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भारत सरकार
त्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११००६६

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

NCBC Advice No. A.P. 46/99

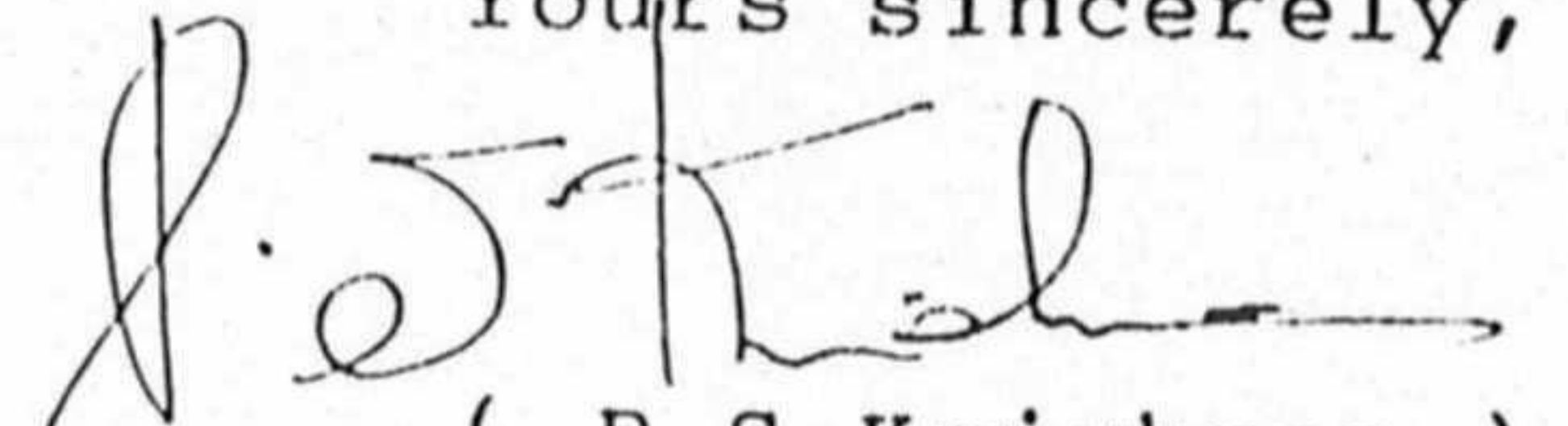
25.1.1999

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 Inclusion of Salivahana as a synonym of "Kummara or Kulala" caste/community in the Central List of Backward Classes for Andhra Pradesh, duly authenticated for necessary action by the Central Government under Section 9(2) of the Act.

