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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

DO NCBC Advice No. 32,33,34,35 Pondicherry/98

28. 09. 1998

Dear Shri Manavalan,

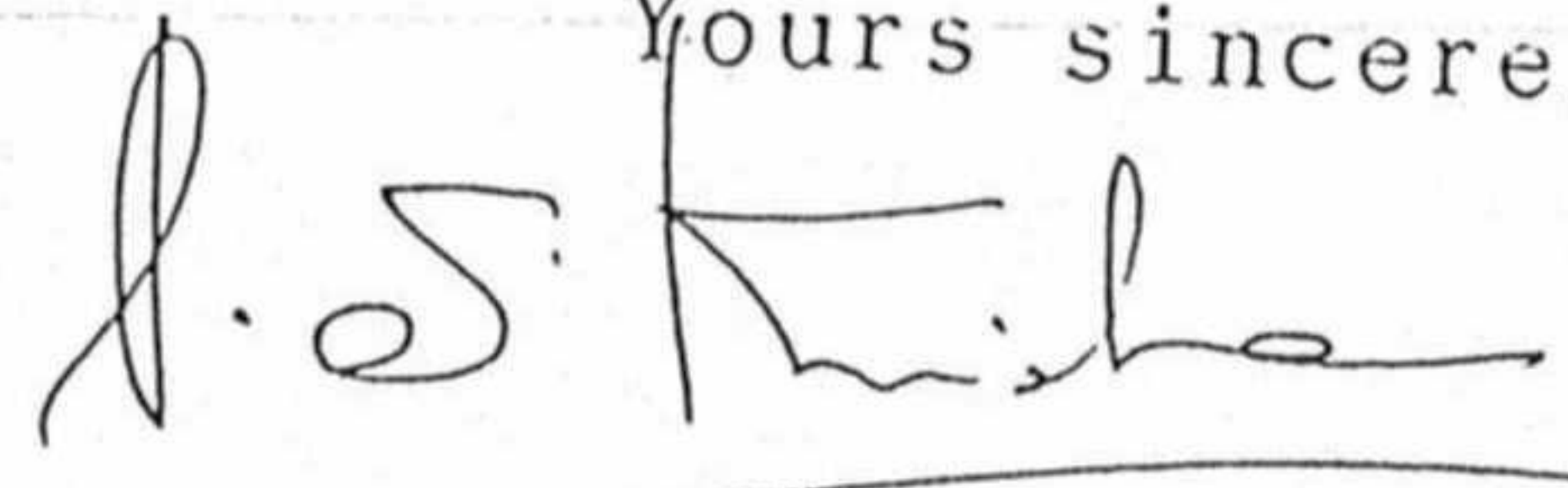
I am sending herewith the Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Rejection of the Requests for Inclusion of

- (1) Sozhia Chetty
- (2) Kannadiyar/Kannada Saineegar
- (3) Kongu Vellalar
- (4) Karuneegar

castes/communities in the Central List of Backward Classes for Pondicherry, duly authenticated, for necessary action by the Government under Section 9(2) of the Act.

2. With these, Advices on 401 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 395 (233 for Inclusion + 162 for Rejection) are still pending with the Government for Notification.

Yours sincerely



(P.S. KRISHNAN)

Encl: As stated.

Shri D.K. Manavalan
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

NATIONAL COMMISSION FOR BACKWARD CLASSES

PONDICHERRY BENCH

FINDINGS

CASE : REQUEST FOR INCLUSION OF "SOZHIA CHETTY"
CASTE/COMMUNITY IN THE CENTRAL LIST OF BACKWARD
CLASSES FOR PONDICHERRY.

PER SHRI SAHU AKSHAYA BHAI, MEMBER

I. REQUEST

This case arises from the Request received in this Commission from Shri S. Govindaraju, General Secretary, Pirpaduthapattor Nala Sangam, Pondicherry and from Shri R. Shanmugam, Sozhia Chettiargal Association, Pondicherry for inclusion of "Sozhia Chetty" in the Central List of Backward Classes for Pondicherry.

II. PUBLIC HEARING

2. A three-Member Bench of the NCBC consisting of Hon'ble Members, Shri Sahu Akshaya Bhai, Shri U.P. Singh and Shri Navtej Puadhi held a Public Hearing in respect of this request at Pondicherry on 30th April, 1998. At the Public Hearing, the U.T. Government was represented by Shri Felix Sequeria, Welfare Secretary, Shri Salvaraj, Deputy Director, Social Welfare, Shri V. Swaminathan, Research Officer, Social Welfare and other officials. The caste/community was represented by R. Shanmugham, Secretary, Sozhia Chetty Association, Pondicherry.

III. FACTS

3. The U.T. of Pondicherry had no list of Backward Classes at the time of the Supreme Court Judgement in the Mandal case, delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle commonality recommend a Central List of Backward Classes for the U.T. of Pondicherry as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore, the Central Govt. also could not issue a Central List of Backward Classes for the U.T. of Pondicherry in 1993. The Govt. of U.T. of Pondicherry issued its list of Backward Classes by its Notification No. G.O. Ms. No. 20/94-Wel(SW)-II dated 6.7.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.94 issued a common(Central) list of Backward Classes for the U.T. of Pondicherry. The caste/community 'Sozhia Chetty' is

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Department, Pondicherry
Backward Classes

not included in the U.T. list of Backward Classes as well as in the Mandal list of Backward Classes and therefore it is not included in the Central List prepared on the basis of the "Principle of Commonality".

4. The NCBC's Questionnaire filled up by the Sozhia Chettiargal Association, Pondicherry states that Sozhia Chetty is the name of the main caste. The population of the caste/community is two hundred. The occupation on which the members of the caste/community mainly depend for livelihood is both agriculture and non-agriculture, which mainly involves manual labour. They are also engaged as hawkers, petty shop workers, daily wage workers, servants. The literacy rate of the caste/community is 55%. The percentage of the members of the caste/community living in Kachha house is 75% and Pucca house is 25%. Ten percent of the members of the community is income tax assesses on account of trade/business.

5. During the Public Hearing, the representatives of the Sozhia Chettiargal Association stated that "Sozhia Chetty" is the name of their caste/community and their caste is included in the State list of Tamil Nadu. The members of their community is spread out in Pondicherry with a population of 1500. Fifty percent of the members of their community are engaged in petty business/hawkers and others are engaged as shop workers, daily wage workers, servants and both agricultural and non-agricultural labourers which involves manual labour. There has been no representative in the State legislature or in Parliament. None from this community has been selected in Civil Service or have ever occupied any high position in government service and local bodies. There is no advocate, doctor or engineers belonging to this community. The number of graduates and matriculates are negligible. All these factors have contributed to deterioration Socially and Economically.

6. Submissions are made by the representatives of the community for inclusion of this community in the Central List of Backward Classes commending such action by heavily relying on the fact that the community was placed in the State List and Central List of Backward Classes for Tamil Nadu.

