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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. 6 Gujarat/98

11. 08. 1998

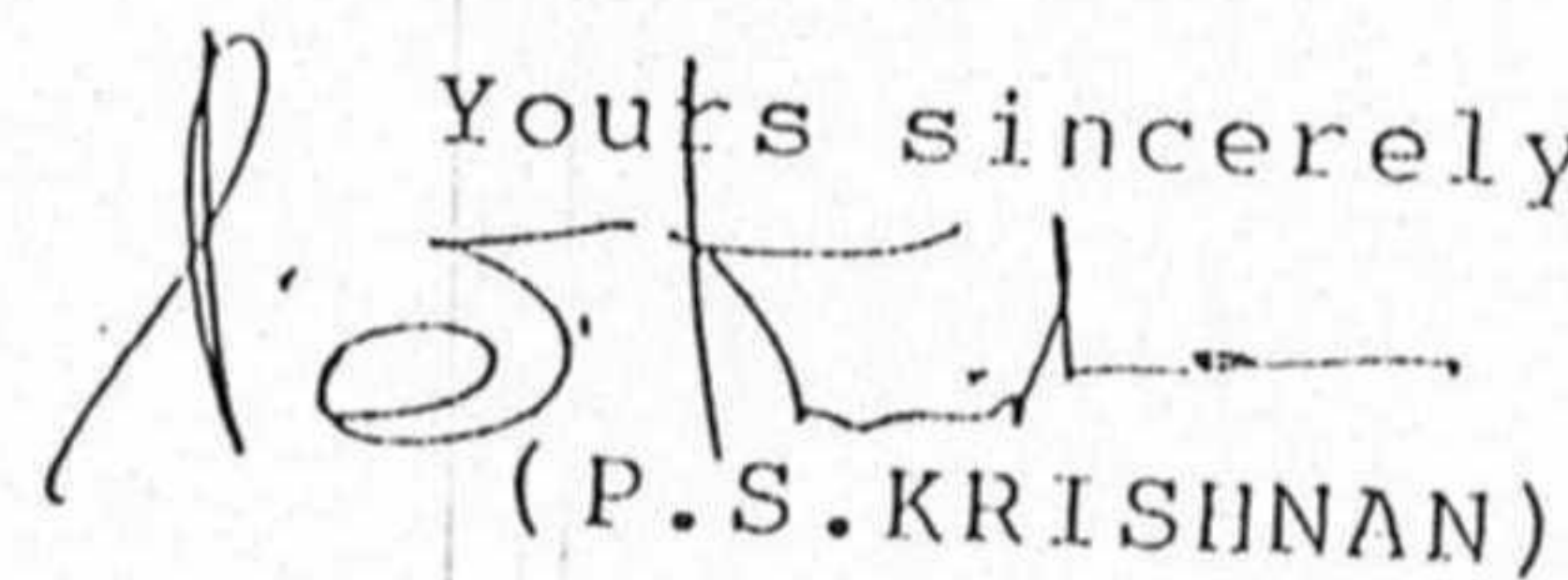
Dear Shri Manavalan,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for the Inclusion of "Kumbhar (Prajapati, Varia)" caste/community, and for rejection of the Request for Inclusion of Biyar, Kandra Patel, Lathiya, Potmaker, Sakariya, and Variya as synonyms of Kumbhar in the Central List of Backward Classes for Gujarat, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 277 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 274 are still pending with the Government for Notification.

Regards,

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

GUJARAT BENCH

FINDINGS

Case :- Request for inclusion of "Kumbhar" (Biyar, Kadra Patel, Lathiya, Potmaker, Prajapati, Sakariya, Variya, Varia) castes/communities in the Central List of Backward Classes for Gujarat.

Per Shri U.P. Singh, Member

I. Request

1. This case arises out of the Request received in this Commission from Shri N.S. Prajapati, President, Gujarat Prajapati Samaj, Ahmedabad for inclusion of "Kumbhar"(Biyar, Kadra Patel, Lathiya, Potmaker, Prajapati, Sakariya, Variya, Varia) castes/sub-castes/communities in the Central List of Backward Classes for Gujarat.