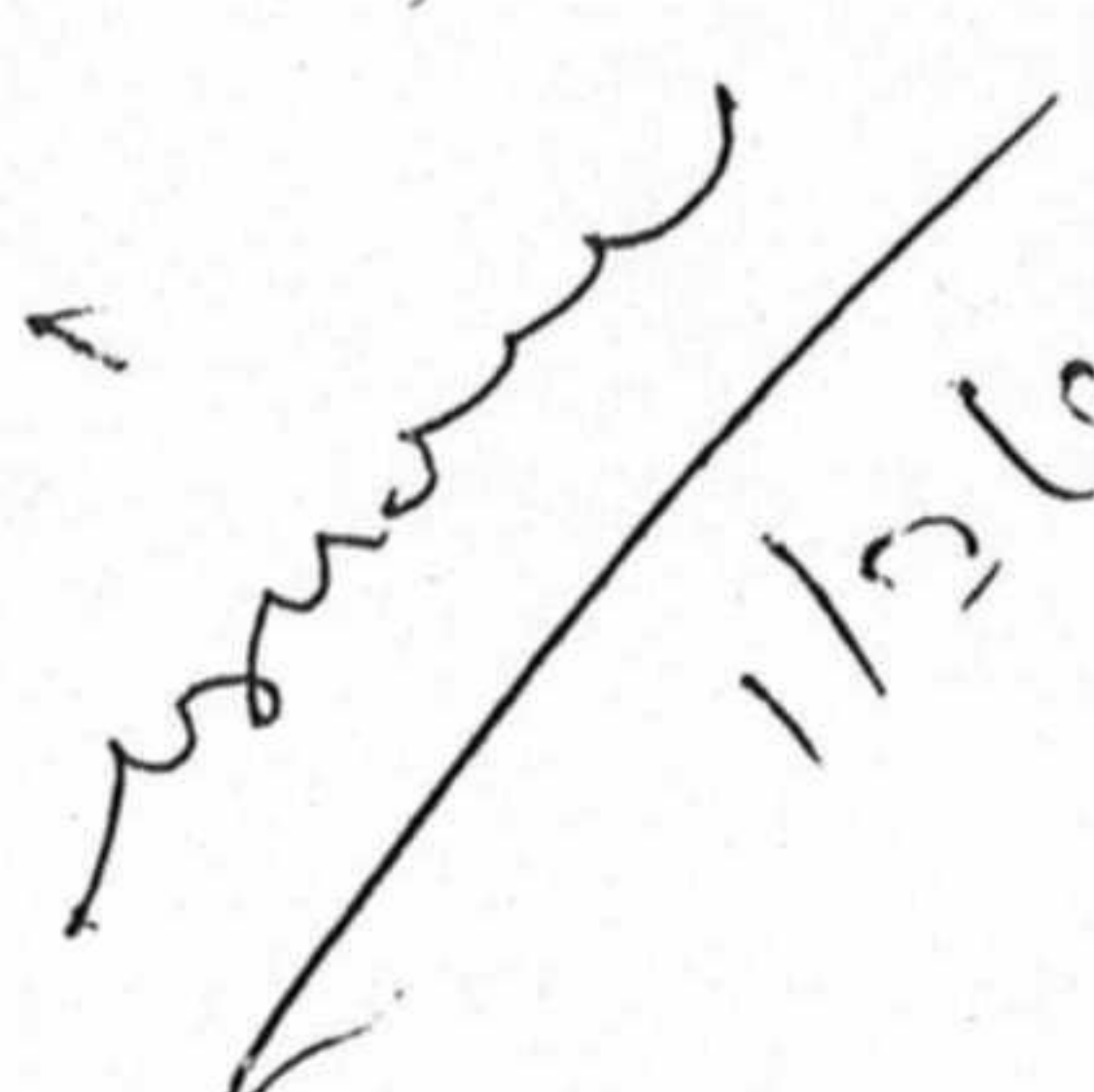
2. With this, Advices on 521 (290 for Inclusion + 231 for Rejection) castes, sub-castes, synonyms, etc. have been tendered to the Government by the Commission, after its reconstitution in 1997 of which 515 (284 for Inclusion + 231 for Rejection) are still pending with the Government for Notification.

Yours sincerely,


(P S Krishnan)

Encl.: as stated.

Shri D K Manavalan
Secretary to the Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
New Delhi.


1/5/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

Andhra Pradesh Bench

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Salivahana" as a synonym of "Kummara or Kulala" in the Central List of Backward Classes for Andhra Pradesh.

