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

NCBC Advice No. Karnataka 107/99

21.1.1999

Dear Shri Manavalan,

I am sending herewith the Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Inclusion of "Uppina Kolaga Vokkaliga" caste/community in the Central List of Backward Classes for Karnataka, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 517 (288 for Inclusion + 229 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 511 (282 for Inclusion + 229 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

NATIONAL COMMISSION FOR BACKWARD CLASSES

Karnataka Bench

Findings

Per Shri Justice P.K. Shyamsundar, Chairperson

Case: Request for Inclusion of "Uppina Kolaga Vokkaliga" caste/community in the Central List of Backward Classes for Karnataka.

I. Request

This case arises from the Request received in this Commission from The Secretary, Uppina Kolaga Vokkaliga Sabha, S.I.T., Main Road, Tumkur, Karnataka-572103 for inclusion of "Uppina Kolaga Vokkaliga" caste/community in the Central List of Backward Classes for Karnataka.

II. Public Hearing

2. The two-Member Karnataka Bench of the Commission consisting of Shri Justice P.K. Shyamsundar, Hon'ble Chairperson and Shri P.S. Krishnan, Hon'ble Member-Secretary, NCBC held a Public Hearing in respect of this Request at Bangalore on 17.09.98. The State Govt. was represented by Shri K. Narayan, Director, Shri S. Krishna Gowda, Joint Director, Shri Thippe Swamy, Shri N. Mahesh and Smt. B.A. Gouramma, Assistant Directors of Department of Backward Classes & Minorities Welfare, Govt. of Karnataka. The community was represented by Shri K. Ramachandraiah, Shri M. Veeranna, Shri B.P. Hanumanthappa & others.

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III. Facts

3. The representatives of this community stated that their community is part of Vokkaliga and are in fact 'the most backward among all the sub-castes of Vokkaliga'. The State Government representatives also confirmed that they are part of Vokkaligas. The representatives of the community pleaded that their sub-caste name should specifically come in the list as their members are finding difficulty to get caste certificates in the name of 'Vokkaliga'. It was agreed on our hands and there was no dispute that Uppina Kolaga Vokkaliga is a sub-caste of Vokkaliga, which already finds place in the Central List with area restriction to "Rural areas only".

IV. Findings

4. From the evidence adduced before the Bench, it is observed that Vokkaliga community of Karnataka, like many other numerically large castes/communities, has got a number of sub-castes/synonyms. Uppina Kolaga Vokkaligas are one among them. Vokkaligas of rural area have been included in the Central List of Backward Classes for Karnataka as follows:-

"156. Vokkaligg/ Vakkaliga/ Sarpovakkaliga	}	Rural areas only
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("Vokkaligg" in the above entry is obviously a spelling error for "Vokkaliga")
Therefore, members of all the castes/sub-castes/synonyms covered by the caste-name "Vokkaliga", including Uppina Kolaga Vokkaligas, should naturally and automatically get Caste certificates and the benefits of reservation even if such sub-castes/synonyms are not specifically included in the List. There are practical difficulties about specific inclusion of each sub-caste/synonym of Vokkaliga in the list in view of the fact that there are a large number of such sub-castes/synonyms and that if one such sub-

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caste/synonym is included it will not be fair to keep out from the list other such sub-castes/synonyms. A wiser course would be for the State Government officials to be oriented so that doubtless sub-castes/synonyms of Vokkaliga caste get caste certificates without any difficulty. This orientation has to cover all such castes and all doubtless sub-castes/synonyms. At the same time the Bench is aware of the fact that there is the problem of some cases with look alike names very similar but claimed by totally different castes and therefore care should be taken to see that members of sub-castes/synonyms of such totally different castes do not get false certificates on the pretext of being members of a sub-caste/synonym of a caste which is in the list. It is for the State Government to guide and instruct the certificate issuing officers at all times so that the difference between the 2 types of cases is clearly understood and only those who are undoubtedly and truly members of sub-castes/synonyms of a caste already included in the list are given caste-certificates promptly. This is also in line with the formulation by the Mandal Commission in that if a particular caste has been listed as backward then all its synonyms whether adumbrated in the lists or not should be treated as backward.

5. In view of the difficulties faced by the members of sub-castes/synonyms of Vokkaliga as expressed by the representatives of the Uppina Kolaga Vokkaliga during the Public Hearing, the Central and State Governments should take expeditious necessary measures by giving appropriate instructions to certificate-issuing authorities to ensure that members of all such genuine and true sub-castes/synonyms of Vokkaliga promptly get caste-certificates as soon as they apply for certificates, subject of course to the rural area restriction or other restrictions where such restrictions exist in the list. This principle should apply to all other castes too. The Commission will also address the State Government in this behalf. The Central Government in the Ministry of Social Justice & Empowerment is also advised to take up this matter with the State Government immediately. Until this orientation of the certificate-issuing authorities is effectively in position, the Commission has also to take note of the problems faced by members of the genuine and true sub-castes/synonyms of castes already standing included in the respective Central Lists. Accordingly, whenever such problems have


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come to notice in its public hearings the Commisison has been advising the inclusion of such specific sub-castes/synonyms. Since the problem of members of Uppina Kolaga Vokkaliga has come to notice, the Bench would advise the inclusion of Uppina Kolaga Vokkaliga as a sub-caste of Vokkaliga in the Central List. The need to continue the inclusion of such sub-castes/synonyms can be part of the decennial revision under Section 11 of the NCBC Act as and when they fall due, depending on whether the orientation of the caste certificate-issuing authorities as advised above is fully in position or not at the time of revision.

P. K. Shyamsundar
(8.1.99)

(Justice P.K. SHYAMSUNDAR)

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IV. Advice of the Commission

6. The Commission considered and agreed in full with the above Findings of the Karnataka 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:-

“Uppina Kolaga Vokkaliga” caste/community be included as a sub-caste of Vokkaliga at entry No.156 in the Central List of Backward Classes for Karnataka, and the amended entry No.156 be read as follows:

156. Vokkaliga

Vakkaliga

Sarpavakkaliga

Uppina Kolaga Vokkaliga

Rural areas only

A. S. Krishna

18.1.1999

P. K. S. S. S. S.
18.1.99

Madan Mohan
20.1.99

Ashayam
21.01.99

Note: 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.

A. S. Krishna
P. K. S. S. S. S.
Commission
20.1.1999