II. Public Hearing

2. The 2-Member Gujarat Bench of the Commission Consisting of Hon'ble Members S/Shri U.P. Singh and Navtej Puadhi, held a Public Hearing at Ahmedabad on 6.5.98 in respect of this Request. At the Public Hearing, the State Govt. was represented by Shri J.M. Luni, Director, Developing Castes Welfare, Shri N.L. Bhatt, Deputy Secretary and Shri A.M. Bhatt from Social Welfare Department, Govt. of Gujarat, Gandhinagar. Shri J.B. Baxi, Incharge Secretary,

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National Commission
for Backward Classes

State OBC Commission, Gandhinagar was also present during the Public Hearing. The castes/community was represented by the following :-

1. Chaturbhai M. Prajapati (Advocate)
2. Devendra N. Prajapati
3. Shri Shivabhir N. Oza
4. Shri Sankulchand Prajapati and others.

The concerned Bench for the State had earlier heard the community on 28.8.97 at Ahmedabad but due to insufficient evidences the decision in the matter was deferred till further hearing which was held on 6.5.98.

III. Facts

3. The relevant entries in respect of the caste/community in different lists are as follows :-

i). Mandal List

"46. Kumbhar (Biyar, Kadra Patel, Lathiya, Potmaker, Prajapati, Sakariya, Variya, Varia)".

ii). State List

"99. Kumbhar (Biyar, Kadra Patel, Lathiya, Potmaker, Prajapati, Variya, varia)".

iii). Central List

Not included.

4. At the time of preparation of first phase Central List of the Backward Classes on the basis of "Principle of Commonality", the community was not included in the State List of BCs for Gujarat and therefore it was not included in the Central List of Backward Classes in 1993. However, the caste/community was

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included in the State List vide Govt of Gujarat, Social Welfare Department, Resolution No. SSP/1194/1411/A dated 25.7.94.

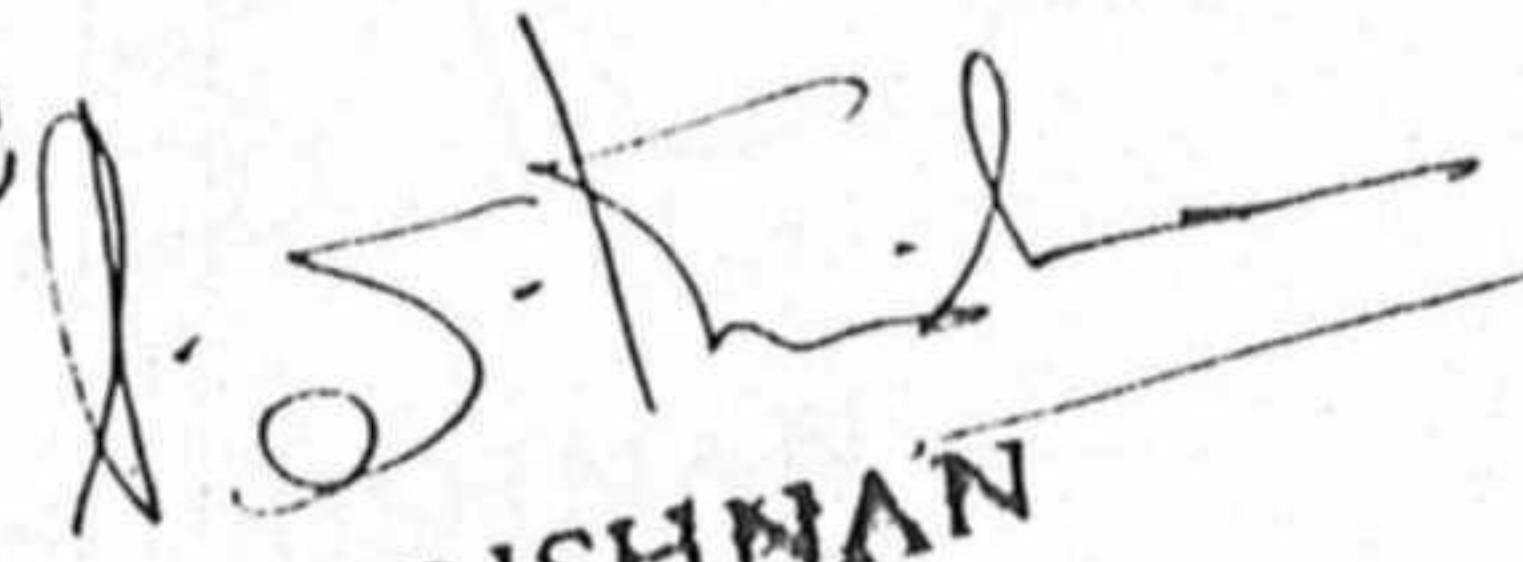
5. The representatives of the caste/community present during the Public hearing submitted that they are engaged in clay work and should be included in the Central List of BCs for Gujarat alongwith its sub-castes/synonyms. However, the Bench impressed upon the representatives of the caste/community that "Kumbhar alongwith its sub-castes/synonyms" already included in the State List and in respect of which material evidence is available can only be included in the Central List of BCs for Gujarat.