7. In the adjoining State of Tamil Nadu, mention has been made about the caste/community in the Report of the Tamil Nadu Second Backward Classes Commission, 1985, under the head 'Sozhia Chetty' which mentions that Sozhia Chetty community had its origin to Chola country and referred to the mercantile class of the past.

8. Edgar Thurston (Castes & Tribes of Sourthern India, Vol. VI, Asian Educational Service, New Delhi, First Published in 1909) under the head 'Sozhia' writes, Sozhia - A territorial name of sub-divisions of various Tamil Classes who are settled in what was formerly the Chola country.....

Under the head 'Chetti' Edgar Thurston writes that it is noted in the Census Report, 1891, that the name Chetti is used both to denote distinct caste, and also a title, and people bearing this title describe themselves loosely as belonging to the Chetti caste, in the same way as a Vellala will say that he is Mudali. This use of Chetti has caused

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some confusion in the returns, for the sub-divisions show that many other castes have been included as well as Chetti proper. Again, in the Census Report, 1901, it is recorded that "Chetti means trader, and is one of those titular or occupational terms, which are often loosely employed as caste names. The weavers, oil pressers, and others use it as title, and many more take it on to their names, to denote that trade is their occupation.....

9. According to "The People of India, Pondicherry" General Editor K.S. Singh, Anthropological Survey of India, Affiliated East-West Press Pvt. Ltd., Madras, 1994, under the head 'Ayir Vysya Chetty' writes that 'Ayur Vysya Chetty' are a Tamil speaking group mainly found in Pondicherry and Tamil Nadu. In the Pondicherry Union Territory they are known as **Sozhia Chetty**, Chetty or Chettiyyar and live in Pondicherry town and adjoining villages. They use the titles Chetty or Chettyar suffixes.....(p. 86)

The traditional occupation of the Ayira Vysya Chetty is business. In rural, as in Villiyanur village of Pondicherry, agriculture is their main occupation. They cultivate paddy and sugarcane in wet land and groundnut, great millet and finger millet in dry land. In towns like Pondicherry, they are in the textile business or find employment in offices.....(p.88)

10. The State Level Committee for Backward Classes(First Report) Pondicherry has not recommended 'Sozhia Chetty' caste/community for inclusion in the U.T. List of Backward Classes.

11. From the ethnographic accounts as well as the statement of the representatives of the Sozhia Chettiargal Association, it clearly emerges that "Sozhia Chetty" is a trader caste belonging, in terms of the Varna system of categorisation of castes, the Vaishya Varna. Castes/Communities belonging to the Vaishya Varna have been generally excluded from the list of Backward Classes with rare exceptions as in the case of Bihar where the inclusion of number of castes/sub-castes of the Vaishya category seems to be an aberration as brought out in the "Findings/Advices" of this Commission on the Requests for inclusion of 12 Vaishya/Bania castes/sub-castes in the Central List of Backward Classes for Bihar tendered to the Government vide Commission's letter NCBC Advice No. 7-18 Bihar/98 dated 13.08.1998(relevant extracts enclosed as Annexure-I).

IV. FINDINGS

12. From the above evidence and materials, it is the finding of the Bench that 'Sozhia Chetty' is a trading community and do not deserve inclusion in the Central List of Backward Classes since they are not Socially Backward but an Advanced caste, and therefore, the Request for their inclusion in the Central List of Backward Classes for the U.T. of Pondicherry should be rejected.

As one of the Member of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.08.1998, subsequent to the public hearing, the Findings are signed

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National Commission
for Backward Classes

only by two Members, but the findings represent to conclusion jointly arrived at by the bench Members.

Kshayan
23.09.98

(SAHU AKSHAYA BHAI)

U.P. Singh
23.9.98
(U.P. SINGH)

V. ADVICE OF THE COMMISSION

13. The Commission considered and agreed in full with the above Findings of the Pondicherry Bench and decided to tender the following advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993 for necessary action by the Central Government under Section 9(2) of the Act:-

The Request for Inclusion of "Sozhia Chetty" in the Central List of Backward Classes for U.T. of Pondicherry be rejected, as it is a Socially advanced community.

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.08.1998, 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.

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U.P. Singh
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J. S. Krishnan

23.9.98

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Member
National Commission
for Backward Classes

Extracts from "Findings/Advice" of the NCBC on
Requests for Inclusion of 12 Bania/Vaishya
Castes/communities tendered to the Central Govt.
vide NCBC Advice No. 7-18 Bihar/98 dated 13.08.1998

V. Bania/Vaishya Castes in Kaka Kalelkar Commission's List for Bihar and other North Indian States, Lists of Bihar and other State Governments, Mandal Lists and Central Lists for Bihar and other North Indian States and their Implications for New Requests for Inclusion of Bania/Vaishya castes

44. The Kaka Kalelkar Commission had listed, in its recommended list of Backward Classes in respect of Bihar, certain castes as having the traditional occupation of "shop-keepers" and "traders". They are the following:-

- | | |
|--|--------------|
| 1. Agrahari Vaishya | Shop-keepers |
| 2. Barnwal Bania | Traders |
| 3. Janupur Bania | Traders |
| 4. Kasodan Bania | Shop-keepers |
| 5. Modakmora, Modi,
Nichundia Modi,
Modi | Traders |
| 6. Mohani | Traders |
| 7. Paisari Bania | Traders |
| 8. Patwa Bania | Traders |
| 9. Runiar Bania | Traders |
| 10. Sundi | Traders |
| 11. Surhi Bania | Traders |

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In addition, Kaka Kalelkar Commission also lists certain other communities with the suffix of 'Bania' or "Vaish", viz.,

1. Kalwar Bania Wine distillers and sellers
2. Kamlapuri Vaish Teli Oil pressing --- this is a puzzling "name" as oil-pressing is the traditional occupation of Teli, while Kamlapuri Vaish is a community different from Teli.

45. Out of the above castes/communities, 'Janupur Bania', 'Mohani' and 'Kasodan Bania' are not included in the State Government's List of Backward Classes that existed at the time of the preparation of the first-phase Central List, and the rest are included in the State List either in the same form or with the addition or deletion of the suffix 'Bania' or with apparent spelling variations. Out of the 18 castes included in the State List as in 1993 under 'Bania', only 7 can be traced in the Kaka Kalelkar Commission's Report as castes of which the traditional occupation is shown as 'Shop-keepers' or 'traders', in some cases with apparent spelling variations and in some other cases with the addition or deletion of the suffix 'Bania', viz.,

1. Sudi (apparently the same as that shown in Kalelkar's Report as 'Sundi' at item no. 121 and as 'Surhi Bania' at item no. 122.)
2. Roniyar (Kalelkar's Runiar Bania at item no. 112)
3. Pansari (perhaps same as 'Paisari Bania' of Kalelkar's List at item no. 103)
4. Modi (apparently the same as 'Modakmora, Modi, Nichunda Modi, Modi' of Kalelkar's List at item No. 95)
5. Patwa
6. Burnwal
7. Agrahari Vaishya

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'Kesarvani', which is included in the State List as a Bania caste (sub-caste) is included in the Kalelkar's List along with Kasera and Thathera and their traditional occupation given as "Brass utensil makers", which is also puzzling for reasons similar to that mentioned in respect of "Kamlapur Vaish Teli" at para 44 above.

