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NCBC Advice No. A.P./73/2010

27th September, 2010

Dear

I am sending herewith the advice of the National Commission for Backward Classes under Section 9(1) of the National Commission for Backward Classes Act 1993, for deletion of castes/communities from the Central List of OBCs for various States, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

Yours sincerely,

ce
(Chitra Chopra)

Shri K M Acharya
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
New Delhi

o/c

National Commission for Backward Classes

Justice M. N. Rao, Chairperson
Sri Abdul Ali Azizi, Member
Smt. Chitra Chopra, Member-Secretary

I. Case :

Deletion of following castes/communities from the Central List of OBCs for the States of Andhra Pradesh, Bihar, Goa, Himachal Pradesh, Karnataka, Orissa, Sikkim and West Bengal, on the inclusion of these castes/communities in the Scheduled Tribes List:-

<u>Name of States/UTs</u>	<u>Name of caste/community</u>
1. Andhra Pradesh	(i) Nakkala
2. Bihar	(i) Agariya (ii) Kumarbhag Pahadia (iii) Kawar (iv) Tharu
3. Goa	(i) Kunbi (ii) Gawda (iii) Velip
4. Himachal Pradesh	(i) Beda
5. Karnataka	(i) Medari, Gauriga, Burud (ii) Haranshikari
6. Orissa	(i) Koda, Kuda
7. Sikkim	(i) Limboo (ii) Tamang
8. West Bengal	(i) Tamang

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(2) This case arises out of letter of Ministry of Social Justice & Empowerment dated 30th March, 2009, 23rd December, 2009 and 27th January, 2010 regarding clarification and issue of formal Advice in the matter.

II. Facts :

(1) The following castes/communities were included in the Central List of OBCs during the years mentioned in the statement given below:-

Sl. No.	Name of States/UTs	Name of caste/community	Resolution No. & date for inclusion in the Central List of OBCs
1	Andhra Pradesh	(i) Nakkala	12011/68/93-BCC(C) dt. 10-09-1993
2	Bihar	(i) Agariya	12011/68/93-BCC(C) dt. 10-09-1993
		(ii) Kumarbhag Pahadia	12011/68/93-BCC(C) dt. 10-09-1993
		(iii) Kavar	12011/68/93-BCC(C) dt. 10-09-1993
		(iv) Tharu	12011/68/93-BCC(C) dt. 10-09-1993
3.	Goa	(i) Kunbi	12011/68/93-BCC(C) dt. 10-09-1993
		(ii) Gawda	12011/68/93-BCC(C) dt. 10-09-1993
		(iii) Velip	12011/88/98-BCC dt. 06-12-1999
4	Himachal Pradesh	(i) Beda	12011/21/95-BCC dt. 15-05-1995
5	Karnataka	(i) Medari, Gauriga, Burud	12011/68/93-BCC(C) dt. 10-09-1993
		(ii) Haranshikari	12011/68/93-BCC(C) dt. 10-09-1993
6	Orissa	(i) Koda, Kuda	12011/9/94-BCC dt. 19-10-1994
7	Sikkim	(i) Limboo	12011/7/95-BCC dt. 25-05-1995
		(ii) Tamang	12011/7/95-BCC dt. 25-05-1995
8	West Bengal	(i) Tamang	12011/36/99-BCC dt. 04-04-2000

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(2) These castes/communities were included in the Central List of OBCs for states prior to their inclusion in the Scheduled Tribes List.

(3) The above castes/communities were included in the Scheduled Tribes List in the year 2003 vide Government of India Gazette Notification No. 10 of 2003 dated 08-01-2003, which were notified as OBCs in the Central List of OBCs for States earlier:-

Sl. No.	Name of States/UTs	Name of caste/community	Entry No in Central List of OBCs	Entry No. in STs List notified in the year 2003
1.	Andhra Pradesh	(i) Nakkala	16	34
2.	Bihar	(i) Agariya	2	1
		(ii) Kumarbhag Pahadia	14	24
		(iii) Kavar	11	31
		(iv) Tharu	54	33
3.	Goa	(i) Kunbi	1	6
		(ii) Gawda	2	7
		(iii) Velip	14	8
4.	Himachal Pradesh	(i) Beda	3	9
5.	Karnataka	(i) Medari, Gauriga, Burud	53	37
		(ii) Haranshikari	24	41
6.	Orissa	(i) Kuda, Koda	72	49
7.	Sikkim	(i) Limboo	3	3
		(ii) Tamang	7	4
8.	West Bengal	(i) Tamang	49	40

4. A caste/community cannot be in two different list at the same time. As and when a caste/community is removed from OBCs List and included in Scheduled Tribes or Scheduled Castes List, those castes/communities should be deemed to be deleted from the Central List of OBCs simultaneously and orders issued accordingly.

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Memoer - Secretary
National Commission for Backward Classes
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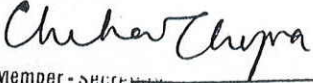
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III. Findings & Advice of the Commission:-

- (1) The Commission considered and examined the case and decided to tender the following Advice to the Central Government in terms of Section 9(1) of the NCBC Act, 1993 for action by the Central Government under Section 9(2) of the Act.
- (2) The Commission is of the view that as and when castes/communities are included in the Scheduled Tribes List or Scheduled Castes List such castes/communities should be deemed to be simultaneously deleted from the Central List of OBCs for that States/UTs.
- (3) Non issue of simultaneous deletion/inclusion notifications in the lists is also causing lot of difficulties to the members of the castes/communities in obtaining caste/community certificate.
- (4) As the castes/communities are appearing in Central List of OBCs as well as in the Scheduled Tribes List, the below mentioned castes/communities be deleted from the Central List of OBCs for States indicated in the statement.

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The following castes/communities should be deleted from the respective Entry Nos. as given below from the Central List of OBCs for respective States :-

Sl. No.	Name of States/UTs	Name of caste/community	Entry No in Central List of OBCs
1.	Andhra Pradesh	(i) Nakkala	16
2.	Bihar	(i) Agariya	2
		(ii) Kumarbhag Pahadia	14
		(iii) Kavar	11
		(iv) Tharu	54
3.	Goa	(i) Kunbi	1
		(ii) Gawda	2
		(iii) Velip	14 ✓
4.	Himachal Pradesh	(i) Beda	3
5.	Karnataka	(i) Medari, Gauriga, Burud	53
		(ii) Haranshikari	24
6.	Orissa	(i) Kuda, Koda	72
7.	Sikkim	(i) Limboo	3
		(ii) Tamang	7
8.	West Bengal	(i) Tamang	49

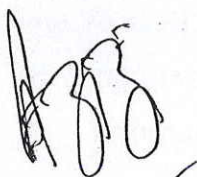
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-W.B/6059/99
28.07.99



(Justice M. N. Rao)
Chairman



(Abdul Ali Azizi)
Member



(Chitra Chopra)
Member-Secretary

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