6. The Gujarat Prajapati Samaj, Ahmedabad has submitted duly filled in NCBC Questionnaire regarding main caste/community "Kumbhar (Prajapati)" which inter-alia mentions Gurjar, Varia, Vatolia, Oza, Dalwadi, Sakaria, Lathia, Lad etc. as its sub-castes/synonyms. The population of castes/community is stated to be 22 lakhs which is spread all over the State and constitutes 16 % of total OBC population of the State. The Questionnaire contains further facts in support of their claim for inclusion in the Central List of Backward Classes for Gujarat :-

- i) The caste/community is generally regarded as socially Backward.
- ii) The occupation on which the members of the caste/community mainly depend for livelihood is clay work which involves manual labour rendered for wage and manual labour rendered on own work. The other occupation on which the members of the caste/community depend for livelihood is agricultural labour. The women as well as the children of the caste/community, as a general practice, are, for their own or for their family's livelihood engaged in agricultural and non-agricultural work on daily wages. The caste/community is, in terms of the caste system, identified/linked with traditional craft of pot making. About 35 percent of the population of the adult members of the caste/community are engaged in traditional craft. The other members of the caste/community are engaged in

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occupations like agricultural labour for wage (5%), other manual labour for wage i.e. brick work labour (35%), cultivation of own land (20%) and other occupations (5%) i.e. services of various nature in Govt., Public Sector, Universities, Colleges, Organised Private Sectors, Trade/Commercial and Professions like Lawyer, Doctor, etc.

iii) There was only one MLA in the State Legislature belonging to the caste/community on the date of application. Prior to that not a single MLA belonged to the caste/community.

