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राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार

त्रिकूट-१, भीकानजी कामा प्लेस, नई दिल्ली - ११००६६ 110

Member - Secretary

National Commission for Backward Classes

Government of India

Trikoot - 1, Bhikaiji Cama Place, New Delhi - 110 066

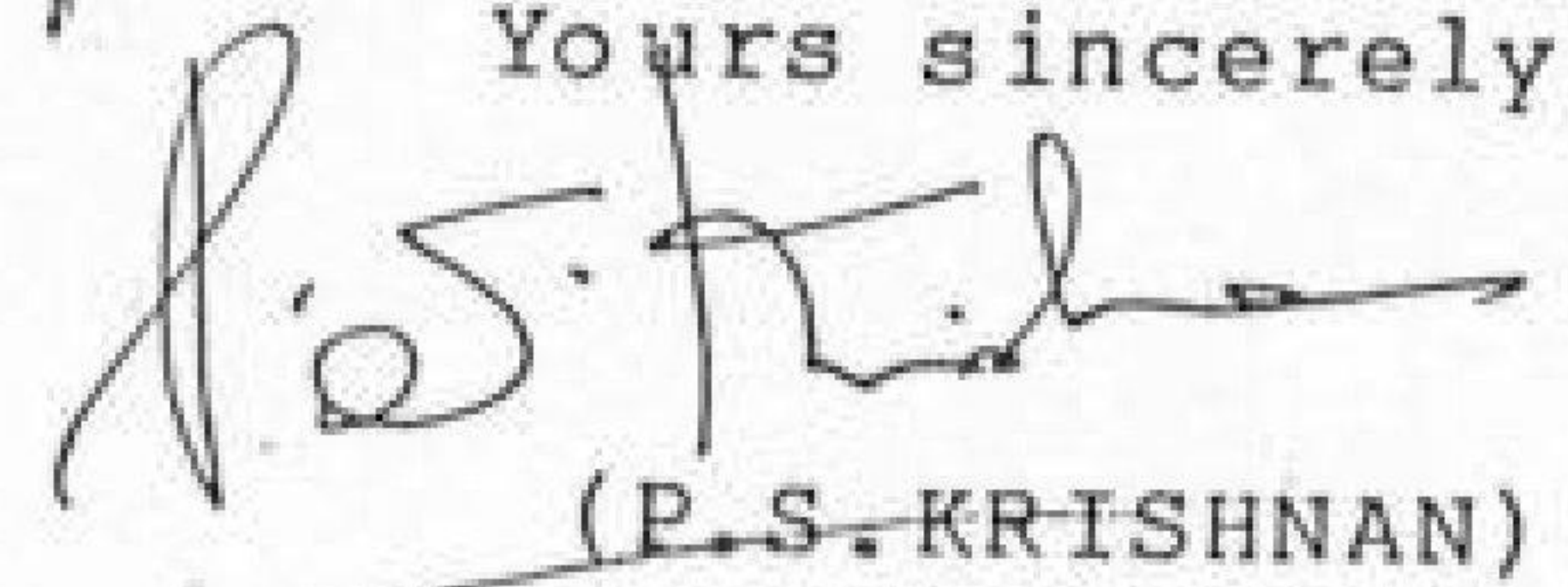
NCBC Advice No. WB 64/2000

06. 01. 2000

Dear Smt. Das,

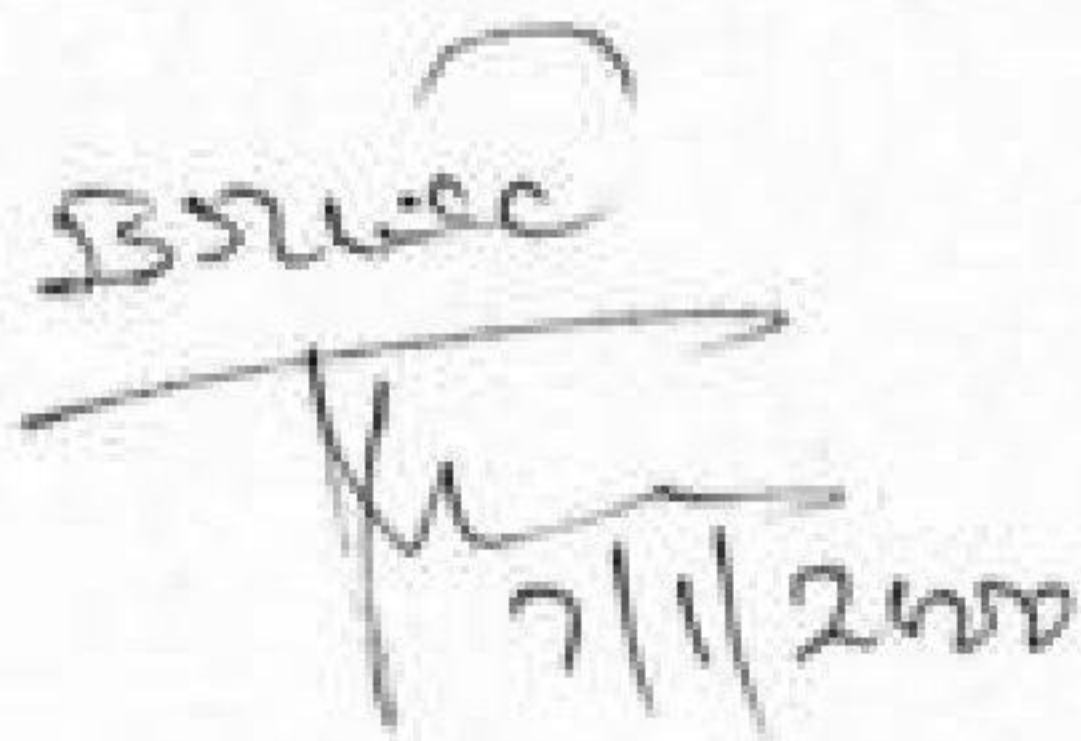
I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for the Inclusion of "Scheduled