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भारत सरकार

त्रिकुट-१, भीकाजी कामा प्लेस, नई दिल्ली-११००६६

Member-Secretary

National Commission for Backward Classes
Government of India

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

NCBC Advice No. 4 /Punjab
August 27, 1997

Dear Shri Baksi,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act 1993 regarding requests for inclusion of "Rahbari" caste of Punjab in the Central List of Backward Classes for Punjab for necessary action under Section 9(2) of the Act by the Central Government.

Best wishes,

Yours sincerely,

(Signature)
(P.S. KRISHNAN)

Encl: As Stated

Shri K.K. Baksi
Secretary
Ministry of Welfare
Shastri Bhavan
New Delhi-110001

NCBC Advice No. 4/97/Punjab
NATIONAL COMMISSION FOR BACKWARD CLASSES

Punjab Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Rahbari" in the
Central List of Backward Classes for Punjab

I. Request

This case arises from the Request received in this Commission from Shri Sohan Lal, s/o Shri Mishri Lal Rabhari, Rabharian Mohalla, Vill&PO Dhanaula, Tehsil Barnala, Dist. Sangrur, Punjab for Inclusion of "Rahbari" in the Central List of Backward Classes for Punjab.

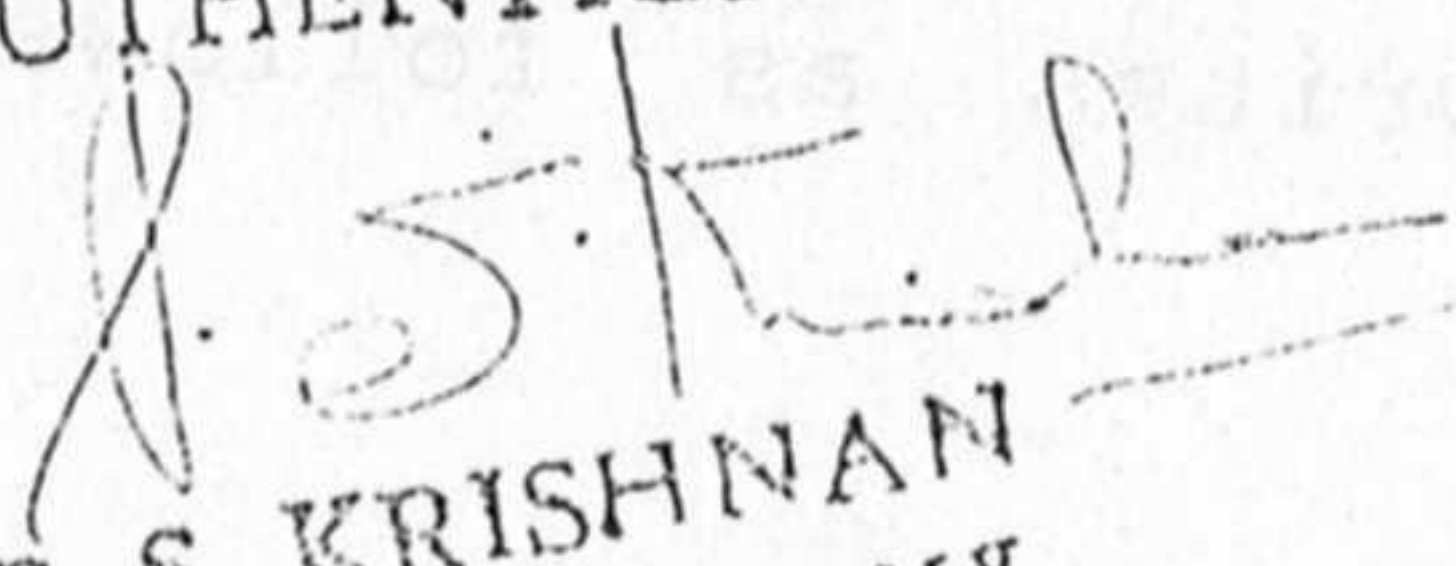
II. Public Hearing

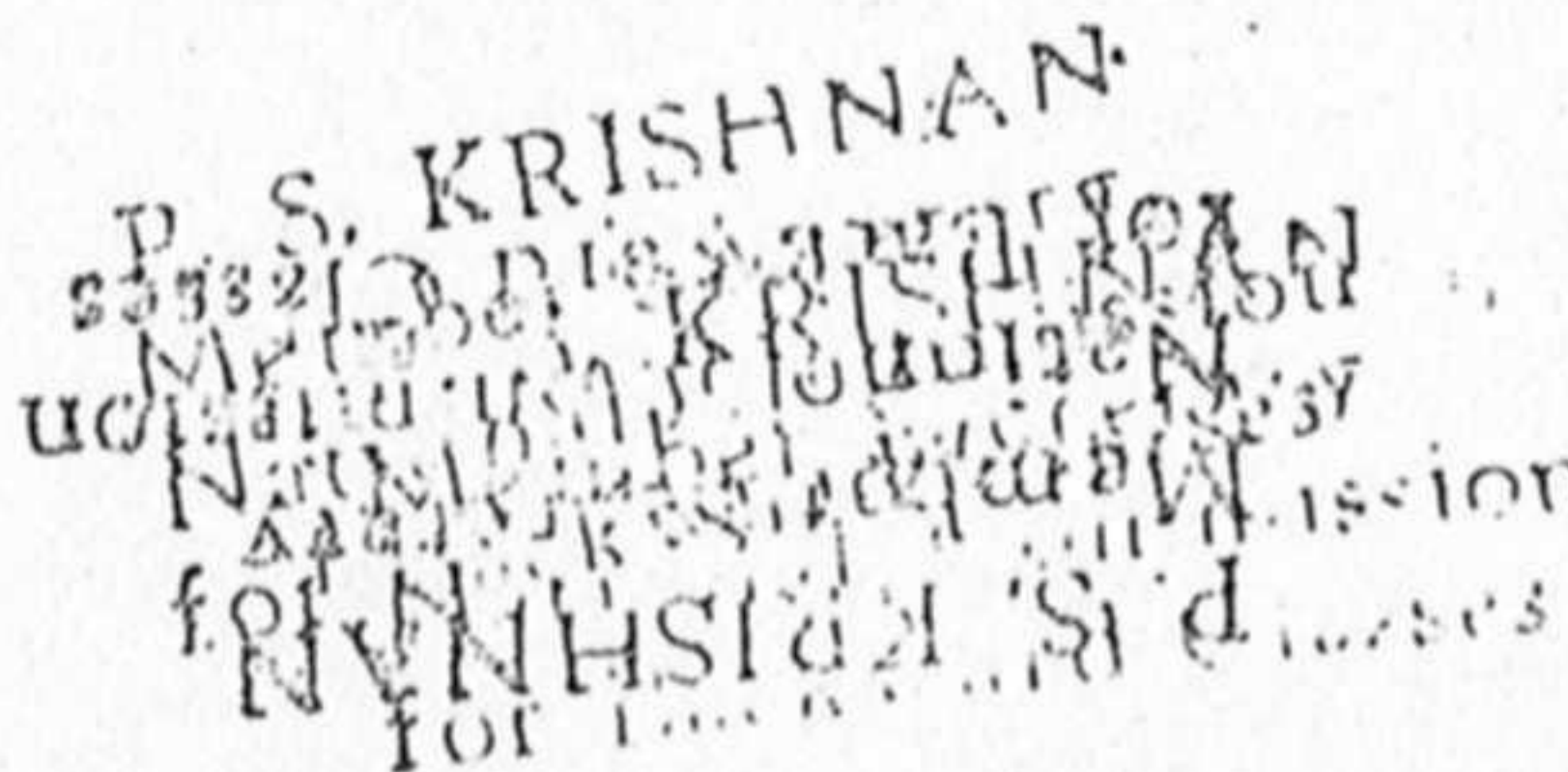
2. The two-Member Punjab Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Chandigarh on 8.4.1997. At the Public Hearing the State Government was represented by Mrs. Harsimrat Gill, Secretary, Deptt. of Scheduled Castes & Backward Classes Welfare and Shri B.R. Banga, Director in the same Deptt. The community was represented by S/Shri Sohanlal, Girdharilal, Jaila Singh and Jit Singh.