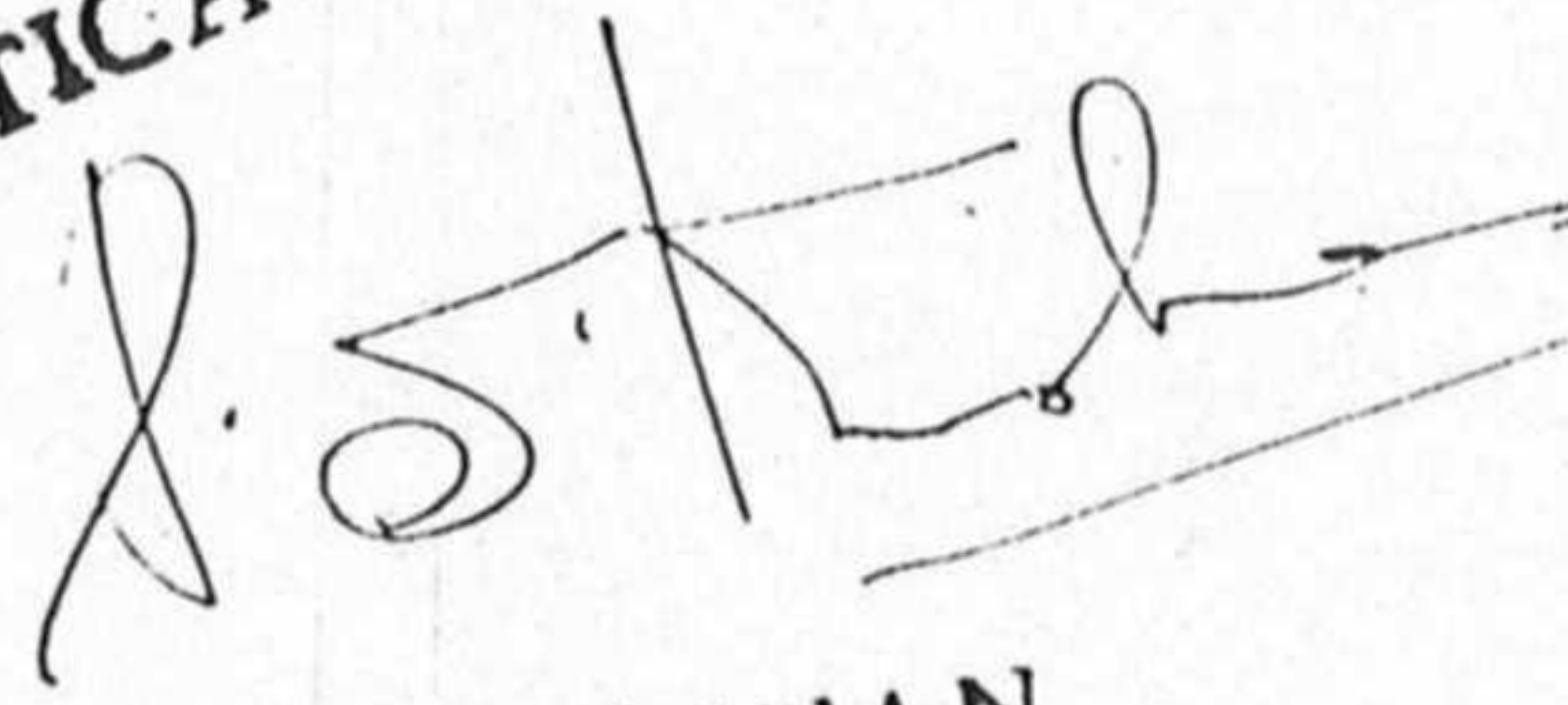
iv) As per the State Govt's record of 1996-97 the literacy rate of matriculates of the caste/community in the State was 14%. The proportion of matriculates of the caste/community to the total population of the caste/community was 4 percent. Total number of all graduates among the members of the caste/community in the State was 22,000 which constituted 1% of total graduates of the caste/community to the total population of the caste/community in the State. However, the number of female graduates was 20,000.

(v) A large proportion of the families (70%) of the caste/community in the State live in Kachha houses and 30% in pucca houses.

(vi) No. of posts in the services of the State Government held by the members of the caste/community stated to be as follows :-

Group A/Class I	80 to 100
Group B/Class II	275 to 300
Group C/Class III	800 to 900
Group D/Class IV	400 to 500

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Besides State Govt. services, the members of the caste/community are also engaged in the following areas of employment :-

Teachers in Colleges and Universities	80 to 90
Administrative Personnel in Colleges	10 to 15
Doctors	125 to 150
Lawyers	200 to 225
Engineers and Architects	275 to 300
Chartered Accountants	8 to 10
Income Tax, Financial and Management Consultants	8 to 10
Defence Services	600 to 650

vii) The main reasons on account of which the caste/community considers itself to be backward are illiteracy, poverty and low social status.

viii) The names of two castes/communities at a level immediately higher than their caste shown are "Barot and Thakarda" which are included in the Central List of BCs for the State at entry Nos. 4 and 69 respectively.

