste in the B.C. List in the wake of the report of Justice O.Chinnappa Reddy." The Association also specifically states that "we do not have any political God Fathers here(i.e., in Andhra Pradesh) to support our demand." The Association has also furnished some data/figures regarding their occupation and education which were obtained by a survey on this caste/community using random sampling method conducted by the Association in Chittoor, Nellore and in the twin cities of Hyderabad and Secunderabad which, according to the Association, "amply demonstrated that our people are still educationally, socially and economically backward in Andhra Pradesh."

6. In the NCBC's Questionnaire filled up and furnished by

AUTHENTICATED

P. S. SETHUPATHI
Member, NCBC
National Commission
for Backward Classes

Shri Saravanan, it is stated that the total population of the community in Andhra Pradesh is about 20,000 (Chittoor district 15,000 + Nellore district 1000 + Hyderabad & Ranga Reddy districts 4,000) which is 0.03% of the total population of the State. The occupation on which the members of the caste/community mainly depend for their livelihood is given as "Agricultural labourers". It is also stated that substantial numbers of members of their caste are "petty shop keepers". (Regarding their educational level, the following figures from the random sample survey undertaken by the Association is given:-

Number of respondents	3,000	
Professionals like		
Doctors, Engineers		
etc.	49	1.63%
Post Graduate	50	1.67%
Graduate	247	8.23%
Non-graduate	901	30.03%
Illiterate	540	16.47%
Others	1213	40.43%

Ct. Apurva
Top 10 PG
at all.

The following figures regarding the occupation of the members are furnished from the random sample survey:-

Total respondents	3000	
Labourers	1713	57.10%
Govt. Employee (Central)	234	7.80%
Govt. Employee (State)	315	10.50%
Industrial workers		
(Govt. sector)	114	3.80%
Business	334	11.3%
Unemployed	290	8.50%

7. The caste/community under consideration is described by

AUTHENTICATED
1.5. The
SARAVANAN
Member of the
10th & 11th Division
for D. & C. Classes

Edgar Thurston and Rangachari (Castes and Tribes of Southern India, Asian Educational Services, New Delhi, Madras, 1993, Vol.I, first published 1909) under the head "Agamudaiyan" as follows:-

"The Agamudaiyans, Mr. W. Francis (Madras Census Report, 1901) writes, are 'a cultivating caste found in all the Tamil districts. In Chingleput, North Arcot, Salem, Coimbatore and Trichinopoly, they are much less numerous than they were thirty years ago. The reason probably is that they have risen in social status, and have returned themselves as Vellalas..... In their manners and customs they closely follow the Vellalas.....' The Agamudaiyans who have settled in the North Arcot district are described by Mr. H.A. Stuart as 'a class of cultivators differing widely from the Agamudaiyans of the Madura district. The former are closely allied to the Vellalas, while the latter are usually regarded as a more civilised section of the southern Maravans. It may be possible that the Agamudaiyans of North Arcot are the descendents of the first immigrants from the Madura district, who, after long settlement in the north, severed all connexions with their southern brethren.' In some districts, Agamudaiyan occurs as a synonym of Vellalas, Pallis and Melakkarans, who consider that Agamudaiyan is a better caste name than their own.

It is noted in the Tanjore Manual that Ahamudaiyar (the equivalent of Agamudaiyan) is 'derived from the root aham, which, in Tamil, has many significations. In one of these, it means a house, in another earth, and hence it has two meanings, householder and landholder; the suffix Udeiyyar indicating ownership..... "

8. From the above discription, it appears that Agamudaiyans of Northern districts of erstwhile Madras State,

AUTHENTICATED

which is the caste/community under consideration, are different from the Agamudaiyans of the southern districts in that while the former is a caste/community which is closely allied to the chief cultivating caste of Vellalas and therefore cannot be regarded as socially backward, the latter is a caste of low social position.