46. Out of the 18 castes/communities listed in the State List against 'Bania'; three, viz., Kasera, Thathera and Kalwar are really not what are traditionally known as Bania/Vaishya castes/communities. So far as 'Kalwar' is concerned, this fact has been mentioned in the NCBC's Advice (No. Delhi 6/98) on the Request for inclusion of this caste/community in the Central List of Backward Classes for Delhi and also in the separate Advice (No. 5-6 Bihar/98) on the Request for Inclusion of Jaiswar, Kalal, and Eraqui as synonyms of 'Kalwar' in the Central List of Backward Classes for Bihar. As brought out in these Advices, and as also mentioned in paras 7 and 43 above, Kalwar is a caste traditionally associated with the occupation of "distilling of liquor", and Kasera and Thathera are really artisan castes. That is apparently why the Mandal Commission has rightly shown Kalwar and Thathera separately. Patwa of the State List (perhaps totally or partly the same as the Patwa Bania of the Kalelkar Commission's List) is also an artisan caste as brought out in the Advice (No. 25/UP/98 dated 3 on the Request of this caste/community's inclusion in the Central List of Backward Classes for Uttar Pradesh. That is apparently why Mandal Commission has rightly shown Patwa too separately --- though in this and in the case of Kalwar and Thathera, the Expert Committee on Backward Classes which compiled the Common List in 1993 chose to go back to the State List's inaccuracy in this regard in preference to Mandal's greater correctness.

47. 'Sudi' of the State List and 'Sundi' and 'Surhi Bania'

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of the Kalelkar Commission's List are apparently one and the same caste/sub-caste/community and is also really not what is normally considered as a Bania or Vaishya caste/community. This is brought out by Risley (The Tribes and Castes of Bengal, Firma Mukhopadhyaya, Calcutta, 1981, first edition 1891) when he describes this caste under the head "Sunri" as "a large and widely-diffused caste, found in most districts of Bengal and Behar, whose original profession is believed to be the "manufacture and sale of spirituous liquors". Though according to Risley, "Many of its members have now taken to mercantile pursuits, call themselves by the title Shaha, and disown all connexion with those who still follow the characteristic occupation of the caste", he also points out that "Their striving for social advancement has as yet not been entirely successful, and in spite of their wealth and enterprise ancient associations still hold them down. The bond of tradition is hard to break. According to Hindu ideas distillers and sellers of strong drink rank among the most degraded castes,...." Specifically about the Sunris of Bihar, Risley records that the "entire caste, however, occupies a low position in the Hindu social system, and the Telis are the highest caste which will take water from their hands...."

48. Therefore, leaving out Patwa, Sudi, Kalwar, Kasera and Thathera and adding Kamlapuri Vaish (but not Teli) and Kesarvani (but not Kasera and Thathera) only 8 entries of real Bania/Vaishya castes shown in the State List as in 1993 are traceable in the Kalelkar's List for Bihar.

9. A number of castes which do not find place in the Kalelkar Commission's List as castes with the traditional occupations of shop-keeping and trade have entered into the State List of Backward Classes such as Poddar, Bangiya Vaishya (Bangal Bania), Avadh Vaishya, Sinduriya Bania, Mahuri Vaishya and Kamlapuri Vaishya (though 'Kamlapuri Vaish Teli'

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is seen in the Kalelkar's List with "Oil Pressing" as its occupation). With regard to the last one of these, there is confusion as the State, Mandal and Central Lists mention 'Teli' as an independent caste. The bringing together of "Kamlapuri Vaish Teli" as a single item raises a question mark about some of the listings in the Kalelkar Commission's Report, as also the bringing together of "Kaisarvani, Kasera, Thathera" and of "Halwai, Kandhu, Kanu". The State, Mandal and Central Lists show "Kanu" as a separate entry ("Kandhu" is not found in them at all); while the Mandal List shows Thathera as a separate entry, while Kasera is shown with Bania castes.

50. In the Kalelkar Commission's list of BCs in respect of the neighbouring State of U.P., which is in the same geographical and cultural region, very few castes are seen of the type seen in Bihar. Of the 11 communities shown as "traders" in Bihar by Kalelkar, only 'Kasaundhan' and 'Rauniyar' are included in the Kalelkar's List for next-door Uttar Pradesh. In addition, the UP List also contains 'Kesarwani' as a "trader" caste, while in the Bihar List 'Kaisarwani' is shown along with 'Kasera, Thathera'. In this regard, the entry for U.P., seems factually correct. Representatives of the Kesarvani community, who were heard by the Delhi Bench on 2.7.1997 on their Request for Inclusion in the Central List for Delhi did not claim to be the same as/synonym of "Kasera, Thathera". But the UP List of Kalelkar repeats Kamlapuri Vaishya as if it is a synonym of Teli. From the UP Bench of the NCBC, which heard the representatives of the Kamlapuri Vaishya community on 21.4.1998 on their Request for Inclusion in the Central List for U.P., it is learnt that Kamlapuri Vaishya did not claim to be the same as/synonym of Teli.

51. In the Kalelkar Commission's List for U.P., 'Kamboh' is also shown as a trading caste, but according to all

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available literature and local knowledge, it is a cultivating community. Crooke (op.cit., Vol. III) describes "Kamboh" as an "influential cultivating and land owning class found in the Meerut and Agra Divisions".

52. In the Kalelkar Commission's List for U.P., 'Patwa' has been entered with the correct occupational description, viz., "Threading ornaments".

53. Of the four entries of Bania/Vaishya or trading castes in the Kalelkar Commission's U.P. List, none has been entered in the State List as in 1993 at the time of common-listing or in the Central List. In the Mandal List for U.P. 'Ronaur' is seen which is apparently the same as 'Rauniyar' of the Kalelkar's List. But, there are Requests for Inclusion in the Central List of BCs for UP from or on behalf of as many as 9 castes/communities of which two are all-comprehensive requests for inclusion of 'Bania' and 'Vaishya Samaja'.

54. In respect of another State of the same cultural region, i.e., Madhya Pradesh, there is not a single entry in the Kalelkar's list pertaining to any caste shown as having their traditional occupation of trade or shop-keeping or recognised as a caste which is generally considered as belonging to the Bania ;or Vaishya category --- though there is an entry "Parasher" against which the traditional occupation is shown as "Shopkeepers and peddlars". There is no such caste as "Parasher" described in Russell and Hiralal (op.cit). "Patwa" has been entered in this list with a description even more precise than in the case of U.P., viz., "makers of silk braided thread"

55. In respect of Kalelkar Commission's List for 'Vindhya Pradesh', which is now part of M.P., the position is the same, except that the entry "Parasher" is not in

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also the position with regard to "Madhya Bharat", another constituent unit of the present M.P. The entry 'Hammal' in respect of which the traditional occupation is given as "Rural traders on barter" is obviously not a Bania/Vaishya caste. Hammals are really labourers who lift and transport, load, and unload various goods manually and they are not a caste, but include labourers from different castes and communities.