7. Ethnographic account of the caste/community available in "The Tribes and Castes of Bombay Vol. II" (by R.E. Enthoven, Asian Educational Services, New Delhi, 1990 (reprint) First Published in 1922 pp. 275-284) describes about the caste/community that "Kumbhars or Potters, from the Sanskrit Kumbha a water-pot nameand Kar makerare found in all parts of the Presidency.

They are divided into twenty-three endogamous groups as follows :-

1. Ahir or Lahanchake
2. Balde
3. Bhandu
4. Chag Bhaisa

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Member, Backward Classes Commission

5. Garete
6. Gujar
7. Goremaratha
8. Hatghade, Bhonde or Bhondkar
9. Flatode
10. Kadu or bastard
11. Kanada
12. Karnatak, Pancham or Lingayat
13. Khambhati
14. Konkani
15. Lad or Thorchake
16. Ladbhuje
17. Malvi
18. Moratha or Ghati
19. Pardeshi
20. Rajput
21. Sorathia
22. Varia
23. Vatalia

They are described below under Maratha, Konkani, Gujarati And Pardeshi Kumbhars. (ibid, p.275).

Gujarat Kumbhars are also called Ghatghadas, Ojhas and Prajapatis. The term Ghatghada means maker of an earthen water jar (ghat). Prajapati is a name of Brahma or the creator of the Hindi trinity, and is applied to the Kumbhars humorously on account of their profession of making earthen vessels which is likened to Brahma's creation of the world. The origin of the term Ojha is uncertain but it seems to have some special connection with the Gujar tribe, and may possibly be a form of Khazar or Gujar as Sir James Campbell suggests.

Gujarat Kumbhars claim descent from the mythological King Daksha Prajapati. Some of their Divisions claim to be Kshatriyas. They appear to be a

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functional caste evolved from Kanbis, whom they resemble in many respects. They have seven endogamous divisions, (1) Gujar, (2) Kadiya or Khedvaya, (3) Khambhati, (4) Lad, (5) Sorathia, (6) Varia and (7) Vatalia. Of these, Sorathias, Khambhatis and Lads are territorial in origin. Gujars belong to the great tribe of Gujars who gave Gujarat its name, and to which the majority of the Gujarat Kanbis belong. Vatalias or 'polluted' are said to be the offspring of a Brahman by a Kumbhar wife. Kadia Kumbhars are, properly speaking, a distinct caste formed by fission from Kumbhars by those who gave up making earthen pots and took to masonry. They are known in many places simply as Kadias. The origin of the other division is unknown.

Gujarat Kumbhars have several exogamous divisions named after Rajput clans, such as Yadav, Chudasama, Chohan, Bhatti, Rathod, etc. (Ibid, p. 281)

Synonyms/Sub-Castes of Kumbhar

Prajapati :-

As mentioned in the request Kumbhar (Prajapati) is the main caste. According to them Prajapati is a synonym of Kumbhar. According to R.E. Enthovan "Gujarat Kumbhars are also called Ghatghadas, Ojhas and Prajapati".Prajapati is a name of Brahma or the creator of the Hindu trinity, and is applied to the Kumbhars humorously on account of their profession of making earthen vessels which is likened to Brahma's creation of the world." (ibid p. 280). 'Prajapati' has been included in Mandal List and State List of other Backward Classes issued on 25.7.94.