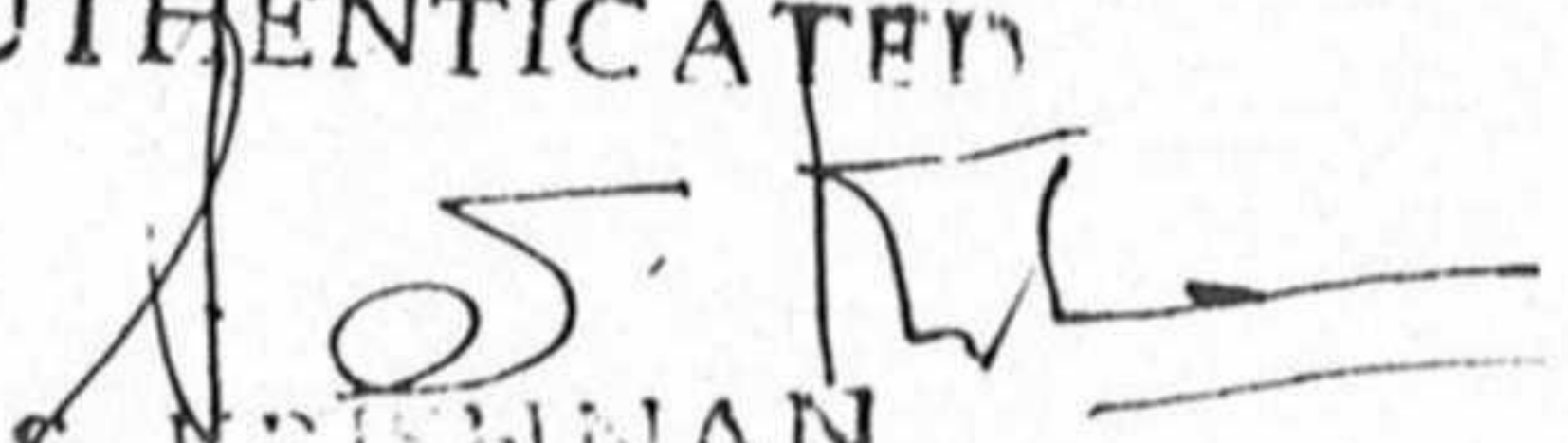
I. Request

This case arises from the Request received in this Commission from A.P.Salivahana Employees' Welfare Association(SEWA), H.No.1-9-692, Vidyanagar, Hyderabad-500044 for Inclusion of "Salivahana" as a synonym of "Kummara or Kulala" in the Central List of Backward Classes for Andhra Pradesh. In their representation, they have inter alia stated that their community is referred to by the names "Kulala, Kummara and Salivahana" in Andhra Pradesh, but "unfortunately the name "Salivahana" has not been included along with Kulala and Kummara in the list of BCs.

II. Public Hearings

2. Public Hearings were held at Hyderabad on 13.3.95 and 7.11.95 by the then 2-Member Bench for Andhra Pradesh of the Commission consisting of Shri P.S.Krishnan and Prof. D.L.Sheth. During these Public Hearings, the State Government was represented by the Secretary in charge of Backward Classes Welfare, Commissioner for Backward Classes Welfare and other officers. The A.P. Salivahana Employees Welfare Association was represented by Shri K.Prabhakara Rao, Shri M. Narayana Rao and others.

AUTHENTICATED


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

3. On expiry of the tenure of the first team of Members of the N.C.B.C., Prof. D.L. Sheth ceased to be a Member of the Commission. Shri P.S. Krishnan is continuing as one of the Members of the A.P. Bench of the new team of Members of the Commission and this Finding has been formulated by him. This being the case of only a synonym of a caste which already stands included in the Central List of Backward Classes enquiry in respect of this synonym having been completed and adequate evidence having become available for arriving at Findings, it was decided by the Chairperson that there is no need for a fresh enquiry by the two-Member A.P. Bench of the Commission as at presently constituted and this shall be treated as a case of enquiry and findings by a single-member bench consisting of Shri P S Krishnan.

III. Facts

4. "Kummara or Kulala" are included in the first-phase Central(Common) List of Backward Classes for Andhra Pradesh prepared in 1993 on the basis of the principle of commonality at entry no. 46, as follows:-

"46. Kummara or Kulala"

The corresponding entry in the State Government's List and the Mandal Commission's List are as follows:-

(i) State List

"Group-B"

"8. Kummara or Kulala"

(ii) Mandal Commission's List

"135. Kumbar-Kulla, Salivahana"

"Kumbar-Kulla" in the Mandal List is apparently a spelling mistake for "Kummara" and "Kulala". "Salivahana" is included only in the Mandal Commission's List and not in the State Government's List as it existed at the time of the preparation of the Central List on the basis of commonality, and therefore it is also not included in the first-phase Central(Common) List of Backward Classes for Andhra Pradesh.