Caste Converts to Christianity and their progeny" in the Central List of Backward Classes for West Bengal, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated

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


7/1/2000

NATIONAL COMMISSION FOR BACKWARD CLASSES

WEST BENGAL BENCH
FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

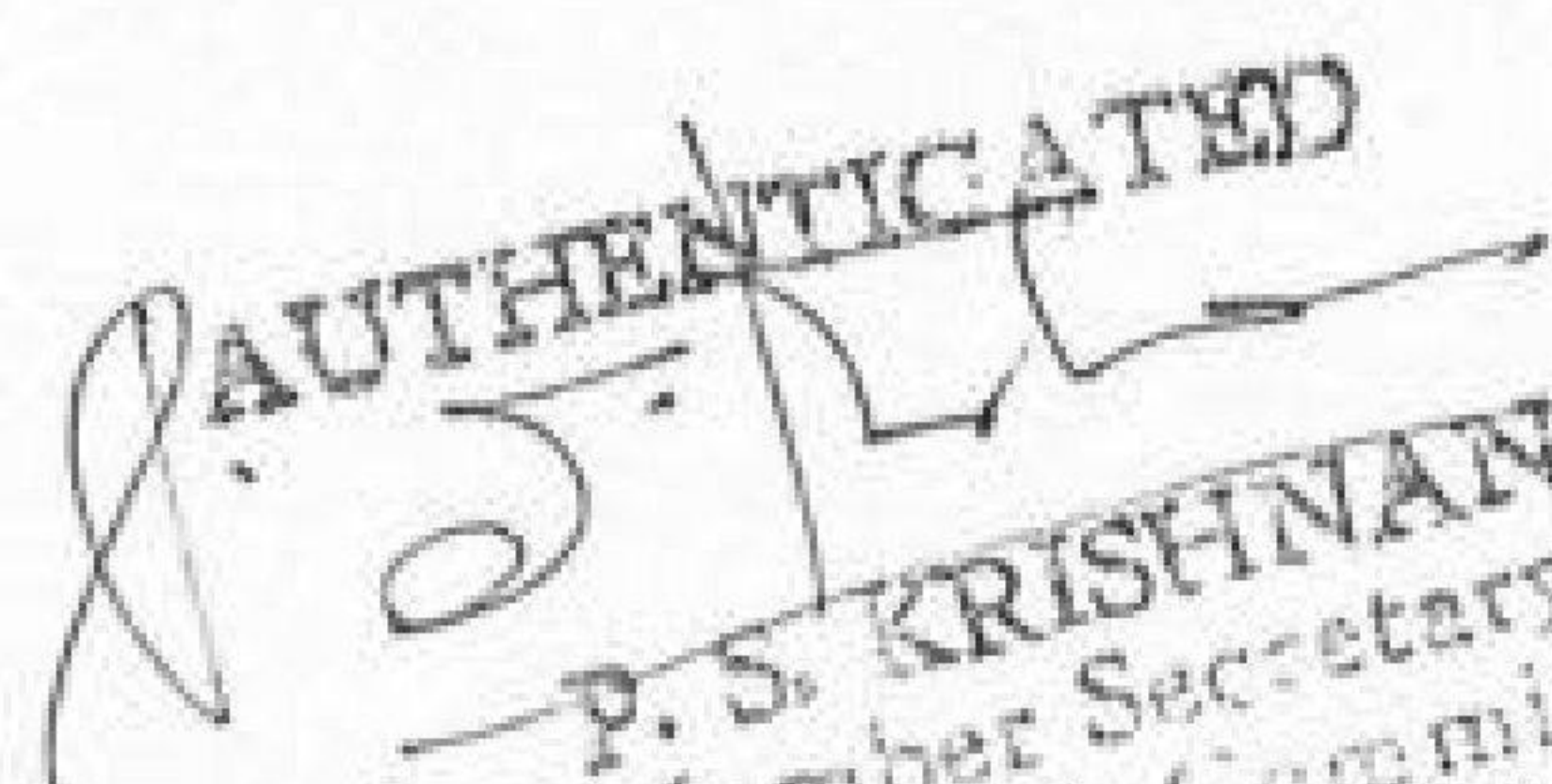
Case: Request for Inclusion of "Scheduled Caste Converts to Christianity" of West Bengal in the Central List of Backward Classes for West Bengal.