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Variya and Varia

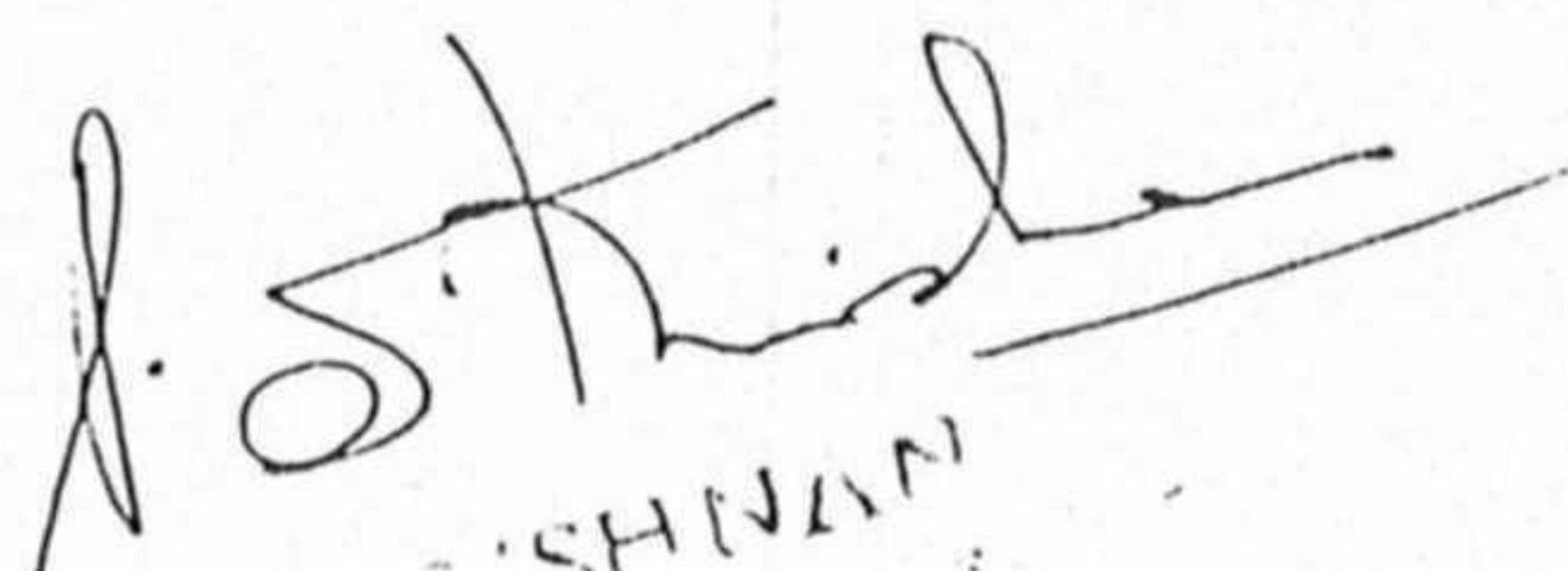
'Variya' and 'Varia' are included in both the lists i.e. Mandal List and State List (issued on 25.7.94). The ethnographic literature available only supports the fact that 'Varia' is a sub-caste of 'Kumbhar' in Gujarat. R.E. Enthoven has listed 'Varia' as one among the endogamous divisions of Gujarat Kumbhars. There is no ethnographic literature available about the 'Variya' to substantiate the fact of its belonging as a sub-caste/synonym to Kumbhar and therefore the Bench decided to include 'Varia' only in the Central List of Backward Classes for Gujarat.

Biyar, Kadra Patel, Lathiya, Pot Maker and Sakaria

Biyar, Kadra Patel, Lathiya and Pot Maker are included in both the Mandal List and State List (1994). Sakariya is included in the Mandal List only. Pot Maker is English translation of 'Kumbhar'. There is no evidence to show that this name has come into use as a synonym of Kumbhar in Indian context. But the English translation of an Indian occupational caste name will have a totally different significance and the Bench did not find it desirable to include such English name. Ethnographic literature is not available in respect of Biyar, Kadra Patel, Lathiya and Sakariya which could substantiate that these are sub-castes/synonyms of main caste "Kumbhar" and therefore, the Bench decided not to include these as sub-castes/synonyms of "Kumbhar" in the Central List of OBCs for Gujarat.

8. The representatives of the caste/community also stated before the Bench that the community is still at a lower ladder in social hierarchy. During the Public Hearing, those present who were from different sections of the society as well as the representatives of the State Govt. did not object to the inclusion of the "Kumbhar" alongwith Prajapati and Varia as its sub-castes/synonyms" existed in the State List

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of BCs but supported its inclusion in the Central List of Backward Classes for Gujarat.