AUTHENTICATED
Signature
Member Secretary
National Commission
for Backward Classes

5. The State Government has since ordered inclusion of "Salivahana" in the State List of BCs as a synonym of "Kummara or Kulala" on the recommendation of the State Commission for Backward Classes vide G.O.Ms.No.28 dated 24.7.1995. This was done after considering a Request in that regard from the same A.P.Salivahana Employees Welfare Association. From the above G.O., it appears that the State Commission while advising the inclusion of "Salivahana" as a synonym of Kummara or Kulala had also considered the views of those who were objecting its inclusion and "the majority of the A.P.Commission for Backward Classes expressed the view that there is no hesitation in holding that there is every justification for inclusion of the word 'Salivahana' and that the apprehension of the objectors that the inclusion of the word 'Salivahana' will deprive the benefits available to the Caste 'Kummara/Kulala' has no merit".

6. During the Public Hearing on 13.3.95, representatives of another organisation namely Andhra Rashtria Kummara Sangham appeared before the Bench and stated their objection to the inclusion of "Salivahana" [the name of a king who is claimed by the potter community people to have been born of a woman of their community by a Brahmin and they "generally believe that they are his progeny" (Mr. Stuart in the Manual of the South Canara district, quoted in Edgar Thurston and Rangachari's Castes and Tribes of Southern India)] as a synonym of Kummara in the List on the ground that it not appropriate to name a caste/community after an individual however famous he may be and if "Salivahana" is allowed as a name for the community, some other members can also claim for the community the name of any other famous individual and there will not be any end to it. Further, they stated that the caste/community is hardly identified with this name. They also expressed their view that the traditional name of the

NOTIFICATION
A. J. [Signature]
for Backward Classes

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community "Kummara" is a name which they are proud of. Therefore, the caste/community should be identified with no other name but the traditional name which is "Kummara". According to them, the name "Kulala" is not in vogue in Andhra Pradesh. The representatives of the A.P. Salivahana Employees Association, on the other hand, stated before the Bench that the name "Salivahana" is well-known in the State and there will not be any harm in including in the List this name as a synonym. They clarified that the community adopted this name very long back as a dignified name as their traditional names of Kulala or Kummara are perceived to be tinged with stigma and indignity. They also said that they are not asking for deletion of any name and its replacement with a new name, but only the addition of the name "Salivahana". In view of the differences of opinion between the two sections, they were advised to consider the matter among themselves and try to come to an agreement/consensus. However, during the Public Hearing held on 7.11.95 their differences. At this Public Hearing, it was also also mentioned by the objectors that they have filed a Writ Petition in the High Court against the addition of synonym "Salivahansa" in the State List, but there was no stay order. While the Bench was free to proceed with formulating its Findings, it was felt that it would be appropriate to wait a little longer and give further opportunity to the two sections to arrive at an agreement/consensus and they were advised accordingly.

