

NATIONAL COMMISSION FOR BACKWARD CLASSES

Hon'ble Shri Justice M.N.Rao, Chairperson

Hon'ble Shri S.K.Kharventhan, Member

Hon'ble Shri Deepak Katole, Member

Hon'ble Dr. Shakeel uz-Zaman Ansari, Member

Case: Request for Inclusion of 'Bhar/Rajbhar' caste/community in the Central List of Other Backward Classes for the State of Delhi.

I. Request:

1. NCBC has taken up for consideration the request for inclusion of 'BHAR/RAJBHAR' caste/community in the Central List of OBCs for the State of Delhi.

II. PUBLIC HEARING

2. The Commission consisting of Justice Shri M. N. Rao, Hon'ble Chairperson, Shri S. K. Kharventhan, Hon'ble Member, Shri Deepak Katole, Hon'ble Member and Dr. Shakeel-uz-Zaman Ansari, Hon'ble Member, held a Public Hearing in respect of the request of the State Government for inclusion of 'Bhar/Rajbhar' caste in the Central List of OBCs for the State of Delhi on 24th August, 2012. Shri Shyam Agarwal, Secretary, NCBC was also present. At the Public Hearing, the State

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New Delhi

Government was represented by Mr. Lalhmingthanga, Secretary, Delhi State Commission for OBC, Mr. Prakash Chandra, Joint Director, Government of NCT of Delhi, Department for the welfare of SC/ST/OBC/Minorities.

III Findings

3. The request is for inclusion of BHAR/RAJBHAR communities/castes in the Central List of Backward Classes for the NCT of Delhi. In the State list at Sl.No.57, two communities are mentioned:

“BHAR, RAJBHAR”.

In the Mandal List, there is no mention about these communities.

4. We have heard the representatives of the community including Shri Rama Shankar Rajbhar, Member of Parliament, Lok Sabha. We have also perused the Ethnographic Account concerning this community. In the Ethnographic Account, People of India – All Communities (Page Nos. 388-389, it is mentioned that the main occupation of ‘Bhars’ is agriculture and they usually work as labourers in fields owned by the Muslims, Thakurs and Ahirs. In The Tribes and Castes North-Western Provinces and Oudh, Volume II, it is mentioned that “they are employed as day labourers and ploughmen....Some of them have rather an equivocal reputation. They are occupationally burglars and field thieves and they have been known to combine for road robbery and dacoity.....In appearance they resemble low caste Hindus, Koris, and Chamars”. It was brought to our notice that they are de-notified tribes. In the States like Maharashtra and Chattisgarh, it is represented that the community was included in the list of Scheduled Castes.

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5. When a community has characteristics of a tribe and declared as a criminal tribe at one time and got its emancipation by reason of de-notification of the tribes, there should be no difficulty in concluding that the community BHAR, RAJBHAR is socially and educationally backward. A Socially and Educationally backward community which suffered social discrimination could not be expected to have adequate representation in the public services. In the Central Lists of OBCs concerning the States like Gujarat, Haryana, Jharkhand, Punjab, Tripura, Bihar and Union Territory of Chandigarh, BHAR and RAJBHAR communities are included. From the representation made before us, it is clear that BHAR and RAJBHAR are two sub-groups of the same community.

6. In the circumstances, we recommend that BHAR, RAJBHAR castes/communities be included in the Central List of OBCs for the State of Delhi.

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IV. ADVICE OF THE COMMISSION

7. The Commission in view of the above findings has decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act for necessary action under Section 9(2) of the NCBC Act:-

"The caste/community '**Bhar/Rajbhar**' be included at Entry No. 55 in the Central List of Other Backward Classes for the State of Delhi as follows:

"55. Bhar/Rajbhar "



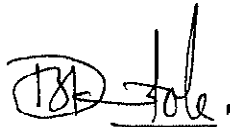
(Justice M. N. Rao)

Chairperson



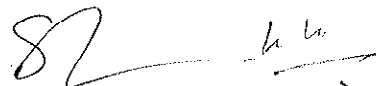
(S. K. Kharventhan)

Member



(Deepak Katole)

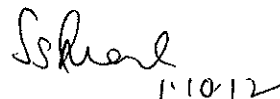
Member



(Dr. Shakeel uz-Zaman Ansari)

Member

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भारत सरकार

सामाजिक न्याय एवं अधिकारिता मंत्रालय
राष्ट्रीय पिछड़ा वर्ग आयोग

Government of India

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
NATIONAL COMMISSION FOR BACKWARD CLASSES

5/5(1)96-RW(NCBC)

Dated: 10.10.2012

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The Director,
B.C-II Division,
Ministry of Social Justice & Empowerment,
9th Floor, Jeevan Prakash Building,
K.G.Marg, New Delhi.

Sub: Advices for the state of Delhi.

Sir,

Reference Commission's D.O No. NCBC Advice No. 32-36/Delhi/2012 dated 01.10.2012 enclosing Advices 32-36 for the state of Delhi. In this regard, I am directed to state as follows:

1. Presently, the Central List of OBCs for the state of Delhi consists of 54 entries (SI No 1 to 54 consisting of 124 items).
2. NCBC Advice No. 28-31 dated 19.09.2011 were issued for inclusion of following castes:
 - a) Ghrit, Bahti, Chahng at Entry No. 55
 - b) Meo at Entry No. 56

These castes are yet to be notified by the Ministry.

3. NCBC Advice No. 36 states "The caste/community 'Bhar/Rajbhar' be included at Entry No. 55 in the Central List for the State of Delhi". If the Ministry decides to notify the castes mentioned in pt no. 2 then the caste/community 'Bhar/Rajbhar' is to be included at Entry No. 57 otherwise it is to be included at Entry no. 55 in the Central List of OBCs for Delhi.

Yours sincerely,

Shilpa
(Shilpa Taneja) 9/10/12
Research Officer