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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
Trikoot-1, Bhikaiji Cama Place, New Delhi - 110066

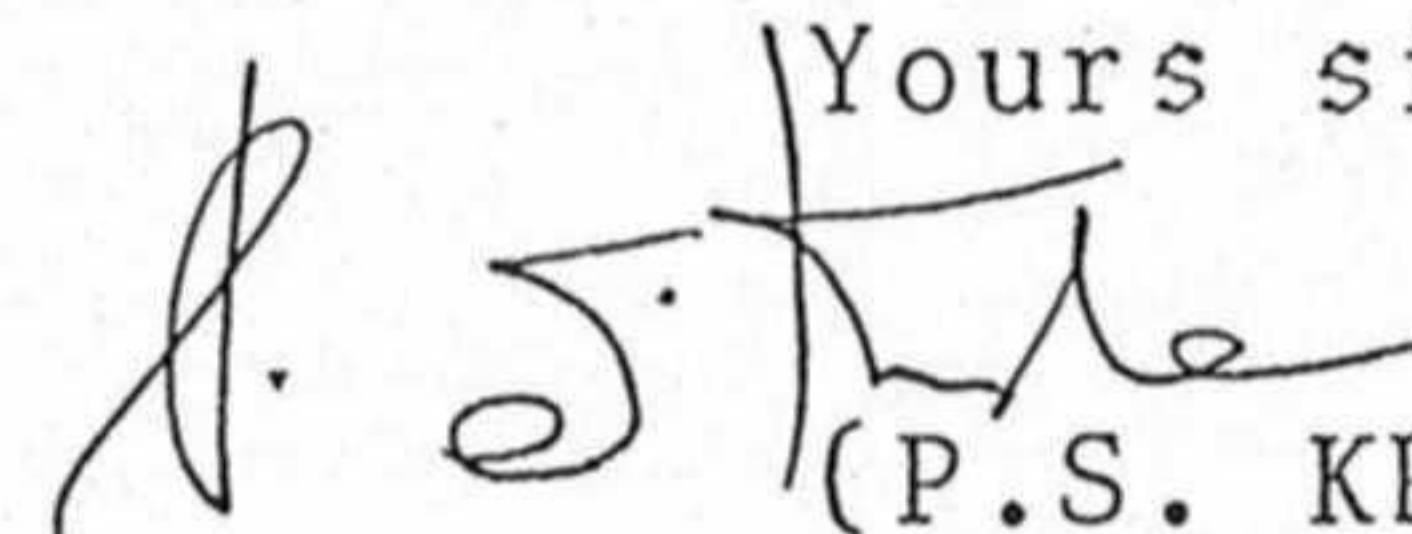
NCBC Advice No. M.P. 50/99

03. 08. 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, 1993 for the Rejection of the Request for Inclusion of "Hammal/Palledar" 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 Act.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated

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

o/c


4/8/99

731(364 + 367)

NATIONAL COMMISSION FOR BACKWARD CLASSES

MADHYA PRADESH BENCH

Findings

Case : Request for inclusion of "Hammal (Palledar)" in the Central List of Backward Classes for the State of Madhya Pradesh.

PER SHRI SAHU AKSHAYA BHAI, HON'BLE MEMBER.