I. Request

This case arises from the Request received in this Commission from the Government of West Bengal, vide letter of the Secretary, Scheduled Castes and Tribes Welfare Department No. 526-TW/EC/M-6/82(I) dated 16th June 1995 for the Inclusion, inter alia, of "Christians converted from Scheduled Castes" in the Central List of Backward Classes for West Bengal.

II. Public Hearing

2. Before the Commission was reconstituted in February 1997, enquiry in respect of this case was completed by the then two-Member West Bengal Bench of the Commission consisting of Shri P.S.Krishnan, Member-Secretary, who was the co-ordinating Member of the then West Bengal Bench and who is now continuing as Member-Secretary of the Commission, and Dr. Dinesh Singh Yadav, who has ceased to be a Member of the Commission. The then Bench after due process of enquiry including holding of a Public Hearing at Calcutta on the 29th August 1995 also formulated its Findings in respect of this case based on the evidence adduced before it by the State Government of West Bengal which made the Request

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Member Secretary
National Commission
for Backward Classes

and also other evidence gathered by it. The Advice of the Commission based on the Findings of the Bench however could not be tendered to the Government as the Findings were signed only by the two Members of the Bench, under circumstances which need no mention here. Since there is adequate material and evidence in record, and since Shri P.S.Krishnan who was the co-ordinating Member of the then West Bengal Bench, is continuing as Member-Secretary, it was decided that there is now no need for a fresh enquiry and the Findings be reformulated by him from the material and evidence already available on record. Accordingly the present Findings are formulated by him.

III. Facts

3. The State Government of West Bengal had no list of Backward Classes till after the Supreme Court judgement in the Mandal case, delivered on 16th November 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for West Bengal in 1993. The Govt. of West Bengal issued its first list of Backward Classes by its Notification No. 346-TW/EC/M-6/82(I) dated 13th July 1994 in the Calcutta Gazette of the same date, which consisted of 14 entries. The Govt. of India, Ministry of Welfare by its Notification No. 163 dated 1994, published in the Gazette of India of 20.10.1994, issued a "common list" of Backward Classes for West Bengal, which consisted of the same 14 castes/communities.

4. Nearly a half-year later, the Government of West Bengal issued its second instalment of Backward Classes consisting of 12

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castes/communities by its Notification No. 705-TW/EC/M-6/82(I) dated 13th December 1994 in the Calcutta Gazette of the same date and after yet another nearly half-year, its third instalment of 3 castes/communities was issued by its Notification no. 370-TW/EC/M-6/82(I) dated 12th May 1995, published in the Calcutta Gazette of the same date. "Christians converted from Scheduled Castes" is one of the 3 castes/communities included in the third instalment of the State List of Backward Classes issued on 12th May 1995, in respect of which the State Government's request was received on 16th June 1995.