9. During the Public Hearing Shri Saravanan and other representatives of the community stated that the members of their caste in Andhra Pradesh is only a small "chip" of their total population and except for this "chip", which constitutes 0.01% of the total population of Andhra Pradesh, other portions of their caste have been included in the List of BCs by virtue of inclusion in Tamil Nadu, Pondicherry and Karnataka. They further stated that if there had been no States re-organisation their members would have been continued in the List of BCs since the caste was included in the list of BCs of the erstwhile Madras State. When the Bench enquired of them why they consider themselves to be socially backward they did not have a satisfactory answer except to say that about 81-2% of their members are agricultural labourers. Shri Saravanan who was the main speaker from the community and others appeared unconvincing and non-confident while presenting their case as was evident when Shri Saravanan suggested to the Bench to "be liberal" in including caste/communities in the List. He argued that the "creamy layer" criteria will ensure that undeserving members will not get the benefits of reservation. The Bench felt that this argument is nothing, but, in effect, an advocacy of "economic criteria". On the whole, the request-making party has not been able to furnish any evidence regarding the social backwardness of the community. Regarding their educational status, the figures furnished by them from the random sample survey do not support their claim of educational backwardness for the figures of 8.23% graduates

AUTHENTICATED

P. S. KRISHNAN
Member Secretary
N. S. S. Division
for

and 30.03% matriculates out of a sample of 3000 are quite impressive compared to the prevalent general standard. It is also seen from the figures furnished that only 16.47% are illiterate which is far below the State average of 55.91% (1991 Census). The only conclusion that can be arrived from these figures is that the community is educationally well advanced. The sample survey figures regarding their occupation are suggestive of their considerable presence in the services of the State Government.

10. The fact that the caste/community was included in the list of BCs of the erstwhile Madras State and also in the present lists of the Tamil Nadu and Pondicherry states cannot by itself support the claim of the community for inclusion in the Central list of BCs for Andhra Pradesh. As a matter of fact, the Bench considers the list of Tamil Nadu as a nearly all-inclusive list, with its roots in a situation of the past in which Brahmins alone predominated in education, professions and Government employment, and the Pondicherry list to be not only nearly all-inclusive as in the case of the Tamil Nadu List but also over-inclusive in that many of the castes in the Pondicherry State's List do not even exist in Pondicherry. Regarding the claim of the request-making party that the caste/community was in the AP list till 1970, it is to be noted that the AP Government's List that existed till the early 1960s was the list with some modifications which originally existed in the erstwhile Madras State and the Hyderabad State. The validity of the List issued by the State Govt. in 1963 (vide G.O. Ms.No. 1886, Health dated 21.6.1963) for making reservations of seats in Govt. medical colleges was considered by the High Court of Andhra Pradesh in Sri Sukhadev and others vs. the Government of Andhra Pradesh[(1966) 1 An, W.R. 294] and the G.O. was struck down. Thereafter, in 1966 the State Government issued another List of BCs containing 112 castes/communities vide G.O. Ms.No.1880, Education dated 29.7.1966 for certain concessions in regard to scholarships,

AUTHENTICATED
A. S. Thilak

P. S. KRISHNAM
Member
11
for

87

admission to professional colleges and reservation of posts in Government services. This G.O. also was struck down by the High Court of Andhra Pradesh on the ground that there was no relevant soci-educational and other data before the State Government in respect of these castes and also that no person or Commission was appointed to gather the relevant material or information in respect of the backward classes. On appeal, the Supreme Court in its judgement dated 27.3.1968 in the State of Andhra Pradesh and another vs. P.Sagar (C.A.No. 1336 of 1967) upheld the above decision of the High Court. In the following month the State Government set up the first Backward Classes (Anantharaman) Commission. In the above background, the fact that the Anantharaman Commission did not find this caste/community to be eligible for inclusion in the List is significant. The caste/community was also not found to be deserving for inclusion in the BC List by the Backward Classes (Muralidhara Rao) Commission set up by the State Government later. The following observations are made on this community in the Report of the Muralidhara Rao Commission (1982)

