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नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

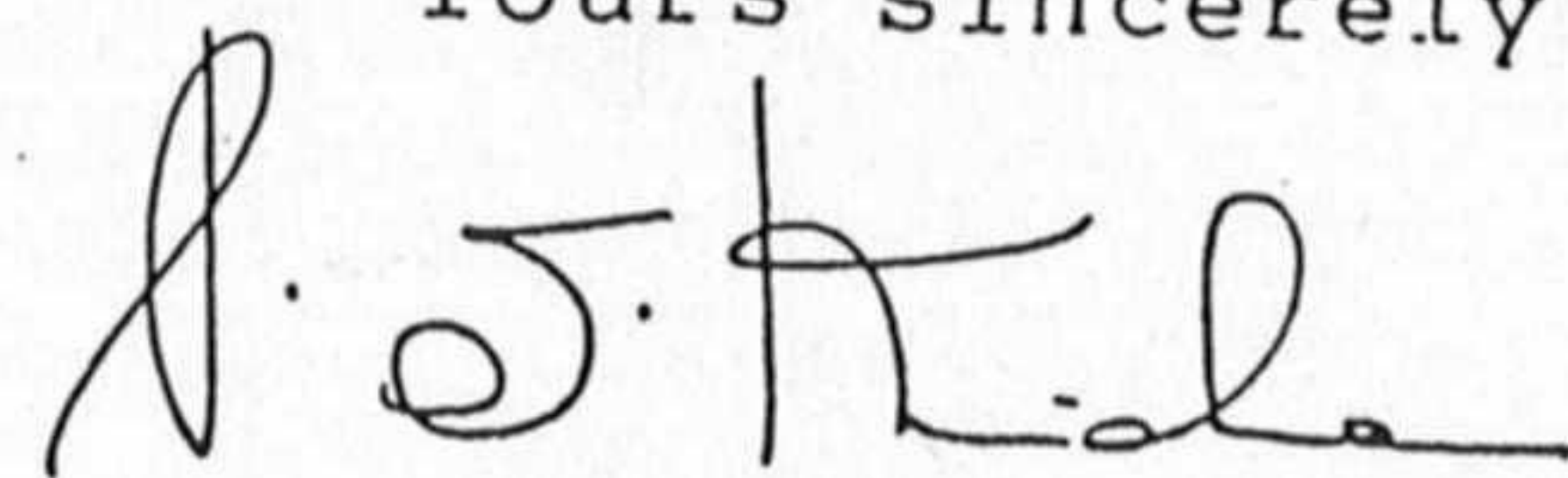
NCBC Advice No. U.P. 44/1998

01. 12. 1998

Dear Shri Manavalan,

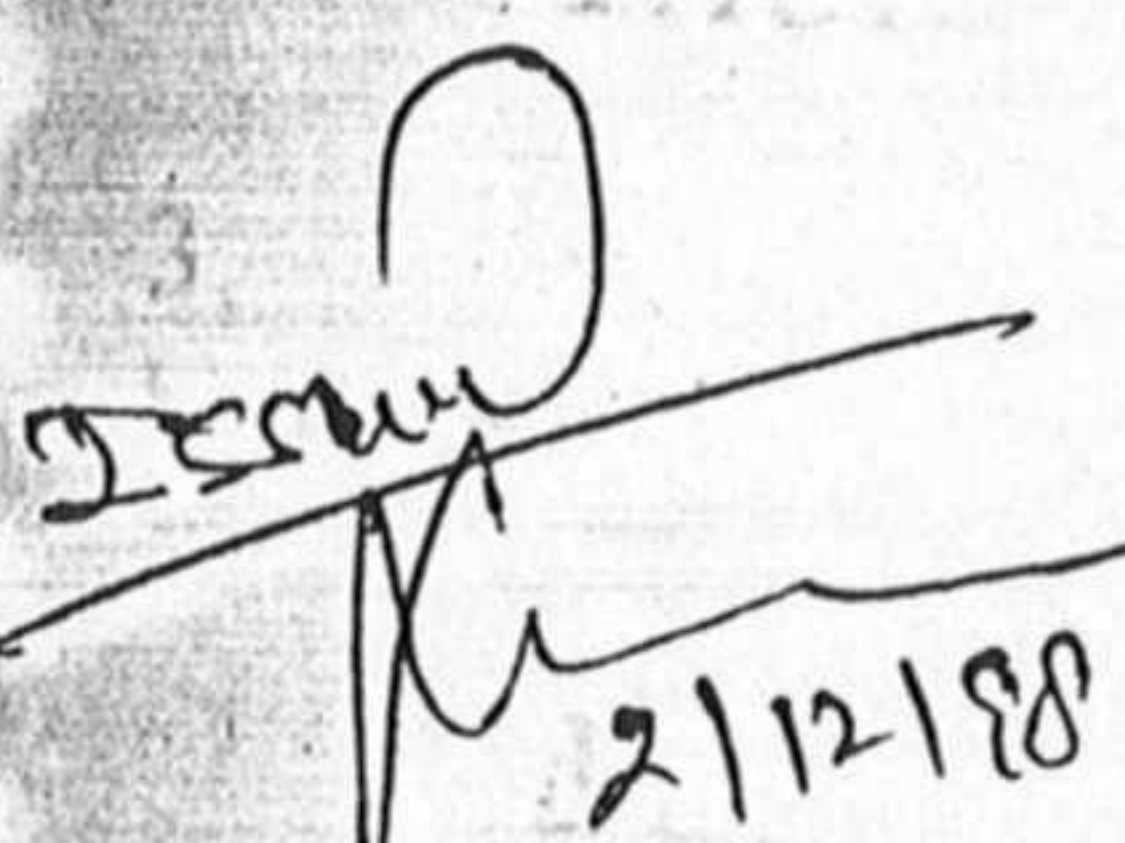
I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Rejection of the Request for deletion of 'Kunjara' word from the Central List of Backward Classes for Uttar Pradesh, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

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


21/12/98

C/C

NATIONAL COMMISSION FOR BACKWARD CLASSES

UTTAR PRADESH BENCH

FINDINGS

CASE : REQUEST FOR DELETION OF KUNJARA WORD FROM THE CENTRAL LIST OF BACKWARD CLASSES FOR UTTAR PRADESH.

PER JUSTICE P.K. SHYAMSUNDAR, CHAIRPERSON

I. REQUEST

This case arises from the Request received by the National Commission for Backward Classes for Backward Classes from Shri Ajaj Ahmed Rayeene, General Secretary, Uttar Pradesh Youth Jamiat-Ur-Rayeen, Lucknow for deletion of Kunjara word from the Central List of Backward Classes for Uttar Pradesh.

II. PUBLIC HEARING

2. The two-Member Bench of the Commission consisting of Hon'ble Chairperson, Justice P.K. Shyamsundar and Hon'ble Member, Shri Sahu Akshaya Bhai held a Public Hearing to examine the request of these case for inclusion in the central List of Backward Classes for Uttar Pradesh on 22.04.1998 at Lucknow. The State Govt. was represented by Shri R.V. Bhaskar, Principal Secretary & Shri H.S. Yadav, Special Secretary, Backward Classes Welfare Department. The caste/community was represented by Shri Ajaj Ahmed from U.P. Youth Jamiat-ur-Rayeen, Lucknow; Shri Ahmed Mukhtar Ryeene, Shri Naseer Ahmed and Shri E. Muneeruddin, Secretary, Lucknow Jamiat-ur-Rayeen.