III. Facts

3. "Rahbari" is not included in the Central List of Backward Classes for Punjab as it was not included in both the Mandal Commission's List for Punjab and the State List of Punjab at

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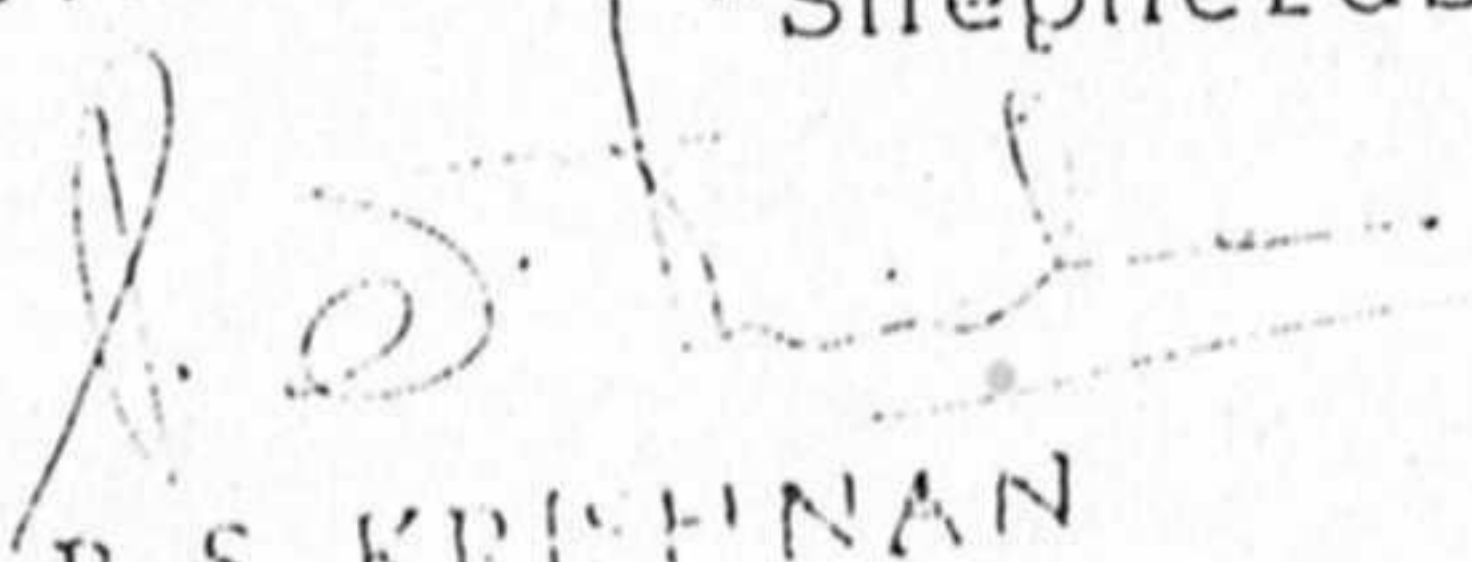
the time of the preparation of the first phase Central List of Backward Classes for Punjab in 1993 on the basis of the principle of commonality, i.e., by listing castes common to both the Mandal List for Punjab and the State List of Backward Classes of the Punjab State.