56. The Madhya Pradesh State List does not have the entry "Parasher" or any other Bania/Vaishya castes. However, from this State, where no Bania/Vaishya caste is included in the List of BCs, there are Requests for inclusion in respect of 2 Bania/Vaishya castes, viz.,

1. Agrahari Vaishya, and
2. Kamlapuri Vaishya.

which are only in the State List of Bihar (but only one of them in the Central List for Bihar). Agrahari Vaishya is also among the Bania/Vaishya castes in respect of which there are Requests for inclusion in the Central List of Backward Classes for Maharashtra and Uttar Pradesh, while Kamlapuri Vaishya is among those covered by the Requests for Inclusion in the Central List for Bihar, U.P. and West Bengal.

57. In Rajasthan also, no Bania/Vaishya caste is included in the State or Central list of Backward Classes. The position is the same in respect of Haryana. In Delhi, which is an enclave within the cultural region consisting of the States mentioned in paras 44-55, though as the capital city it has got a cosmopolitan nature, the State List does not include any Bania/Vaishya caste, but there are Requests for inclusion of 3 castes/communities of this category, viz.,

1. Poddar
2. Kesarvani Vaishya
3. Rauniyar Vaishya,

all of which are only in the Bihar State list (but only two of them in the Central List for Bihar).

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Commissioner

58. Thus, in the entire Hindi-speaking cultural region, Bihar stands out as a unique exception with regard to inclusion of castes/sub-castes which are generally considered to be belonging to the Bania/Vaishya category and have trade or shop-keeping as their traditional occupation. The situation in Bihar seems to have triggered off a spate of Requests for Inclusion of castes/sub-castes of this category in the neighbouring states including Delhi and even in distant Maharashtra, apart from Requests from Bihar itself which are presently under consideration. Apart from this apparent triggering off of a spate of Requests, in some other States also, Vaishya/Bania castes which have never been included in the State List or Mandal List, have sought inclusion in the Central List now. In the case of Bihar, without taking into account those entries under 'Bania' such as Kalwar etc., which are really not Vaishya or Bania, according to general perception, the inclusion on a large scale of Bania/Vaishya castes is puzzling not only in itself, but also in the context of the description of some of these castes in the Report of the Mungeri Lal Commission which recommended their inclusion in the State List of Bihar. The Report of the Mungerilal Commission describes "Kamlapuri Vaishya" inter alia as follows:-

"अन्य उच्च वर्गों के हिन्दुओं से इनका संबंध सामान्य रहता है। जाति व्यवस्था में इस समुदाय को वैश्य माना जाता है। इनका पेशा तथा जलपान सर्वाणि जाति के जैसा है।"

About 'Burnwal', it is inter alia mentioned in the Report that, "वर्ण व्यवस्था में यह समुदाय वैश्य में गिना जाता है।" Apart from this, classic ethnographic descriptions of some of these castes also reinforces the question mark with regard to the inclusion of this category of castes/sub-castes in the Bihar List. Risley in his book 'The Tribes

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and Castes of Bengal' (op.cit.) has the following observations to make on some of such castes/sub-castes:-

"Mahuri, a sub-caste of Baniyas in Bihar, who occupy nearly as high a rank as the Agarwals in social estimation.... Trade and money-lending are the proper occupations of the Mahuri. Some of them have acquired substantial tenures and set up as landholders and zamindars."

"Rauniar, Raunia, Noniar, a sub-caste of Baniyas in Behar.... trade, and trade only, was his original function.... The Rauniyars of Behar profess to have come from the North-West Provinces, and their allegation is likely enough to be correct....

In their religious and ceremonial observances the Rauniars are orthodox Hindus and employ Brahmans, whose social position is no way affected by serving them....

Trading in grain, cloth, etc. and lending money, are their special functions, but of late years some of them have taken to agriculture, and a few have risen, probably as a consequence of money-lending transactions, to be zemindars. In Champaran Rauniyars are found as occupancy raiyats, but such cases are rare."

"Sinduriya, Sindurhar, a class of Bania who sell sindu or vermillion;...."

"Agrahari, Agrahri, a trading and cultivating caste of Behar and Upper India, who are probably closely related to the Agarwala."

Of the above, there is interesting educational statistics about Roniyar with regard to literacy in English. In terms of number of literates in English per 1,000 in the Census of as far back as 1911, reproduced by Girish Mishra and Bra Kumar Pandey ('Sociology and Economics of Casteism in India', Pragati Publications, Delhi, 1996), out of 2 communities for which statistics are given, Roniyar ranked 6th after only Kayasth, Brahmin, Rajput, Bhumihaar and Kalwar. Further, it is seen that between 1901 and 1911 Roniyars registered a spurt of increase of 1500%, i.e., 15 times in terms of Literacy in English, even Kayasths registered only about 30% increase and Brahmins only 30% Bhumihaars about 25% and Rajputs less than 50%.

NATIONAL COMMISSION FOR BACKWARD CLASSES

PONDICHERRY BENCH

FINDINGS

CASE: REQUEST FOR INCLUSION OF "KANNADIYAR/KANNADA SAINEEGAR" CASTE/COMMUNITY IN THE CENTRAL LIST OF BACKWARD CLASSES FOR PONDICHERRY.

PER SHRI SAHU AKSHAYA BHAI, MEMBER

I. REQUEST

This case arises from the Request received in this Commission from Shri S. Govindaraju, General Secretary, Pirpaduthapattor Nala Sangam, Pondicherry and from Shri M. Sivamany, Secretary, Pondicherry Kannadiya Samooga Nala Sangam, Pondicherry for inclusion of "Kannadiyar/Kannada SaineeGAR in the Central List of Backward Classes for Pondicherry.

II. PUBLIC HEARING

2. A three-Member Bench of the NCBC consisting of Hon'ble Members Shri Sahu Akshaya Bhai, Shri U.P. Singh and Shri Navtej Puadhi held a Public Hearing in respect of this request at Pondicherry on 29th April, 1998. At the Public Hearing, the U.T. Government was represented by Shri Felix Sequeria, Welfare Secretary, Shri Salvaraj, Deputy Director, Social Welfare, Shri V. Swaminathan, Research Officer, Social Welfare and other officials. The caste/community was represented by Shri K. Ganapathi and others.

III. FACTS

3. The U.T. of Pondicherry had no list of Backward Classes at the time of the Supreme Court Judgement in the Mandal case, delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality recommend a Central List of Backward Classes for the U.T. of Pondicherry as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore, the Central Govt. also could not issue a Central List of Backward Classes by its Notification No. G.O. Ms. No. 20/94-Wel(SW)-II dated 6.7.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 issued a common(Central) list of Backward Classes

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P. S. KRISHNAN
Member Secretary
National Commission
Backward Classes

for the U.T. of Pondicherry. The caste/community "Kannadiyar/Kannada Saineeagar" is not included in the U.T. list of Backward Classes and Mandal List of Backward Classes, therefore it is also not included in the Central List prepared on the basis of the "Principle of Commonality".