"Thuluva Vellala

This community is mostly spread over in Chittoor district. Representations have been received by the Commission that they should be treated as Backward Class. Their argument is that they were in the Backward Class list before 1970 and the Government of Tamil Nadu recognised their community as backward in Tamil Nadu state. Thuluva Vellala community is one of the communities which migrated from Tamil Nadu to the border districts of Andhra Pradesh State and the enquiries conducted by the Commission show that, they do not suffer from any social backwardness in this State. Their main vocation is agriculture. It is represented before the Commission that in the past this community contributed their men to the defence services and police, on

AUTHENTICATED
S. S. K. S. K. S. K.
M. S. K. S. K. S. K.
for Backward Classes

182

account of their brave and enterprising nature. The people of this community are in the services under the Government and they have improved their educational position by sending their children to educational institutions with the aim of securing posts under the Government. At present, Thuluva Vellala community which has migrated from Tamil Nadu is neither educationally nor socially backward. Therefore the Commission is of the opinion that there is no need to include this community in the list of Backward Classes."

11. Regarding the point made by the request-making party that the Government of Karnataka has included this caste/community in the wake of the report of Justice O. Chinnappa Reddy Commission, it is to be noted that the "Agamudi" included in the Karnataka Government's latest List issued in 1994 is not the caste/community under consideration (i.e., Agamudiyar including Thuluva Vellala) but the Agamudayans of south Tamil Nadu about whom the Chinnappa Reddy Commission mentions in its Report under the head "Agamudi" that they are not part of the Mudaliyar community as was mistakenly thought by the Venkataswamy Commission, but are a separate and distinct community. While recommending inclusion of "Agamudi" in the State List of Karnataka, Chinnappa Reddy Commission has specifically mentioned that "care may be taken to see that others do not pass off as Agamudians". Representatives of the Agamudiyar/Thuluva Vellala community in Karnataka have made the Request to the NCBC for inclusion in the Central List of BCs for Karnataka in the name of "Agamudi". During the Public Hearing held by the Karnataka Bench the representatives of the community stated that they are a sub-caste of "Mudaliar" community. After examination the Karnataka Bench has come to the Finding that they are not a socially and educationally backward class and therefore the Request for Inclusion of "Agamudi" in the

AUTHENTICATED

P. S. KRISHNAN
Member
for

183

10

Central List of Backward Classes should be rejected and, based on the Bench Finding, the Commission has tendered Advice to the Central Government for the rejection of the Request in this regard vide NCBC Advice No. Karnataka 67/97 sent with DO NCBC Advice Nos. 67, 68/97 Karnataka dated 23.07.1998. Thus, the precedent of Tamil Nadu, Pondicherry and Karnataka cited by the request-making party is of no avail in establishing its case in the Request under consideration.

IV. Findings

12. From the above material and evidence, the Bench came to the Finding that "Agamudiyar including Thuluva Vellala" is neither socially backward nor educationally backward and therefore it does not deserved inclusion in the List of Backward Classes. Therefore, the Request for Inclusion of "Agamudiyar including Thuluva Vellala" should be rejected.

R. S. Krishnan
30.11.98

R. S. Krishnan
30.11.98

AUTHENTICATED

R. S. Krishnan

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

V. Advice of the Commission

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

Dear Sir: The Request for Inclusion of "Agamudiyar including Thuluva Vellala" caste/community in the Central List of Backward Classes for Andhra Pradesh should be rejected as it is not a socially and educationally backward caste/community.

14. On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.1998, 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.

Rshayam
30.11.98

Madan Mohan
1.12.98

A. S. Krishna
30.11.98

P. L. Rajaguru
2.12.98

AUTHENTICATED

A. S. Krishna
Member-Secy, NCBC



स. कृष्णन्
S. KRISHNAN
TEL 6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
त्रिकूट-१, भीकाएजी कामा प्लेस, नई दिल्ली - ११००६६

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

NCBC Advice No. A.P. 39/1998

04. 12. 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 for the Rejection of the Request for Inclusion of "Bondili(Rajput)" caste/community in the Central List of Backward Classes for Andhra Pradesh, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 475(276 for Inclusion + 199 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 469 (270 for Inclusion + 199 for Rejection) are still pending with the Government for Notification.

Best wishes,

7/12/98

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated.

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

O/c