4. During the Public Hearing the representatives of the community said that theirs is a community of camel-herders, which, in Punjab, is largely concentrated in Sangrur and Bhatinda districts. They further said that their community is a Socially and Educationally Backward Classes and should therefore be included in the Central List of Backward Classes for Punjab. They have been representing to the State Government right from 1982 for inclusion of their community in the State List of Backward Classes. The State Government representatives said that the Request in respect of "Rahbari" caste/community is pending with the State Commission and its inclusion in the State List will be considered soon after the Report of the State Commission is received by the State Govt. The State Commission is yet to be reconstituted by the State Government.

5. The caste "Rahbari" has been attested to by Denzil Ibbetson in his book "Punjab Castes" [Low Price Publications, Delhi, 1993, First Published 1916] which he wrote based on the Census of the Panjab Province carried out in 1881 by himself. According to him, "the Rahbari is a camel-breeding caste found only in the eastern and south-eastern districts of the Panjab and in the adjoining Native States. In the extensive jungles of these tracts they pasture large herds of camels, while they also carry merchandise from place to place for hire. Their proper home appears to be Bikaner and the Rajputana desert."

6. Munshi Hardyal Singh ["The Castes of Marwar -- being (Census Report of 1891)", Books Treasure, Jodhpur, 1990, first published 1894] describes the community under the head "The Rehbari", which he classifies under the occupational group "Shepherds and Wool Weavers". He writes as follows: "The

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Rehbaris called also Raikas in Marwar are probably breeders of camels. They allege their origin to be coeval with the creation of the camel, declaring that their ancestor was produced by Mahadeva to take care of the first camel which Parvati had created for her amusement... The Rehbaris marry among themselves and recognize widow-marriage."

7. Those present during the Public Hearing who were from different sections of Society as well as the State Government representatives not only did not object to the proposed inclusion of "Rahbari" in the Central List of Backward Classes for Punjab but also supported it.

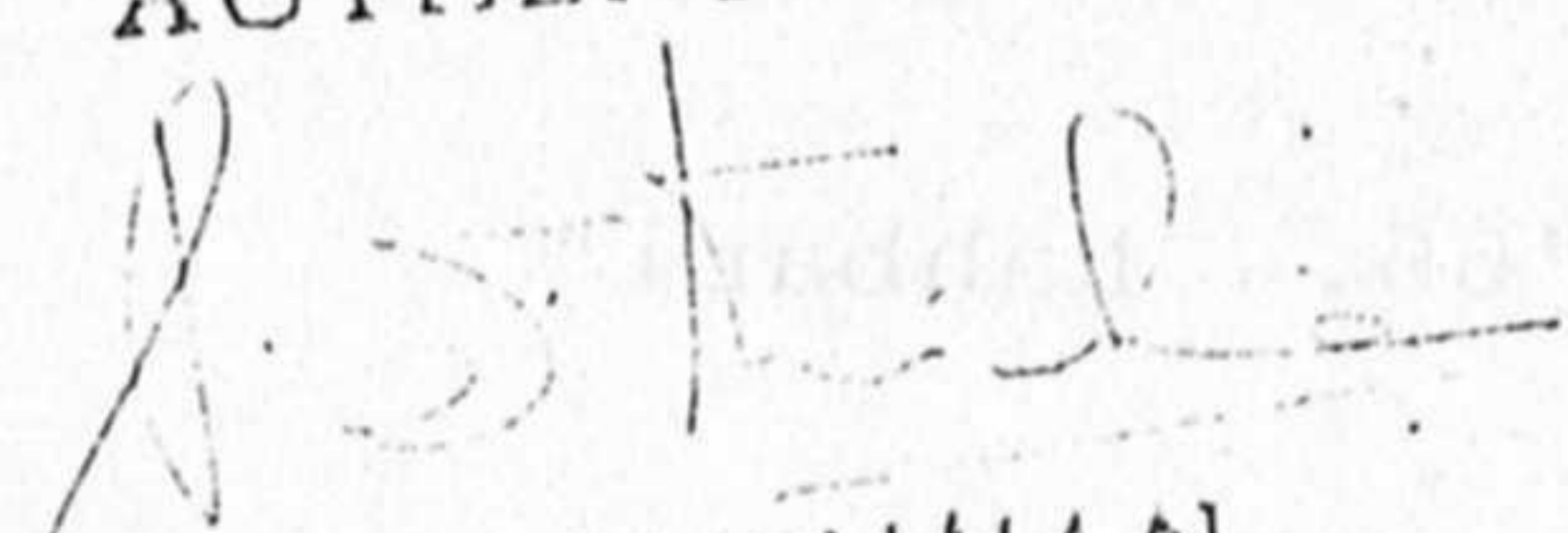
8. Rahbari has already been included in the Central List of Backward Classes for Rajasthan and Haryana. In the case of Haryana, it was included in the Central List on the Advice of this Commission. The caste is also included in the Central List of Backward Classes for Gujarat, except for certain areas, viz., "in the Nesses of the forests of Alech, Barada and Gir", where it is included in the List of Scheduled Tribes. These entries in different States are with different spelling variants -- in Gujarat as Rabari, in Rajasthan as Rebari. In the case of Haryana, the spelling as per the NCBC's Advice was Rahbari as also given in the State Govt.' List, though by apparent typographical error it has been printed as Rahabari in the Central Govt.'s Notification.