4. The NCBC's Questionnaire filled up by the Pondicherry Kannadiya Samooga Nala Sangam, Pondicherry states that "Kannadiyar" is the name of the main caste/community and it is also known by the name 'Kannada Saineegar'. The population of the caste/community is 825. They are concentrated in Pondicherry and Karaikal region. Their community is included in the State List and Central List of Backward Classes in respect of Tamil Nadu State. The traditional occupation of the caste/community was Weaving and Agriculture. They are also engaged in petty business, trade, self-employment and manual labour rendered for wages. The literacy rate of the community is 97%. Out of the 805 literates, 244 are matriculates and 130 are graduates. The percentage of the members of the caste/community living in Kachha houses is 75% and Pucca houses is 25%. Number of posts in the services of the State Government in Class I, II, III & IV services are 2,12,45 and 7 respectively. None of the community members had ever become MLA or had been elected as member of Panchayat Raj Institutions.

5. During the Public Hearing, the representatives of the Pondicherry Kannadiya Samooga Nala Sangam stated that 'Kannadiyar' is the name of the main caste and they are also known as 'Kannada Saineegar'. Their community residing in Pondicherry and Karaikal migrates from Tamil Nadu. In Tamil Nadu their caste/community is included in the Backward Classes List. The traditional occupation of the community was weaving and agriculture but due to competition in the market and climatic condition they had given up their traditional occupation and are now engaged in petty shops/business, selling general items, agricultural labourers, weavers and very few of them are working in Government Service as Clerks, School teachers. There has been no representative in the State legislature or in Parliament. None from this community has been selected in Civil Service and Local Bodies. There is no Engineer or Chartered Accountant or other professionals belonging to this community. The representation in Government service is negligible. When the Bench made a specific question regarding their social backwardness, they were not in a position to give any specific answer, but stated that due to poverty, lack of education and unemployment they are not able to compete with other communities and therefore they are socially backward.

6. An account is available on 'Kannada Sainegar, Kannadiyar' in the report of the Tamil Nadu Second Backward Classes Commission, which mentions that this community is a Canareese class of cattle breeders, cultivators and weavers.

7. Edgar Thurston (Castes & Tribes of Southern India, Vol. Asian Educational Services, New Delhi, first published in 1909) under the head 'Kannadiyan' writes that the Kannadiyans have been summed up as 'immigrants from the province of Mysore. Their traditional occupation is said to have been military service, although they follow, at the present day, different pursuits in different districts. They are usually cattle breeders and

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P. ... Secretary
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cultivators in North and South Arcot and Chingleput, and traders in the southern districts. Most of them are Lingayats, but a few are Vaishnavities".....Some Kannadiyans in the Tanjore district are said to be weavers.....

About twenty miles from the city of Madras is a big tank(lake) named after the village of Chembrambakam, which is close by. The fertile land surrounding this tank is occupied, among others, by a colony of Lingayats of whom each household, a rule, owns several acres of land. With the cultivation thereof, they have the further occupation of cattle grazing.

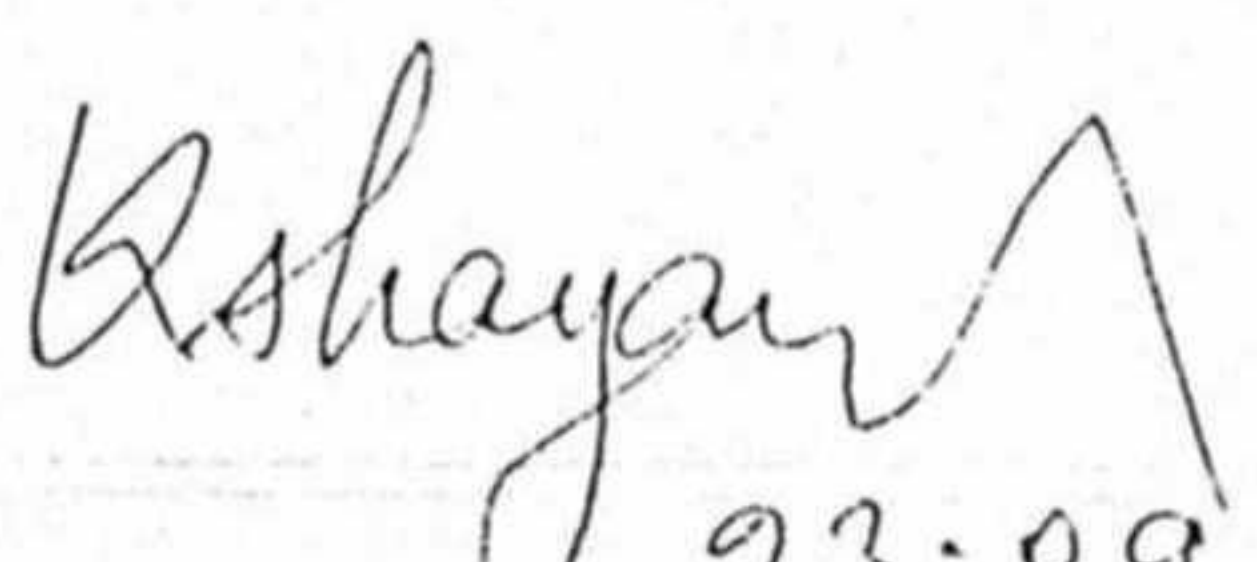
8. The State Level Committee for Backward Classes has not recommended the caste/community 'Kannadiyar' for inclusion in the U.T. List of Backward Classes. The information furnished by the U.T. Government mentions that the survey found 130 Household of this community with a population of 577 living in Pondicherry and stated during the Public Hearing that this community is not Socially Backward in Pondicherry.

9. Submissions are made by the representatives of the community for inclusion of this community in the Central List of Backward Classes for Pondicherry, commending such action by heavily relying on the fact that the community was placed in the State List and Central List of Backward Classes for Tamil Nadu.