5. The corresponding entry in the Mandal Commission's List of Backward Classes for West Bengal is as follows:-

"162. Scheduled Caste converted Christianity"

Apparently, there is a clerical error and what is meant is "162. Scheduled Caste Converts to Christianity".

6. According to the data furnished by the State Government in the NCBC's Questionnaire, this community is one of manual labourers in agriculture for wage and on own land. Agricultural landholders among them are mostly marginal farmers. Cent percent of the working population of the caste are shown as landless manual labourers. This particularly shows that their occupational and economic profile is not significantly different from those of SCs and difference of religion has meant no difference in objective social and economic conditions, in their case. Apart from their main

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occupation, carpentry and construction work are their other occupations. 94% of them live in Kuccha houses.

7. N.K.Dutt in his "Origin and Growth of Caste in India" (Vol. II, p. 147) has pointed out that "During the 19th century when Christian missionaries began the work of proselytism in Eastern Bengal, the Muslimised and the Hindu Namasudras were economically and culturally on the same level. But while there were very few converts to Christianity from the Muslim community, the Hindu Namasudras adopted the new faith in large numbers... The real cause of such large scale conversion of the Namasudras to Islam and Christianity is not political or economic, but social and religious...." and "caste-rules, particularly the invidious distinction between man and man, between the higher castes and the lower castes,.... As compared with the submissive sections of some other untouchable castes, the Namasudras were a spirited people who could not meekly submit to the cruel and unjust treatment they received from the higher caste people."

8. After noting and analysing the situation in different parts of India regarding non-Hindu communities, the Mandal Commission adopted the general criterion of including in the list of OBCs in all States "all untouchable converts into any non-Hindu religion". Converts from castes which were/are treated as "untouchable" are found among adherants of Sikhism, Buddhism, Islam and Christianity. As at present, all those who are members of the castes listed in the Schedules are recognised as Scheduled Castes if they profess the Hindu or the Sikh or the Buddhist religion. But members of the same castes who profess Islam or Christianity are not treated as Scheduled Castes on account of a proviso in the relevant

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Presidential Orders. Thus in all the State-wise lists in the Mandal Commission's Report, in the case of those castes which are included in the Schedules of SCs and are accorded recognition as SCs if they follow the Hindu, the Sikh or the Buddhist religion, converts from those castes to Christianity have been included in the list of Backward Classes.

IV. Findings

9. From the above material and evidence, it becomes clear that "Scheduled Caste Converts to Christianity" continue to have their distinct identity and have a socio-economic profile essentially similar to that of their Hindu counter-parts. Therefore, "Scheduled Caste Converts to Christianity" is a socially backward class and hence should be included in the Central List of Backward Classes for West Bengal at a new entry no. 54. In order to remove any doubt now or later, it is necessary to clarify that the term "Scheduled Caste Converts to Christianity" means not only those members of these castes who have become Christians but also those whose forefathers, belonging to any of the castes now in the Schedules of SCs, converted to Christianity, and the descendents of such converts, whether such conversion took place before or after the term "Scheduled Castes" was adopted for them. In view of this while including "Scheduled Caste converts to Christianity" in the Central list of Backward Classes for West Bengal, the entry should be as follows, which is similar to the relevant entry in the existing State and Central Lists of Backward Classes for Andhra Pradesh and the entry suggested by the NCBC in respect of "Scheduled

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SECRETARY
WEST BENGAL

Caste Converts to Christianity" of Orissa in its Advice No. Orissa 58/99 tendered on 14.6.99:-

"51. Scheduled Caste Converts to Christianity and their progeny"

R. S. Krishnan
03.01.2000

P. S. Krishnan

31.12.1999

V. Advice of the Commission

10. The Commission considered and agreed with the above Findings formulated by Shri P.S.Krishnan and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993 for necessary action by the Central Government under Section 9(1) of the NCBC Act, 1993 for necessary action by the Central Government under Section 9(2) of the Act:-

"Scheduled Caste Converts to Christianity and their progeny" be included in the Central List of Backward Classes for West Bengal at a

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

“52. Scheduled Caste Converts to Christianity and their progeny”

L. J. Kildner.

31.12.1999

3.1.2000

P.L.C. Stg. Authority
6.7.2000

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 L. S. K.

10/21/2000
12/1/2000