9. The "Kumbhar" caste/community with regional variations in nomenclature has been included in the Central List of Other Backward Classes in the following States and Union Territories :-

<u>Sl. No.</u>	<u>Name of the State/UT</u>	<u>Entry No. in Central List</u>	<u>Name of the caste/community</u>
1.	Andhra Pradesh	46	Kummara or Kulala
2.	Assam	53	Kumhar
3.	Bihar	69	Prajapati (Kumhar)
4.	Delhi	32	Kumhar/Prajapati
5.	Haryana	34	Kumhar, Prajapati
6.	Himachal Pradesh	30	Kumhar, Prajapati
7.	Jammu & Kashmir	11	Kumhar, Kumahar (Village Potters)
8.	Karnataka	112	Kumbara, Kummara, Khumara, Kumbhar, Khumbhar, Kusaan, Kulala, Kulalar, Moolya Kumhar (Prajapati)
9.	Madhya Pradesh	35	Kumbhar(excluding Chhatarpur, Datia, Panna, Tikamgarh, Satna, Rewa, Sidhi and Shahdol District)
10.	Maharashtra	69	Kumbhar/Kumhar

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11.	Orissa	84	Kumbhar, Kulal, Kumhar, Kumbharo
12.	Punjab	20	Kumhar, Prajapati
13.	Rajasthan	30	Kumhar (Prajapati)
14.	Tripura	19	Kumbhakar
15.	Uttar Pradesh	8	Kumhar, Prajapati
16.	West Bengal	6	Kumbhakar

Union Territories

17.	Chandigarh	34	Kumhar/Kumahar
18.	Dadar and Nagar Haveli	5	Kahar, Kumbhar
19.	Pondicherry	116	Kumbaran

10. Beside, the commission has also tendered its advice to the Central Govt. for inclusion of "Kumbhar" caste/community in the Central List of Backward Classes for Goa State vide its Advice No. 6-8/Goa/97 dated 1.9.1997.

IV. Findings

11. From the above averments, the Findings clearly emerge that "Kumbhar" is an occupational caste/community whose main occupation is pot making. There are seven endogamous and exogamous divisions of "Kumbhar" caste/community in Gujarat which are named after territory clans and their original linkages to

different tribes/castes and communities and have sub-castes/synonyms as Prajapati and Varia. This caste/community falls under the "Fast Track" category as it is, in terms of the caste system, identified and linked with the traditional occupation of pot-making which is covered by the item 2(e)-A-social of the NCBC'S "Guidelines for Consideration of Request for inclusion and Complaints of Under-Inclusion in the Central List of Other Backward Classes" and item 7 of "Procedural Classification on Guidelines" as the caste is artisanal one. The Gujarat Bench is of the considered view that "Kumbhar (Prajapati, Varia)" caste/community should therefore be included in the Central List of Backward Classes for Gujarat at entry No. 83.as follows :-

"83. Kumbhar (Prajapati, Varia)".

Other 6 names mentioned as synonyms of Kumbhar in the Request should not be included.

Navtej Puadhi
6.8.98
(NAVTEJ PUADHI)

U.P. Singh
6.8.98
(U.P. SINGH)

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R. S. Kishore
SECRETARY

V. Advice of the Commission

12. The Commission considered and agreed in full with the Findings of the Gujarat Bench and decided to tender the following Advice to Central Government under section 9(1) of the NCBC Act, 1993 for action by the Central Government under Section 9(2) of the Act :-

"Kumbhar (Prajapati, Varia)" caste/community be included in the Central List of Backward Classes for Gujarat at entry No. 83 as follows :-

③ "83. Kumbhar (Prajapati, Varia)".
Other 6 names mentioned as synonyms of Kumbhar in the Request should not be included.

L. V. Tejpal
6.8.98

L. V. Tejpal
6.8.98

Ashwani
06.08.98

P. C. Sanyal
7/8/98

P. S. Khil
6.8.98

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P. S. Khil