IV. FINDINGS

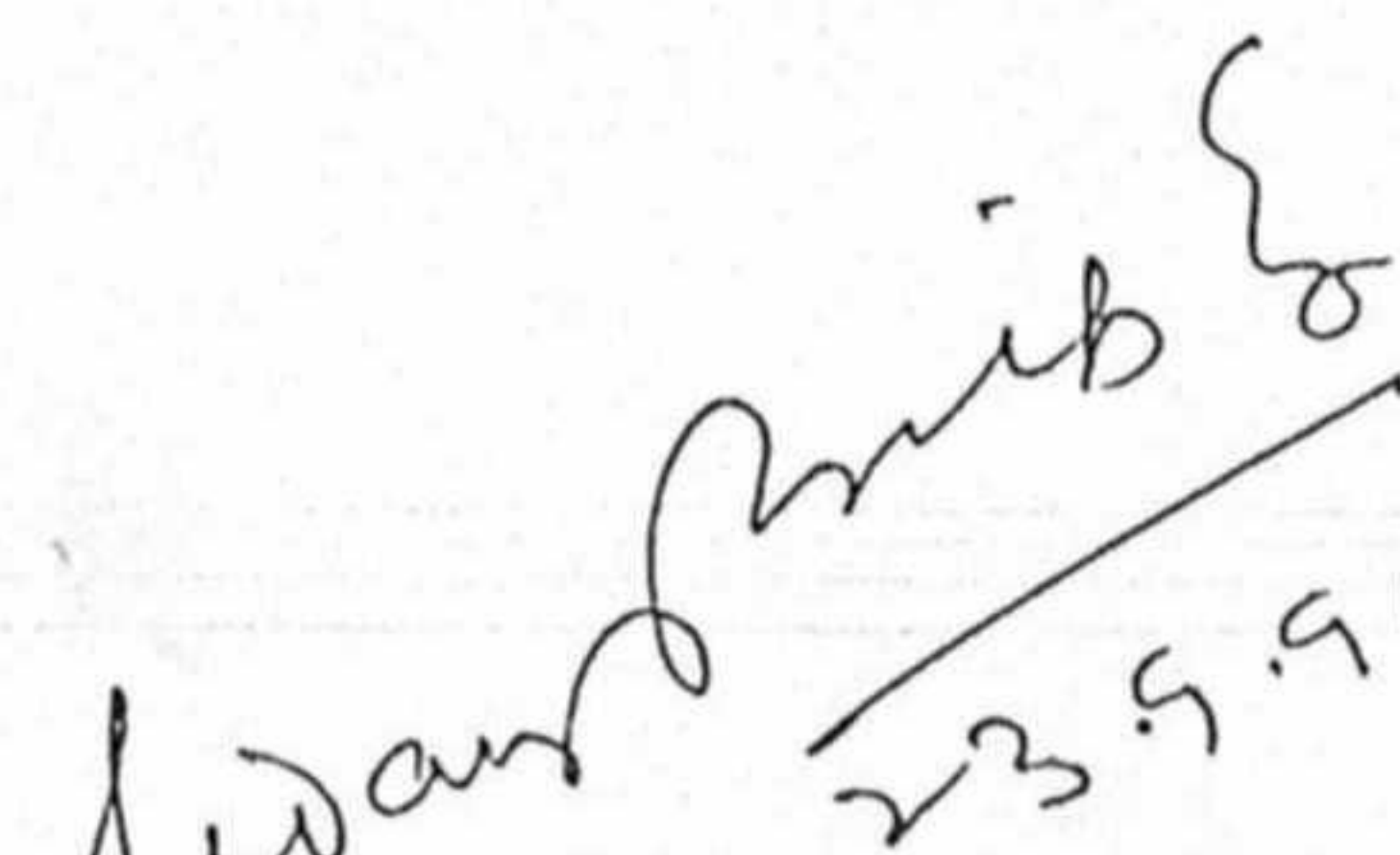
10. While the Request making party gives the traditional occupation of the Community as "agriculture and weaving", the Report of the Tamil Nadu Second Backward Classes Commission mentions the Community to be of "Cattle-breeders, Cultivators and Weavers". When these statements are juxtaposed with the observation of Thurston and Rangachari that their traditional occupation is "said to have been military service", it is not possible to presume the precise social status of the Community. However, considering the facts submitted by the Request making party in the NCBC's Questionnaire as well as during the Public Hearing regarding their present occupations, the picture that emerges regarding the members of this community in Pondicherry is that of an upward mobile Community. Therefore, prime facie it appears that it is not a socially backward community. However, irrespective of whether it is socially backward or not, going by the figures of literacy and education of the members of the Community as stated by the request making party, the Community is definitely not Educationally Backward. In view of these facts, the Request for inclusion of "Kannadiyar/Kannada Saineegar" in the Central List of Backward Classes for the U.T. of Pondicherry should be rejected.

As one of the Member of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.08.1998, subsequent to the public hearing, the Findings are signed only by two Members, but the findings represent to conclusion jointly arrived at by the bench Members.


23.09.98
(SAHU AKSHAYA BHAI)

AUTHENTICATED


P. S. KRISHNAN
Secretary
Commission


23.9.98
(U.P. SINGH)

V. **ADVICE OF THE COMMISSION**

11. The Commission considered and agreed in full with the above findings of the Pondicherry 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:-

The Request for inclusion of "Kannadiyar/Kannada Sainegar" in the Central List of Backward Classes for Pondicherry be rejected.

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.08.1998, 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.

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AUTHENTICATED

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

PONDICHERRY BENCH

FINDINGS

CASE : REQUEST FOR INCLUSION OF "KONGU VELLALAR" IN THE CENTRAL LIST OF BACKWARD CLASSES FOR PONDICHERRY.

PER SHRI SAHU AKSHAYA BHAI, MEMBER

I. REQUEST

This case arises from the Request received in this Commission from Shri S. Govindaraju, General Secretary, Pirpaduthapattor Nala Sangam, Pondicherry and from Kongu Vellagoundargal Sangam, Pondicherry for inclusion of "Kongu Vellalar" in the Central List of Backward Classes for Pondicherry.

II. PUBLIC HEARING

2. A three-Member Bench of the NCBC consisting of Hon'ble Members Shri Sahu Akshaya Bhai, Shri U.P. Singh and Shri Navtej Puadhi held a Public Hearing in respect of this request at Pondicherry on 29th April, 1998. At the Public Hearing, the U.T. Government was represented by Shri Felix Sequeria, Welfare Secretary, Shri V. Swaminathan, Research Officer, Social Welfare and other officials. The caste/community was represented by Shri K. Ganapathi and others.

III. FACTS

3. The U.T. of Pondicherry had no list of Backward Classes at the time of the Supreme Court Judgement in the Mandal Case, delivered on 16th November, 1992. For this reason, the Expert Committee of Backward Classes could not, on the basis of principle of commonality recommend a Central List of Backward Classes for the U.T. of Pondicherry as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore, the Central Govt. also could not issue a Central List of Backward Classes for the U.T. of Pondicherry in 1993. The Govt. of U.T. of Pondicherry issued its list of Backward Classes by its Notification No. G.O. Ms. No. 20/94-Wel.(SW)-II dated 6.7.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 issued a common(Central)

AUTHENTICATED

P. S. KRISHNAN

Member
National Commission
Backward Classes

list of Backward Classes for the U.T. of Pondicherry. The caste/community "Kongu Vellalar" is not included in the U.T. list of Backward Classes and therefore it is not included in the Central List prepared on the basis of the "Principle of Commonality".