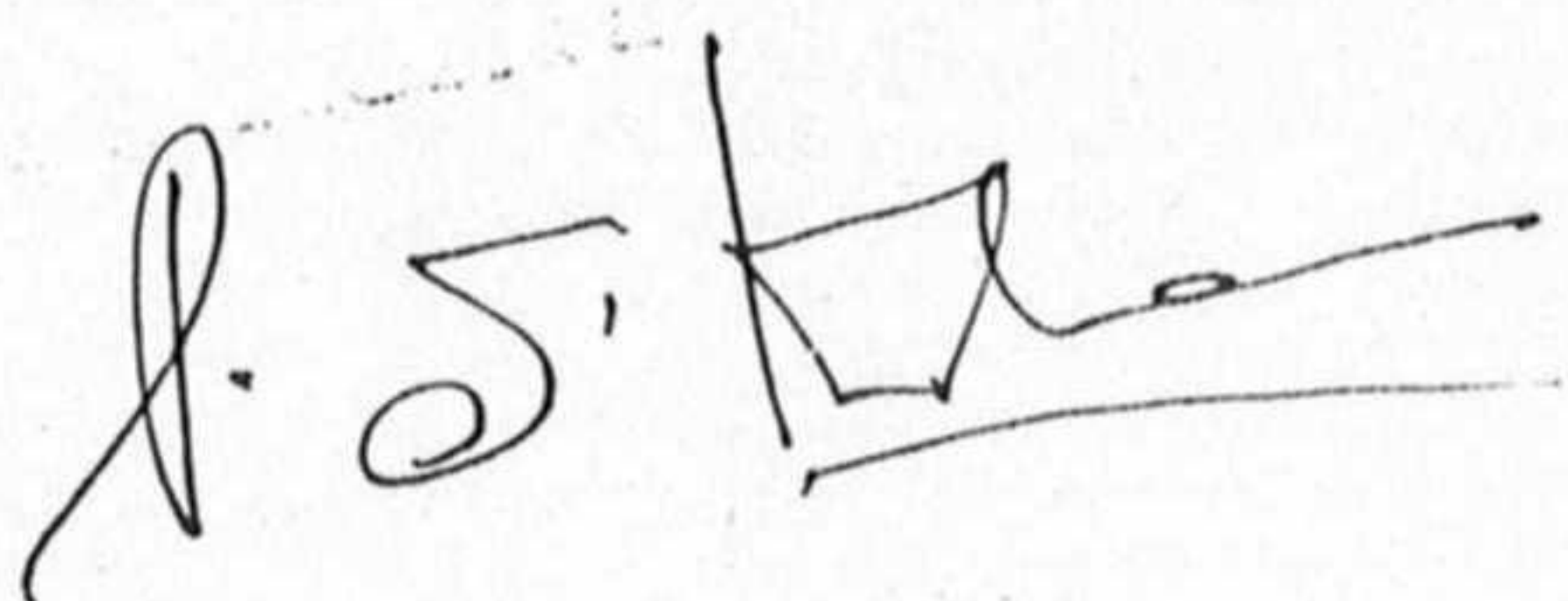
7. The popularity of the name "Salivahana" as a synonym of Kummara or Kulala has been attested to by Anantharaman. In its report, the Commission writes under the head "Kummara or Kulala" that "This community is also known as Kulala and Salivahana. The Kummaras claim themselves to be descendents of Salivahana.....".

8. To this day, there is no agreement or consensus within

the community. Therefore, there is no need to wait any longer.