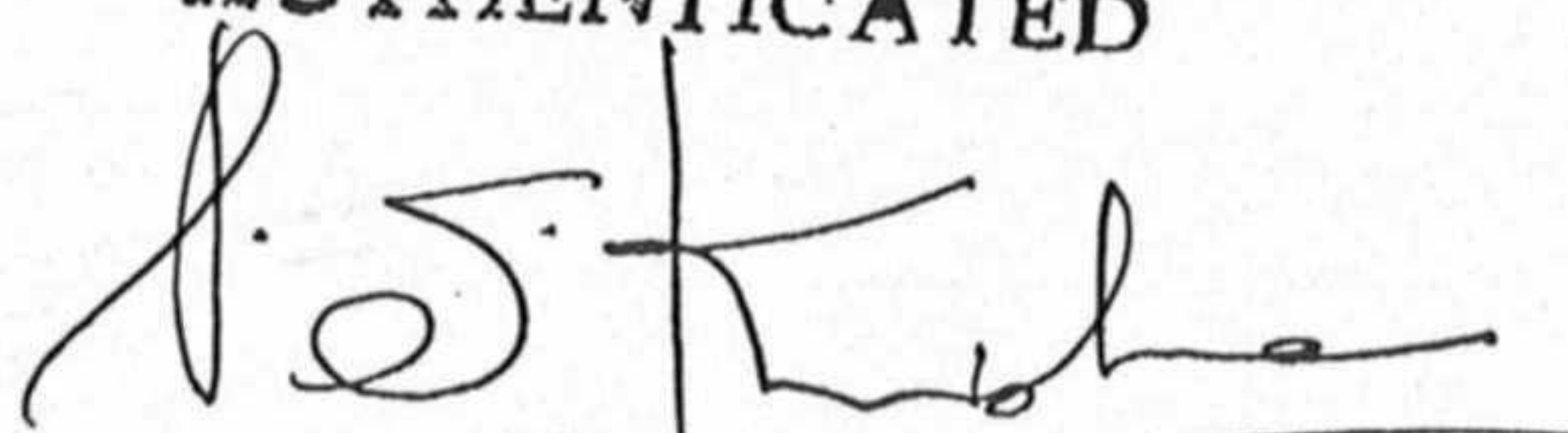
I. Request :

1. This case arises out of the requests received from President, Fedration Muslim Backward Classes Ehle Panchayat, Bhopal, Madhya Pradesh for inclusion of 'Hammal (Palledar)' 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, 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. The caste/community was represented by Hazi Shamim Alam, President Muslim Backward Federation Bhopal.

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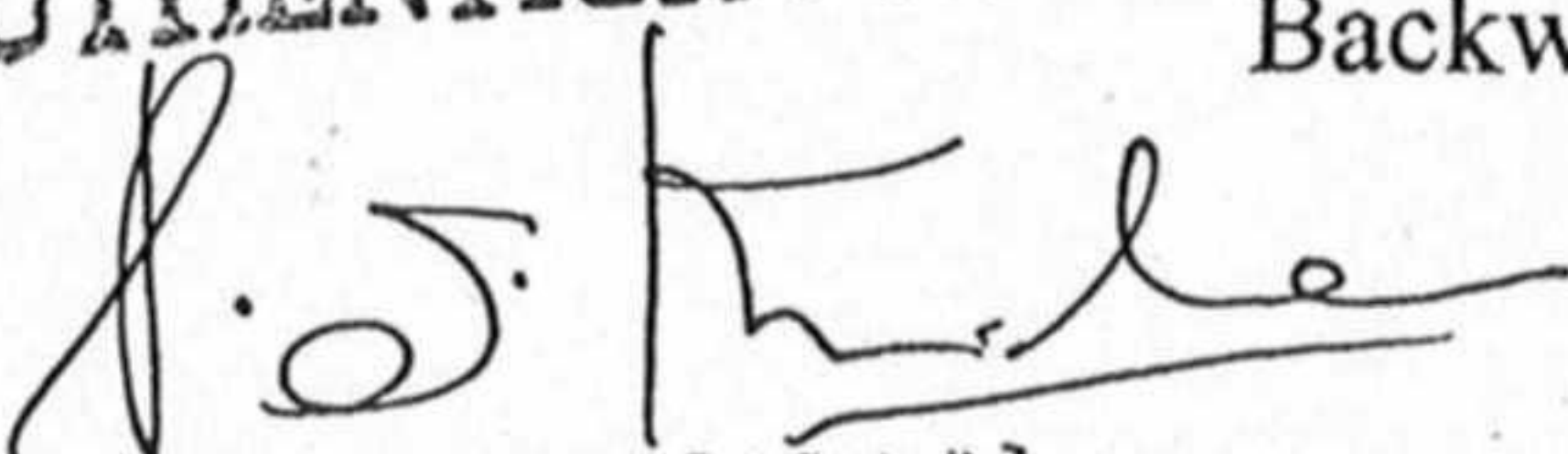
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III. Facts

3. 'Hammal (Palledar)' was 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 List that existed at that time and therefore did not satisfy the criterion of commonality. 'Hammal (Palledar)' caste/community has been included in the State List of Backward Classes for Madhya Pradesh in 1997 vide notification No.23-4/97/54/1 dated 2.5.97 at entry No.87(16) under Islamic group.