4. The NCBC's Questionnaire filled up by the Kongu Vellagoundargal Sangam, Pondicherry states that 'Kongu Vellar' is the name of the main caste/community. The names of the sub-castes are Vellala Gounder & Nattu Gounder. The population of the caste/community is 900. They are concentrated in Pondicherry and spread over to Mahe and Yenam. The occupation on which the members of the community mainly depend for livelihood is money lending, business, employees and agriculture. The literates, 604 are matriculates and 84 are graduates. The percentage of the members of the caste/community living in Kachha houses is 5% and Pucca houses is 95%. Number of the members of this community in services of the State Government in Class I, II, III & IV services are 1,3,10 and 20 respectively.

5. During the Public Hearing, the representatives of the Kongu Vellagoundargal Sangam stated that 'Kongu Vellalar' is the name of the main caste and their sub-castes are Vellala Gounder & Nattu Gounder. Their community had migrated to Pondicherry from Tamil Nadu many years ago. Their caste/community is included in the Backward Classes list of Tamil Nadu. In Tamil Nadu they are recognised as agricultural caste but in Pondicherry due to climatic conditions they have changed their occupation from agriculture to petty business, mainly money lending, selling general items on cycles, petty shops. There has been no representative in the State Legislature or in Parliament. None from this community has been selected in Civil Services or have ever occupied any high position in Government Service and local bodies. There is no Doctor, Engineer or Chartered Accountant belonging to this community. The representation in Government Service is negligible. When the Bench made a specific question regarding their social backwardness, they were not in a position to give any specific answer, but stated that due to poverty and unemployment they are not able to compete with other communities as such they are socially backward.

6. Edgar Thurston (Castes & Tribes of Southern India, Vol., Asian Educational Services, New Delhi, first published in 1909) under the head 'Konga' writes that Konga or Kongu is a territorial term, meaning inhabitant of the Kongu country. It has, at recent times of census, been returned as a division of a large number of classes, mostly Tamil, which include Ambattan, Kaikolan, Kammalan, Kuravan, Kusavan, Malayan, Odde, Pallan, Paraiyan, Shanan, Uppara and Vellala. It is used as a term of abuse among the 'Badagas of the Nilgiri hills. Those, for example, who made mistakes in matching Holmgren's wools, were scornfully called Kongu by the onlookers. Similarly, in parts of the Tamil country, a tall, lean and stupid individual is called Kongan.

Under the head 'Konga Vellala' Edgar Thurston writes that for the following note on the Konga Vellalas of the Tiruchirapallii district. I am indebted to Mr. F.R. Hemingway. They seem to have little in common with the other Vellalas, except their name and appear to hold a lower position in society, for Reddis will not eat with them,

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P. S. KRISHNAN

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and they will dine with Tottiyans and others of the lower non-brahman castes. They live in compact communities, generally in hamlets. Their dwellings are generally thatched huts containing only one room. They are cultivators, but not well off.....

7. In the adjoining states of Tamil Nadu an account about 'Kongu Vellalar' is available in the Report of the Tamil Nadu, Second Backward Classes Commission, which states that 'Kongu Vellalars' are a class of agriculturists and have the title 'Gounders'.

8. Edgar Thurston (Castes & Tribes of Southern India, Vol., Asian Educational Services, New Delhi, first published in 1909) under the head 'Goundan' writes that it is noted, in the Salem Manual, that "some of the agricultural classes habitually append the title Goundan as a sort of caste nomenclature after their names, but the word applies, par excellence, to the head of the village, or Ur Gounder as he is called". As examples of castes which take Goundan as their title, the Pallis, Okkiliyans, and Vellalas may be cited. A planter, or other, when hailing a Malayali of the Shevaroy hills, always calls him Goundan.

9. Submissions are made by the representatives of the community for inclusion of this community in the Central List of Backward Classes for Pondicherry, commending such action by heavily relaying on the fact that the community was placed in the State List and Central List of Backward Classes for Tamil Nadu.

10. The State Level Committee for Backward Classes, Pondicherry have not recommended the caste/community 'Kongu Vellalar' for inclusion in the Backward Classes List for Pondicherry.

11. During the Public Hearing the U.T. Government officials stated that the State Level Committee for Backward Classes after survey have found 24 household of this caste/community with a population of 88 in Pondicherry and this caste/community is not Socially Backward in Pondicherry.

12. The Bench noted that the representatives of the caste/community during the Public Hearing stated that the occupation on which the community people mainly depend upon for their livelihood are money-lending, business and agriculture. In the traditional society of India, especially activities like money lending, cannot be carried out by members of a caste/community which does not enjoy high social status. Further, they were not able to give any specific answer/evidence regarding their social backwardness but they could only mention that due to poverty and unemployment they are socially backward.

AUTHENTICATED

S. K. KRISHNAN
Secretary
Tamil Nadu
Backward Classes Commission

IV FINDINGS

13. From the above evidence and materials, it is the finding of the Bench that the caste/community 'Kongu Vellalar' do not deserve inclusion in the Central List of Backward Classes as they are not Socially Backward. Therefore, the request of the caste/community for inclusion of 'Kongu Vellalar' in the Central List of Backward Classes should be rejected.

As one of the Member of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.08.1998, subsequent to the public hearing, the Findings are signed only by two Members, but the findings represent to conclusion jointly arrived at by the bench Members.

23.09.98
(SAHU AKSHAYA BHAI)

23.9.90
(U.P. SINGH)

IV. ADVICE OF THE COMMISSION

14. The Commission considered and agreed in full with the above findings of the Pondicherry 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:-

The request for inclusion of 'Kongu Vellalar' in the Central List of Backward Classes for the U.T. of Pondicherry be rejected.

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.08.1998, 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.

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ADMINISTRATIVE

P. S. KRISHNAN
Secretary
11, Anna Salai
Chennai 600 002

NATIONAL COMMISSION FOR BACKWARD CLASSES

PONDICHERRY BENCH

FINDINGS

CASE : REQUEST FOR INCLUSION OF "KARUNEEGAR" CASTE/COMMUNITY IN THE CENTRAL LIST OF BACKWARD CLASSES FOR PONDICHERRY.

PER SHRI SAHU AKSHAYA BHAI, MEMBER

I. REQUEST

This case arises from the Request received in this Commission from Shri S. Govindaraju, General Secretary, Pirpaduthapattor Nala Sangam, Pondicherry and Shri N. Natanasabapathy, President, Pudukai Karuneeagar Sangam, A-39, Thiagu Mudaliar Nagar, Pondicherry for the inclusion of "Karuneeagar" in the Central List of Backward Classes for Pondicherry.

II PUBLIC HEARING

2. A three Member Bench of the NCBC consisting of Hon'ble Members Shri Sahu Akshaya Bhai, Shri U.P. Singh and Shri Navtej Puadhi held a Public Hearing in respect of this request Pondicherry on 29th and 30th April, 1998. At the Public Hearing the U.T. Government was represented by Shri Felix Sequeria, Welfare Secretary, Shri Salvraj, Deputy Director, Social Welfare, Shri V. Swaminathan, Research Officer, Social Welfare and other officials. The association was represented by Shri K. Sivaloganathan and others.