III. FACTS

3. 'Kunjara/Rayeene' caste/community have been included in different Lists as below:-

Mandal List

"77. Kunjara, Rayeen"

State List

"12. Kunjara or Rayeen"

Central List

"11. Kunjara or Rayeen"

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P. S. SHYAMSUNDAR
Member
National Commission
for Backward Classes

4. In their Request the Uttar Pradesh Youth Jamiat-ur-Rayeen have stated that in the Central List of Backward Classes for U.P. at Sl.No. 17 and in the State List at Sl.No. 12 'Kunjara or Rayeen' words have been written as the name of the caste. The members of the community feel insulted when 'Kunjara or Rayeen' is written as their caste in the O.B.C. Certificates issued to them. Many people of the caste/community do not avail benefits of the reservation for OBCs. The word Kunjara is a barrier in the development of the community so the word 'Kunjara' may be deleted and only 'Rayeen' should be written.
5. Shri Ahmed Mukhtar Rayeeni, President Lucknow Jamiat-ur-Rayeen in his request has stated that deletion of the derogatory word Kunjara will help in removing the inferiority complex from a big community and also help in upliftment of the community.
6. During the Public Hearing the representatives of the caste/community stated that the word Kunjara is derogatory and, therefore, should be removed from the Central List of Backward Classes for U.P.

IV. FINDINGS

The Bench in the context finds that this request for deletion of the Kunjara word from the list of Backward Classes for U.P. requires careful examination. The inclusion of a particular caste in the List of Backward Classes depends on various parameters. One and the most important parameter is Social Backwardness. To determine the status of a caste is a difficult task which depends on different inter-related social realities existing in a particular geographical, religious and administrative system and is also a comparative term. As the social status of a particular caste/community is not acquired within a short period, rather it is deeply rooted in the past history of the society.

While reviewing the ethnographic literature it is found that Kunjara is a caste of greengrocers, who sell country vegetables and fruits. The members of this caste were closely associated with this name for generations. In the recent past a tendency of renaming the caste names has been seen. People of various castes started to write a new and glorious name of their caste instead of ancient and traditional name. The Commission has also received a number of requests for inclusion of new caste name. The Commission considered the cases and depending on the merits of the case recommended for inclusion of the adopted name as synonym of the old name. In the present case in the process of renaming the caste-name the people of Kunjara caste/community also started to write Rayeen as their new caste-name, as some of them felt Kunjara word to be derogatory. While preparing the State and the Central Lists of Backward Classes, the State Govt. as well as the Central Govt. considering the fact and giving honour to the fundamental rights of an individual/community to adopt any name, rightly included Rayeen word alongwith Kunjara caste/community. In both of the Lists the entry reads as "Kunjara or Rayeen". Which provides liberty to the members of the caste to write either of the words as their caste name and to get certificate. Since Kunjara is the original/traditional name and even today the caste is known and recognised with this name in the countryside which has a historical perspective, it does not seem appropriate to replace it by the word Rayeen, about which is not much is known as to when and where this word originated and adopted as the caste name by the Kunjara caste/community. There is no proof that all the members of the caste/community have accepted the new name. However, sufficient relief

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is already provided to the members of the caste/community by enlisting both the names as alternatives of each other.

Since there is no need of deletion of the original/traditional name Kunjara, the Bench rejects the request.

P. K. Shyamsundar
22.11.98
(JUSTICE P.K. SHYAMSUNDAR)

Ashaya
27.11.98
(SAHU AKSHAYA BHAI)

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P. S. Kishan
P. S. KISHAN
Member
Commission
for Backward Classes

V. **ADVICE OF THE COMMISSION**

8. The Commission considered and agreed in full with the above findings of the U.P. Bench and decided to tender the following Advice to the Central Government under section 9(1) of the NCBC Act, 1993 for action by the Central Government under section 9(2) of the Act:-

9. The *Request for deletion of 'Kunjara' from the Central List of Backward Classes for Uttar Pradesh* be rejected as there is no need to do so.

On account of the 'unfortunate demise of one of the Members Shri Navtej Puadhi on 16.08.98, 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.

File. & accepted
28.11.98

Madan Mohan
1.12.98

Ashteyan
27.11.98

P. S. Vishwan
1.12.98

AUTHENTICATED

P. S. Vishwan
P. S. VISHWAN
Member
National Commission
for Backward Classes