IV. Findings

9. From the above evidence it is the Finding of the Bench that "Rahbari" is a Socially and Educationally Backward Class linked with the traditional hereditary occupation of camel-herding and it falls under the Fast-Track category as it is covered by guideline 2(e) of the NCBC's Guidelines for Consideration of Requests for Inclusion and Complaints of under-Inclusion in the Central List of Backward Classes and also by para 7 of the Procedural Clarification on Guidelines. "Rahbari" should therefore be included in the Central List of Backward Classes for Punjab at entry No. 66, as follows:-

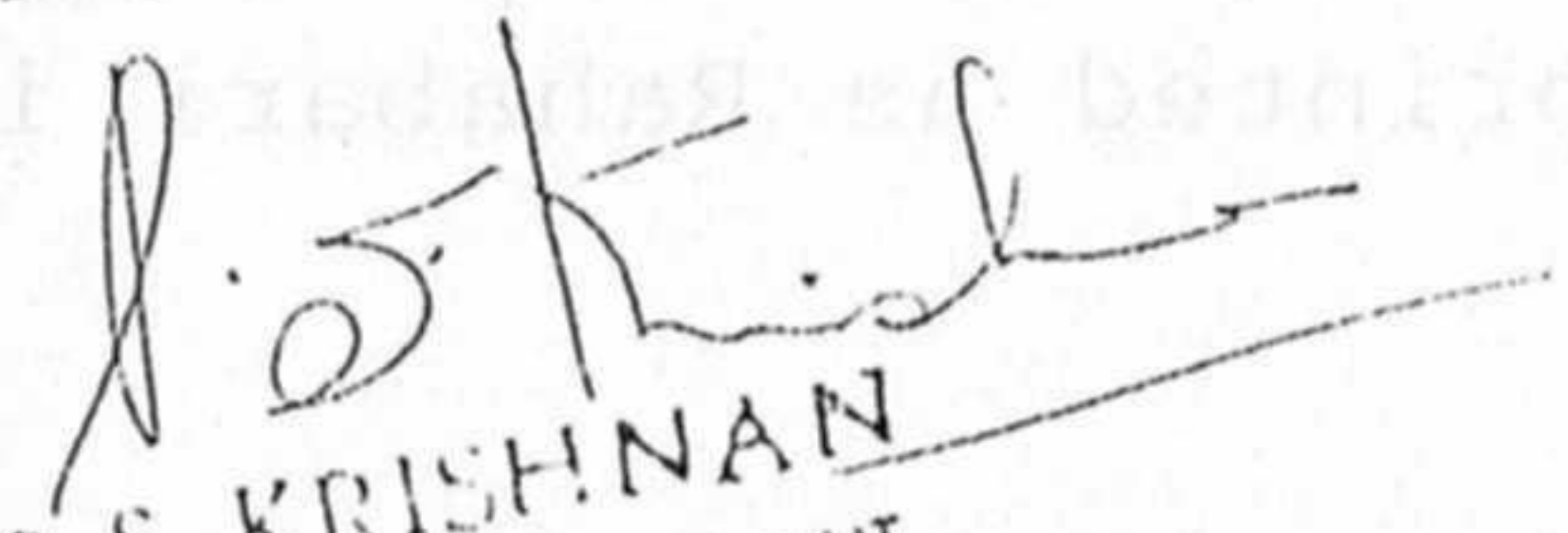
"66. Rahbari"