4. The Federation Muslim Backward Classes Ehle Panchayat, Bhopal in its letter of Request has stated that Hammal (Palledar) community has already been included in the State List of Backward Classes at Sl.No.87(16). They are spread in seven districts of M.P. i.e. Bhopal, Sihore, Vidisha, Sagar, Tikamgarh, Raisen and Indore. It is further stated that Hammal (Palledar) is a community of labourers who are engaged in carrying & lifting grain bags and loading-unloading of goods/articles. In the NCBC's Questionnaire filled up and furnished by the Federation Muslims Backward Classes Ekle Panchayat, the total population of the

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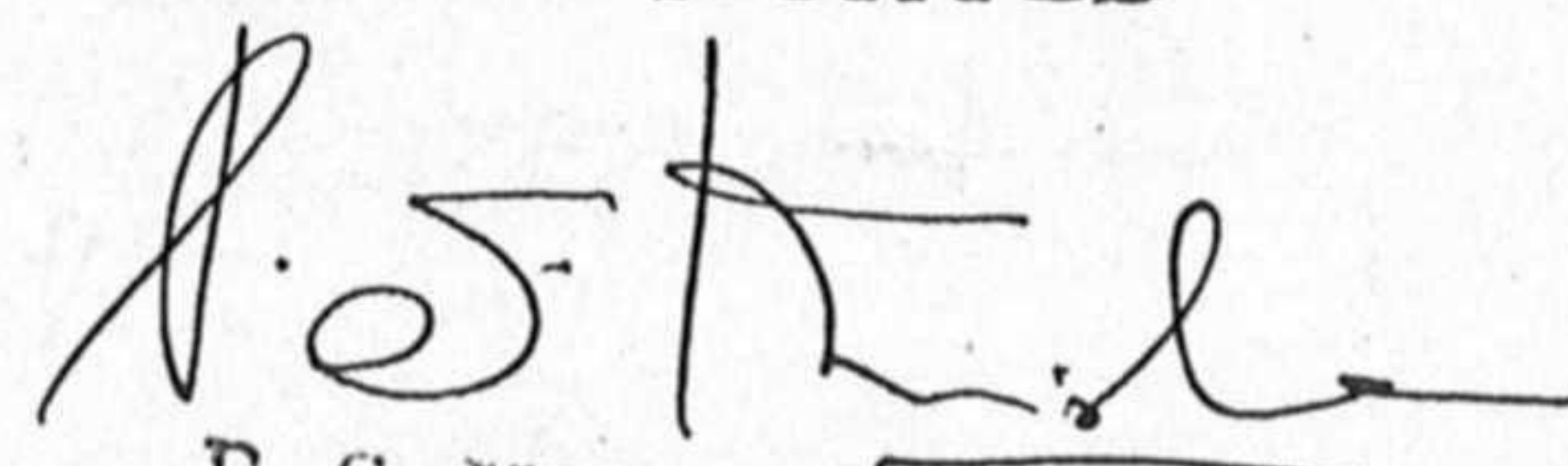


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caste/community is given as 50,000. It is also stated that the people of the caste/community profess Islam religion. The main occupation on which the members of the community mainly depend for their livelihood is given as Hammali i.e. carrying of loads physically. Ninety percent people of the community live in Kachha houses and only 10% in Pucca Houses. Nobody from the community is employed in government services. Momin Julaha and Teli castes are immediately at higher level and Fakir & Nalband are at equal level.

5. During the Public Hearing the representative of 'Hammal' community told the Bench that community is also known as Palledar. The representatives of the State Government/State Commission and the people belonging to different castes/communities who were present at the time of Public Hearing stated that a labourer who lifts goods, does the work of loading-unloading of goods/articles etc. is called 'Hammal'. It was also stated that 'Hammal' is not a caste but mere occupation which is open to all sections of the society.
6. The commission has rejected the request for inclusion of Hammal in the Central List of Backward Classes for Uttar Pradesh and tendered its advice to the Government vide its Advice No. UP 80-81/99 dt. 9.4.99. "Hammal" is also not included in the Central List of Backward Classes for any other state.