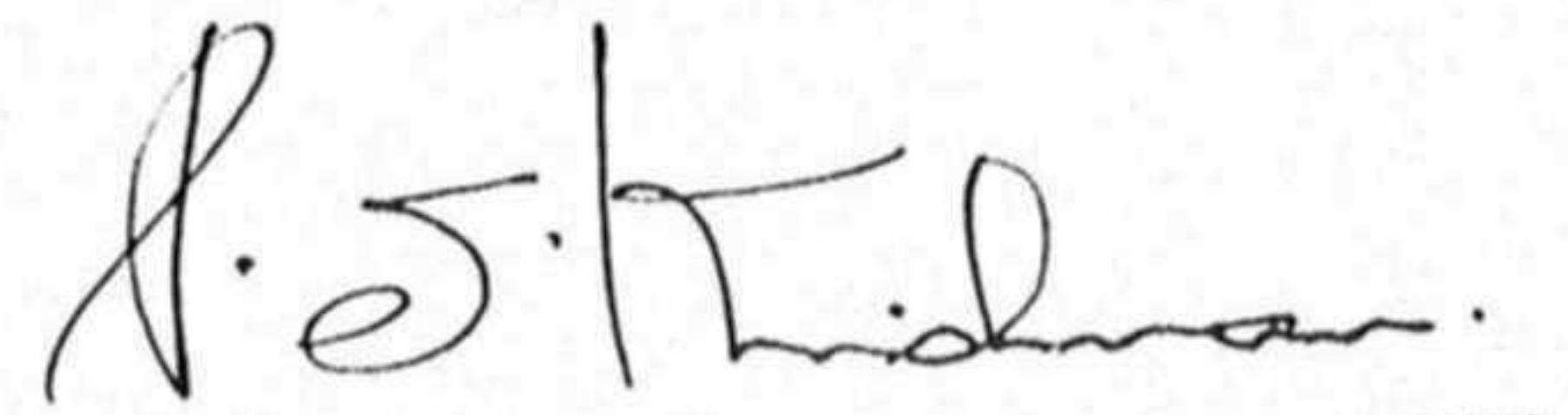
IV. Findings

9. It is a well-known and established trend among many communities of Backward Classes and Scheduled Castes to adopt new names which they feel are according to their self-respect, either as a substitute name or as a synonym. This trend is a reaction to the fact that the names of these communities are stigmatised and sometimes even humiliating or are presumed to be so. The adoption of "Salivahana" as a synonym of Kummara or Kulala is an instance of this trend. This obviously is not a very recent change because the name "Salivahana" was established even at the time of the Anantharaman Commission. The Mandal Commission has also taken note of this name. The story of Salivahana and the army he created out of clay which decimated the army of the legendary Vikramaditya is well-known. There is no doubt that the name Kummara or Kulala is used in common parlance derisively or condescendingly often with a smear by those who consider themselves to be "upper castes" and therefore the feeling of the members of the community and their desire for change in the name is fully understandable and deserve sympathy. In North India, the educated members of the potter community loathe to be called as "Kumhars" and have adopted the name "Prajapati", a coinage after the mythical progenitor of the material world and its denizens. It would have been better if the community could come to a common understanding. However, since this has not been possible in spite of the urgings of the Bench, a solution based on balance of facts is called for. It is true that the craftsman known as Kummara and their art deserves all respect. It is a matter of appreciation that some members of the community do have pride of their names. Objection to the naming of a community



after an individual, historical or legendary, however eminent he be, is no doubt founded on rational grounds, but there are also instances where communities have adopted names after legendary or historical figures. If "Salivahana" is included as a synonym in addition to "Kummara or Kulala" no loss is caused to those who do not want to use "Salivahana" because the name "Kummara" or "Kulala" continues to be available to them. On the other hand, if "Salivahana" is not added, there is deprivation to those who want to be known by this name. Therefore, inclusion of "Salivahana" as a synonym of "Kummara or Kulala" will be in the balance of the facts as above. This will also be in line with what the State Government has done on the basis of the Advice of the State Commission which too seems to have considered the objections received from one section of the community. Therefore, "Salivahana" should be included as a synonym of "Kummara or Kulala" at entry no. 46 in the Central List of Backward Classes for Andhra Pradesh, as follows:-

"46. Kummara or Kulala or Salivahana"


18.1.1929

V. Advice

10. The Commission considered and agreed in full with the above Findings of the Andhra Pradesh Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the Act:-

"Salivahana" be included as a synonym of "Kummara or Kulala" at entry no. 46 in the Central List of Backward



Classes for Andhra Pradesh, as follows:

"46. Kummara or Kulala or Salivahana"

11. On account of the unfortunate demise of one of the Members Shri Navtej Paudhi 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.

P. K. Suresh Babu
20.1.99

P. S. Krishna

18.1.1999

Kidari Subbarao
22.1.99

R. Shyam
21.01.99

P. S. Krishna