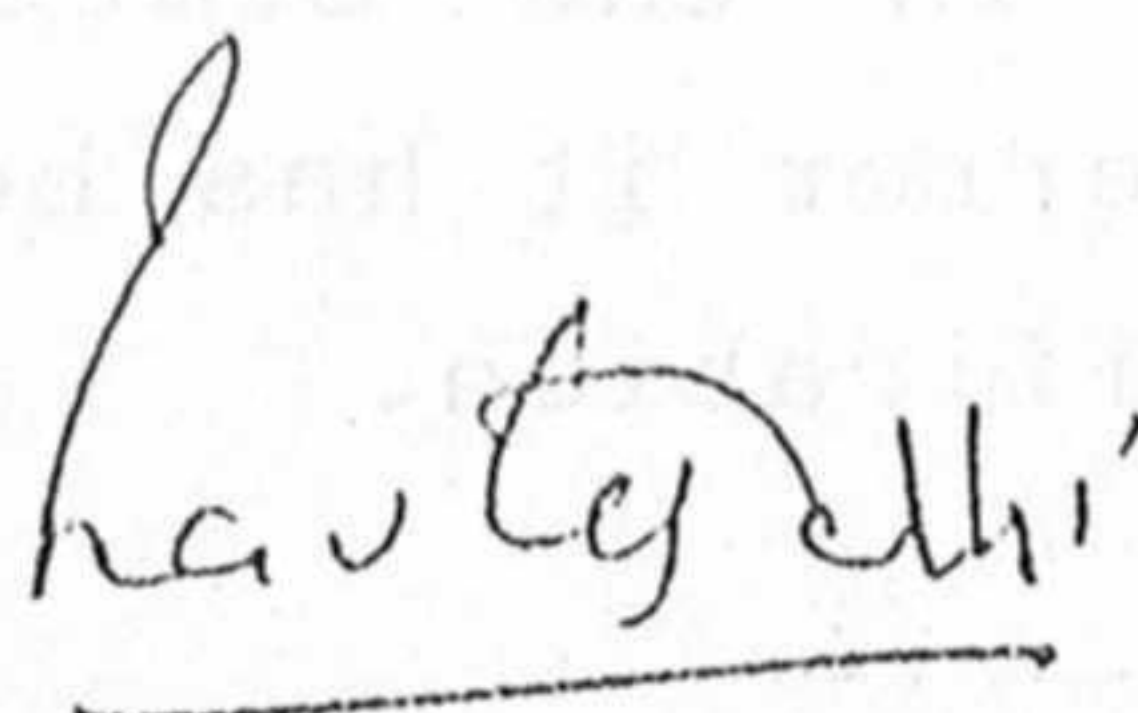
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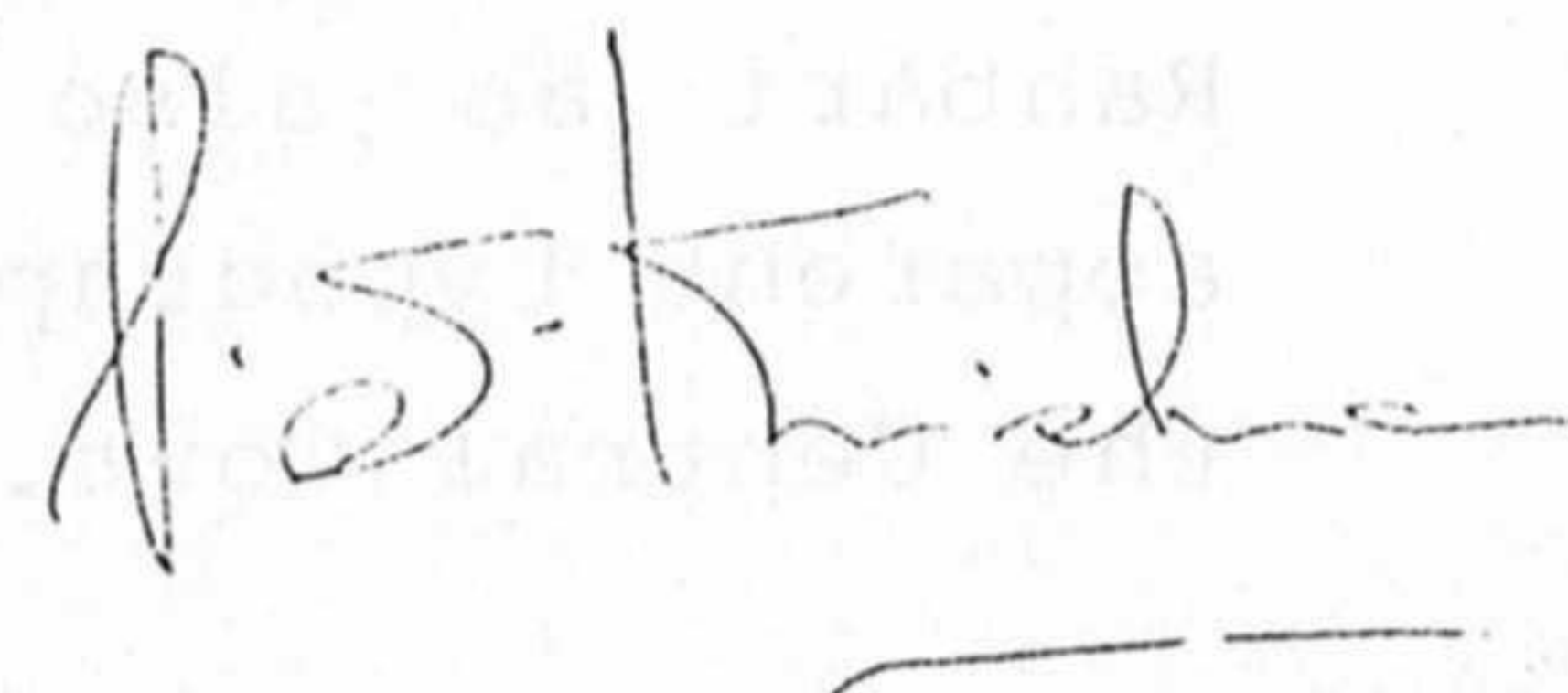

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10. It is observed that in a number of cases, certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community/sub-caste became backward is centuries old. Its backwardness did not emerge suddenly on the date of the Notification. The relevance of the date of the Findings or the Advice or the Government's Notification is only that the backwardness of the caste/community/sub-caste, which was already a social reality, and its synonyms, which have come into vogue from different points of time, were, after enquiry, officially noted and recognised on that particular date. But the benefit of this recognition should be available from the date from which reservation for Backward Classes in the Central Services came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the notification takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community/sub-caste using these synonyms, are eligible for reservation from that date.

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Ravinder


P. S. Krishnan

V. Advice of the Commission

11. The Commission considered and agreed in full with the above Findings of the Punjab 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:-

"Rahbari" be included in the Central List of Backward Classes for Punjab at entry no. 66, as follows:-

"66. Rahbari"

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