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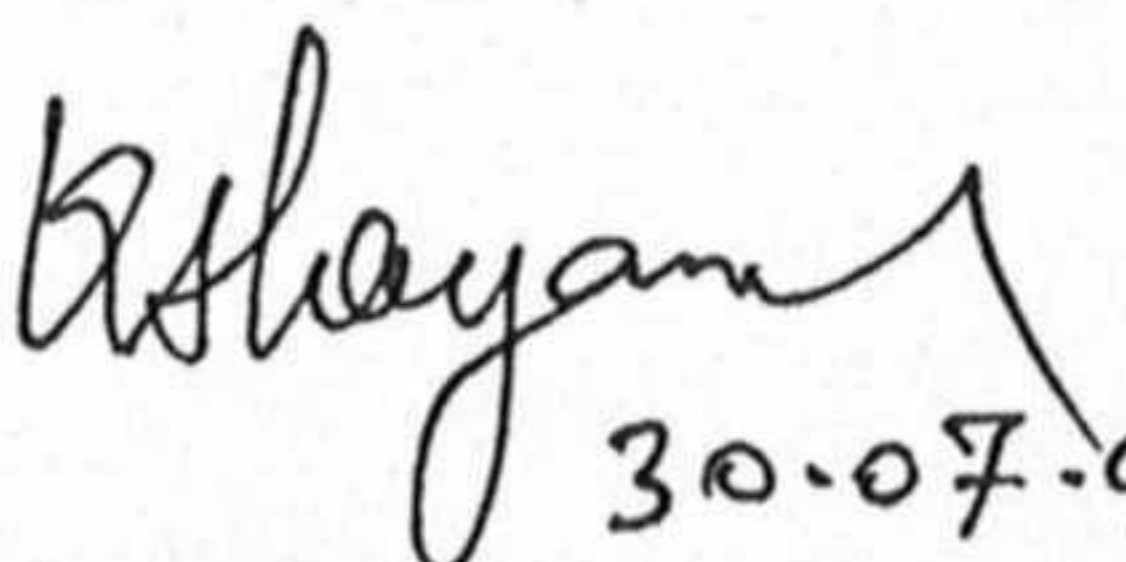