III. FACTS

3. The U.T. of Pondicherry had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for the Pondicherry as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore, the Central Government also could not issue a Central List of Backward Classes for the U.T. of Pondicherry in 1993. The Govt. of U.T. of Pondicherry issued its list of Backward classes by its Notification No. G.O. Ms. No.

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P. S. KRISHNAN

Member Secretary
National Commission
for Backward Classes

20/94-Wel(SW)-II dated 6.7.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.94 issued a common(Central) list of Backward Classes for the U.T. of Pondicherry. The caste/community "Karuneeagar" is not included in the U.T. list of Backward classes as well as in the Mandal List of Backward Classes and therefore it is not included in the Central List prepared on the basis of the "Principle of Commonality".

4. The NCBC's Questionnaire filled up by the Pudukkottai Karuneeagar Sangam, states that their main caste/community is 'Karuneeagar' and they are also known as 'Kanakkapillai'. It also mentions that Seer Karuneeagar, Sarattu Karuneeagar, Kaikatti Karuneeagar & Sanambu Karuneeagar are sub-castes/sub-communities. The members of their caste/community is spread over in Pondicherry, concentrated in Karaikal district with a population of 1245. The occupation on which the members of their caste/community depend for their livelihood is Agricultural labour. Some of the members of their community work as manual labourers, daily wage workers in private workshops, companies, and industries. Few of them are in clerical posts, supervisory staff in private companies and one of the member of the community is working as a lecturer. Women of the caste/community, as a general practice are, engaged as maidservant etc. Children as a general practice are also engaged in their parents petty business like sack stitching, old paper business, chilli powder business, vegetable selling or old paper business and other similar petty businesses. The literacy rate of the caste/community is given, as 60% and the percentage of matriculates is 60%. The percentage of the caste/community living in Kachha house is 90% and Pucca house is 10%. The representation in Government service is very negligible.
5. During the Public Hearing, the representatives of the caste/community stated that 'Karuneeagar' is the name of their main community **and also known as Kanakkapillai**. The names of the sub-castes/community/synonyms are Seer Karuneeagar, Sarattu Karuneeagar, Kaikatti Karuneeagar & Sunambu Karuneeagar. Their community originally belonged to Tamil Nadu and after its migration from Tamil Nadu they are spread out in Pondicherry, with a population of 1300 and their community is concentrated in Karaikal district. The main occupation of the members of their caste/community is agricultural labour/manual labourer. Some of the members of the caste/community work as manual labourers, daily wagers in Private Companies. Most of the community people live in Kachha houses. The employment of this community at State, Central Services and Public sector undertakings is negligible. None from this Community has been recruited to Civil Services. There has been no representative in State legislature or in Parliament. None from this community ever occupied high position in Government Service, Public Sector Undertakings and local bodies. All these factors contributed to deterioration of the living conditions of this community.
6. Submissions are made by the representatives of the community for inclusion of this community in the Central List of Backward Classes commending such action by heavily relying on the fact that the community was placed in the State List of Tamil Nadu.

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7. In the adjoining State of Tamil Nadu, the Report of the Tamil Nadu Second Backward Classes Commission, 1985, discuss under the head 'Karuneeagar', which mentions that they use the title 'Pillai'. But in Tiruttani and Pallipattu taluks, some of them use the sub-division 'Kanika'. Traditionally they were village Karnams and were well versed with the maintenance of village accounts. Some of them were also primary school teachers. Owing to the change in the socio economic pattern, they have taken to other professions like clerks, tailors etc.

8. Under the head 'Kanakkan', Edgar Thurston and Rangachari ("Castes and Tribes of Southern India, Vol. III, Asian Educational Services, New Delhi, Madras, 1993, first published 1909) write about this caste/community as follows:-

"Kanakkan is a Tamil account caste, corresponding to the Oriya Korono. In an account thereof, in the North Arcot Manual, Mr. H.A. Stuart writes that they are 'found chiefly in the districts of North arcot, South Arcot, and Chingelput. The name is derived from the Tamil word Kanakku, which means an account. They were employed as village accountants by the ancient kings. In the inscriptions the word Karanam or Kanakkan occurs very often, and their title is invariably given as Velan, which is possibly a contracted form of Vellalan....The caste is said to have four divisions, Sir(Sri), Sarattu, Kaikatti and Solia.....The members of the four divisions cannot intermarry. In their customs the caste is somewhat peculiar. They wear the thread, disallow liquor-drinking, flesh-eating, and widow remarriage. Most of them worship Siva, but there are some who are Vaishnavites, and a very few are Lingayats'. Their title is Pillai.....

It is laid down in the Village Officers Manual that 'the Karnam, who is entrusted with the keeping of village accounts, is subordinate to the Head of the village. He would help and advise the head of the village in every way. He is the clerk of the head of the village in his capacity of village munsif and magistrate. He has to prepare reports, accounts, statements etc., which it 'is necessary to put in writing'. When sudden or unnatural death takes place within the limits of a village, the Karnam takes down in writing the evidence of persons who are examined, and frames a report of the whole proceedings. He keeps the register of those who are confined, or placed in the stocks by the Head of the village for offences of a trivial nature, such as using 'abusive language, or petty assaults or affrays. It is the Karnam who keeps the revenue accounts, and registers of the price of all kinds of grain, strangers passing or re-passing through the village, births and deaths, and cattle mortality when cattle decease, e.g., anthrax or rinderpest exists. Further, it is the duty of the Karnam to take proper care of Government survey instruments, and, when revenue survey is being carried out, to satisfy himself that the village and field boundary marks are properly erected".

9. The NCBC after examining all relevant evidence, had already tendered its Advice to the Central Government for rejection of the Request for inclusion of 'Karuneeaka' (Kanak Pillai) in the Central List of Backward Classes for Karnataka vide its letter NCBC Advice No. Karnataka 63/97, dated 04.11.1997.

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IV. FINDINGS

10. From the above evidence and material, it is the view of the Bench that "Karuneegar" is the same as 'Kanakkan' referred to by Thurston and Rangachari. Thus, "Karuneegar" is obviously a Tamil accountant caste, accountants particularly of village accounts, which is source of strength for the castes to which such traditional accountants belong. Such castes are not socially backward. Though they do not have this occupation in Pondicherry to which they have migrated from Tamil Nadu, their social status; is influenced by the status of members of that community across the State border. Therefore, the request of the community for inclusion of "Karuneegar" in the Central List of Backward Classes should be rejected.

Ashayan
23.09.98
(SAHU AKSHAYA BHAI)

U.P. Singh
23.9.98
(U.P. SINGH)

V. ADVICE OF THE COMMISSION

11. The Commission considered and agreed in full with the above Findings of the Pondicherry bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993, for action under Section 9(2) of the Act:-

The Request for inclusion of "Karuneegar" in the Central List of Backward Classes for Pondicherry be rejected, as it is not socially backward class.

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.08.1998, 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. L. S. Srinivasan
26.9.98
Ashayan
23.09.98
U.P. Singh
23.9.98

AUTHENTICATED

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Member, Commission
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23.9.98