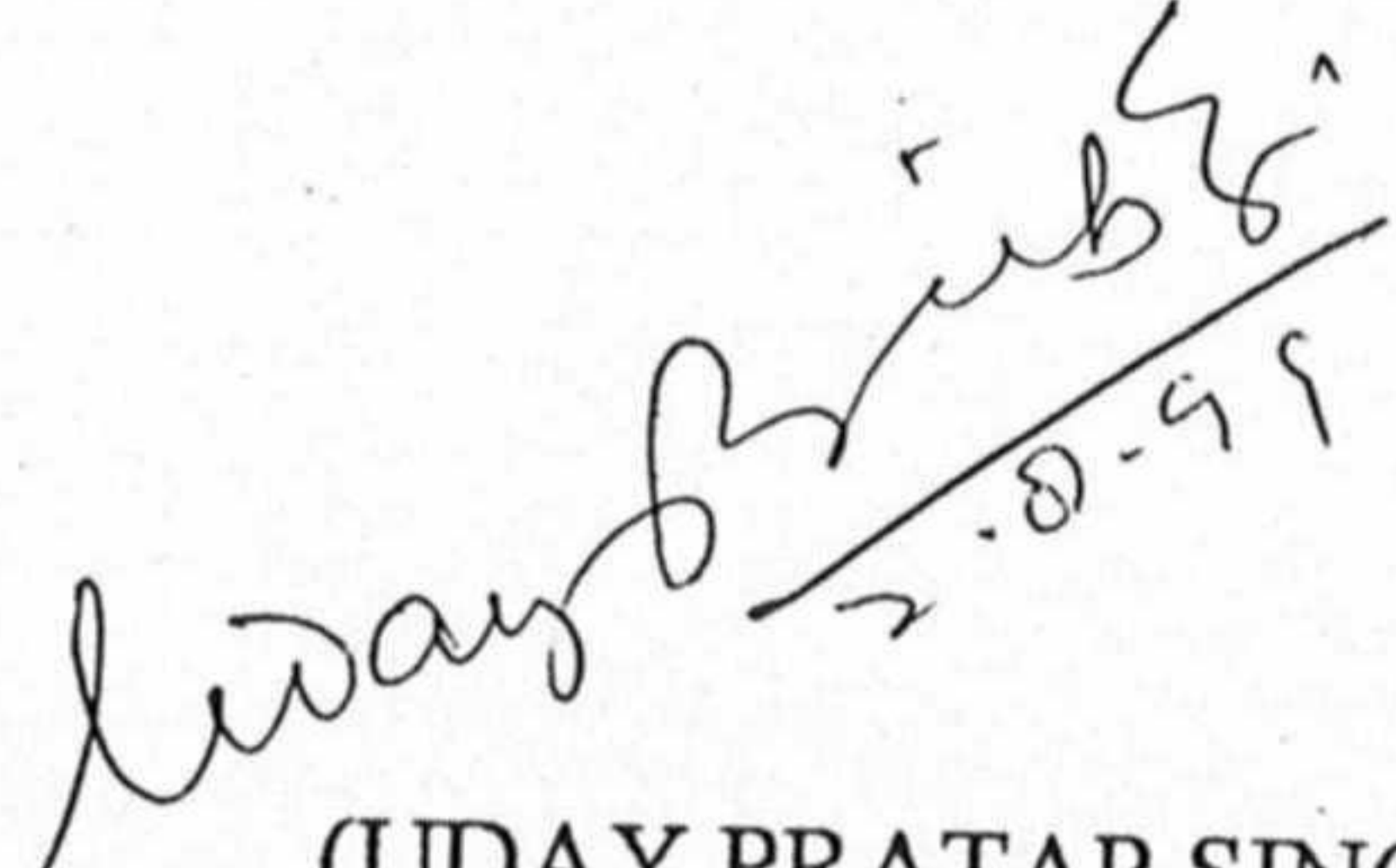
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IV. Findings

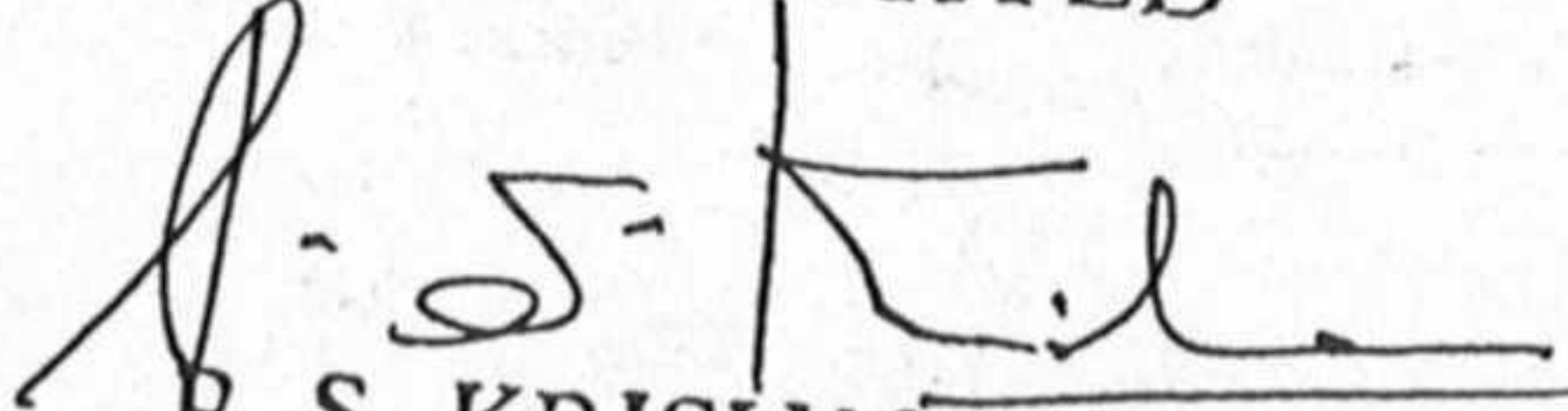
7. From the above facts and evidences, the Bench finds no reason to disagree with the statement made by the public as aforesaid at the Public Hearing that 'Hammal' is not an occupational or a social caste. It is open to a person belonging to any caste/community/class, etc. or religion to enter into this occupation and to leave it at will. The commission has tendered its advice to the Government rejecting the request of 'Hammal' for inclusion in the Central List of Backward Classes for the state of Uttar Pradesh. Therefore, the request for inclusion of 'Hammal (Palledar)' in the Central List of Backward Classes for Madhya Pradesh should be rejected as it is only an occupational name and not a caste.

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.


30.07.99
(SAHU AKSHAYA BHAI)


2.8.99
(UDAY PRATAP SINGH)

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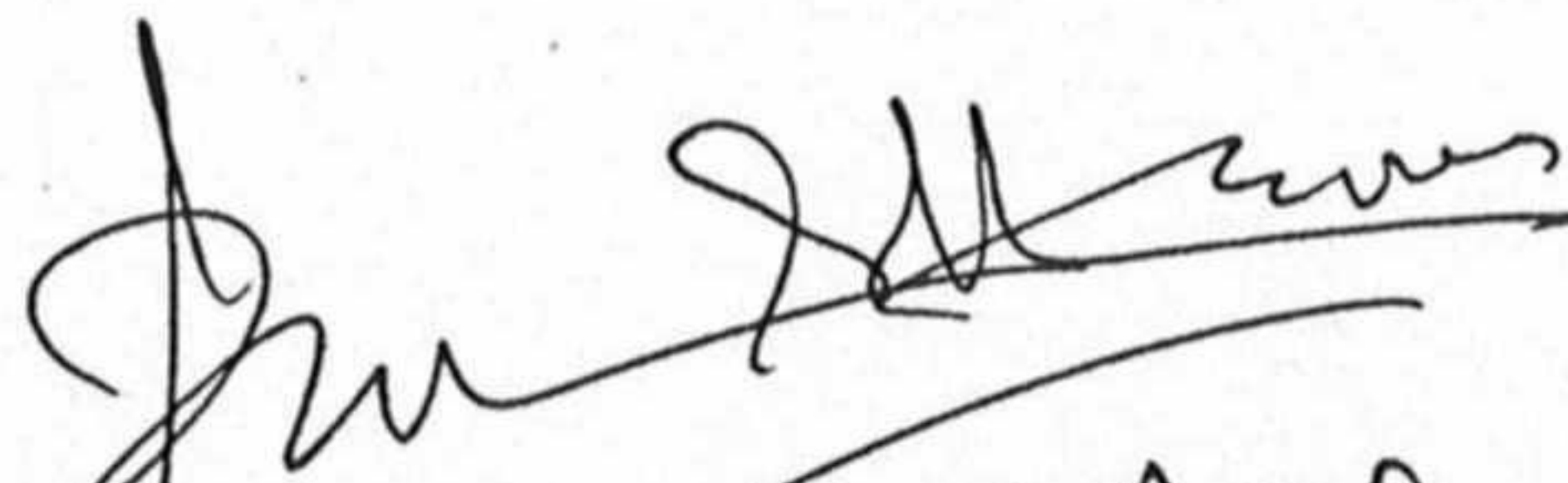

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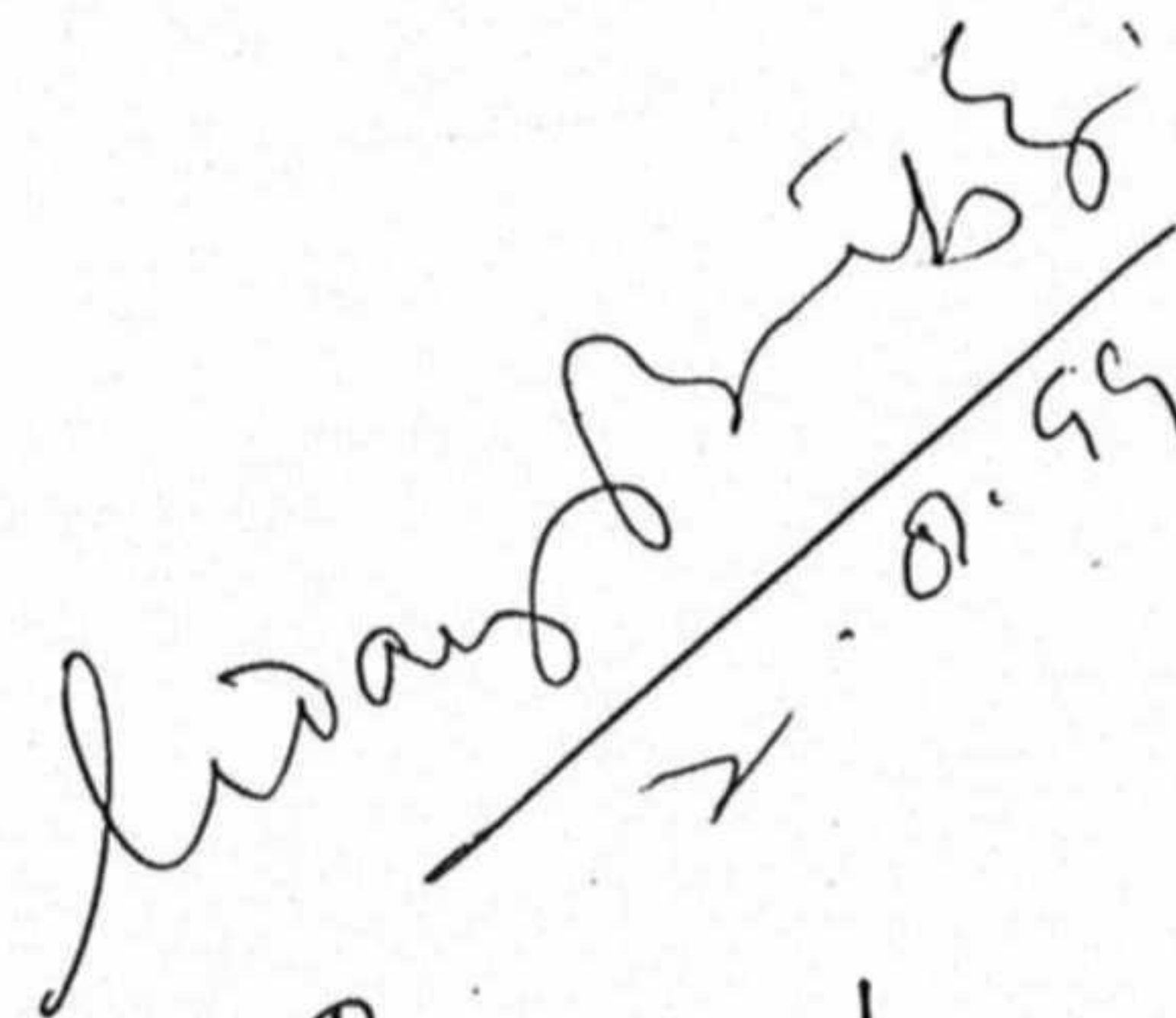
V. Advice of the Commission

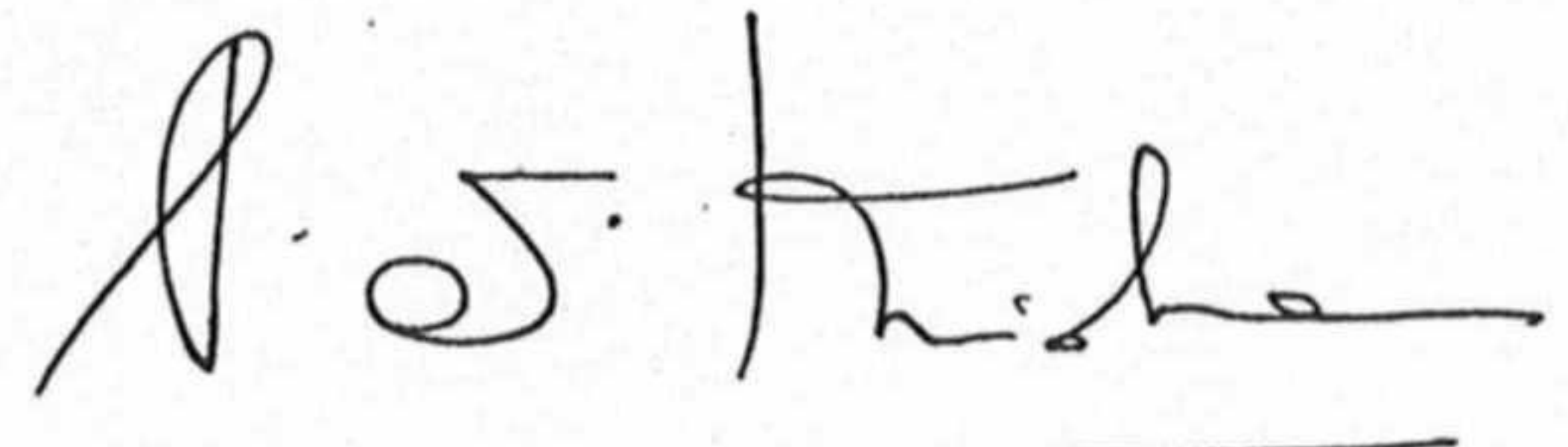
8. The Commission considered and agreed in full with the above Findings of the Madhya Pradesh Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act 1993 for action by the Central Government under Section 9(2) of the Act.

Request for inclusion of 'Hammal (Palledar)' caste/community in the Central List of Backward Classes for Madhya Pradesh be rejected as it is only an occupational name with free entry and exit for anyone and not a caste or social class.

Kshayam
30.07.99

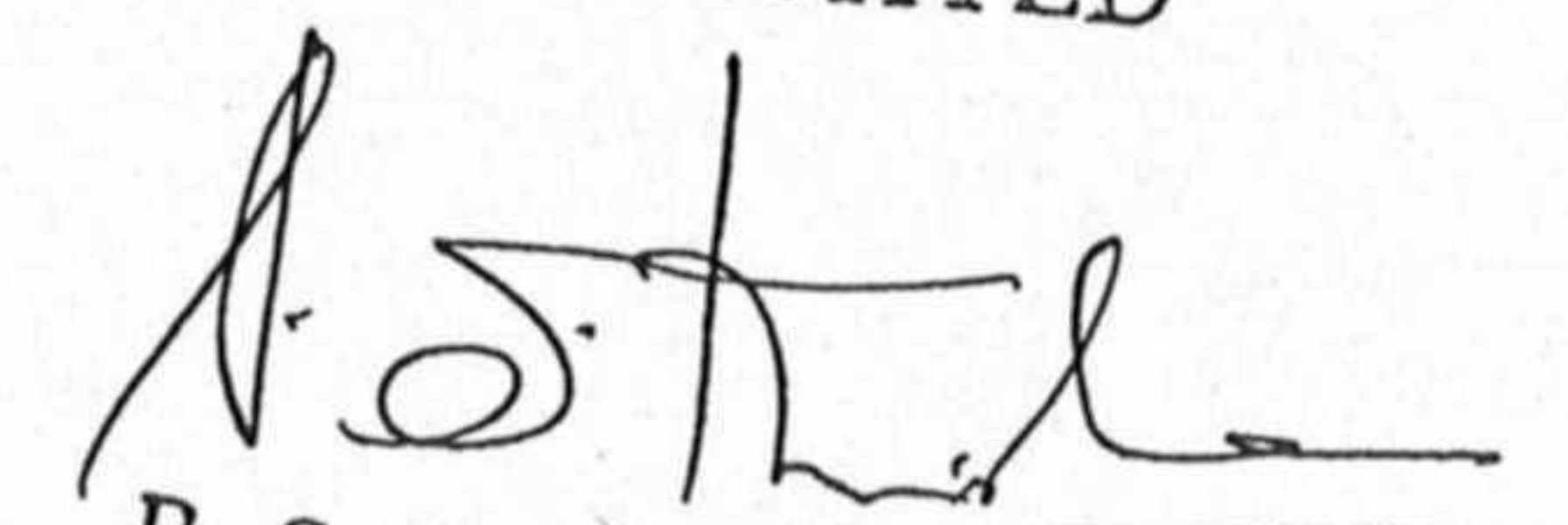

21/8/99


2.8.99


2.8.99

P. S. Krishnan
3.8.99

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Member Secretary
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for Backward Classes