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FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

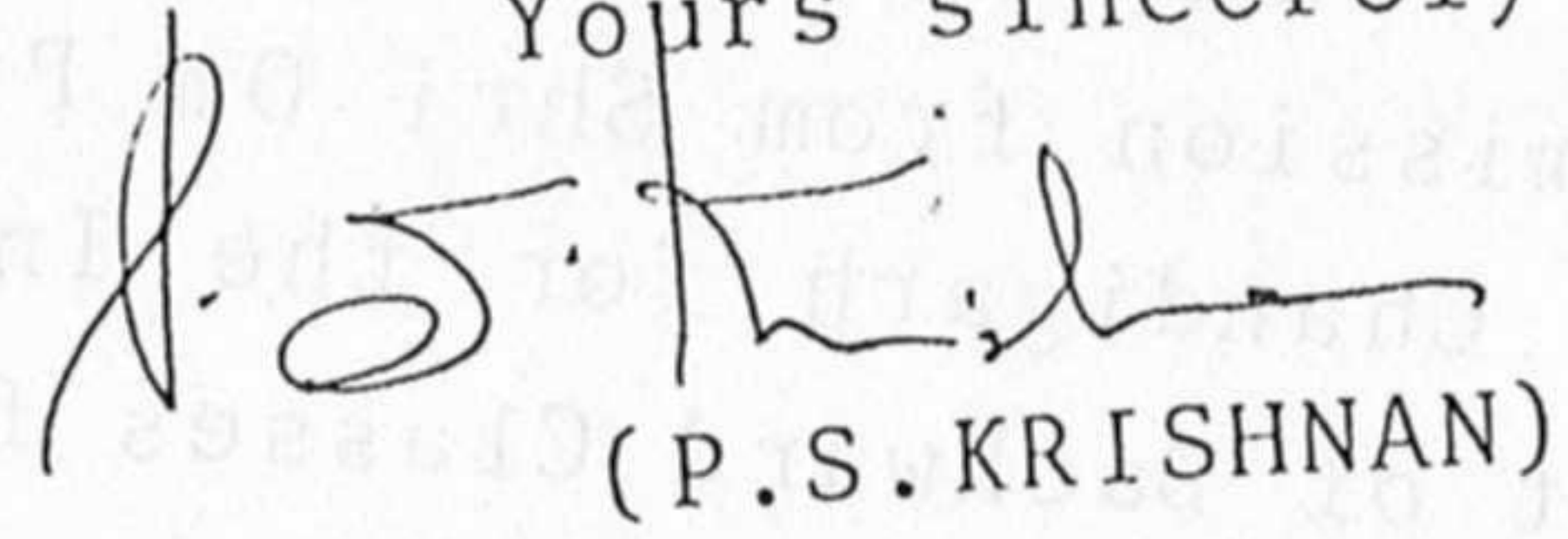
28. 09. 1998

DO NCBC Advice No. 8, Punjab/98

Dear Shri Manavalan,

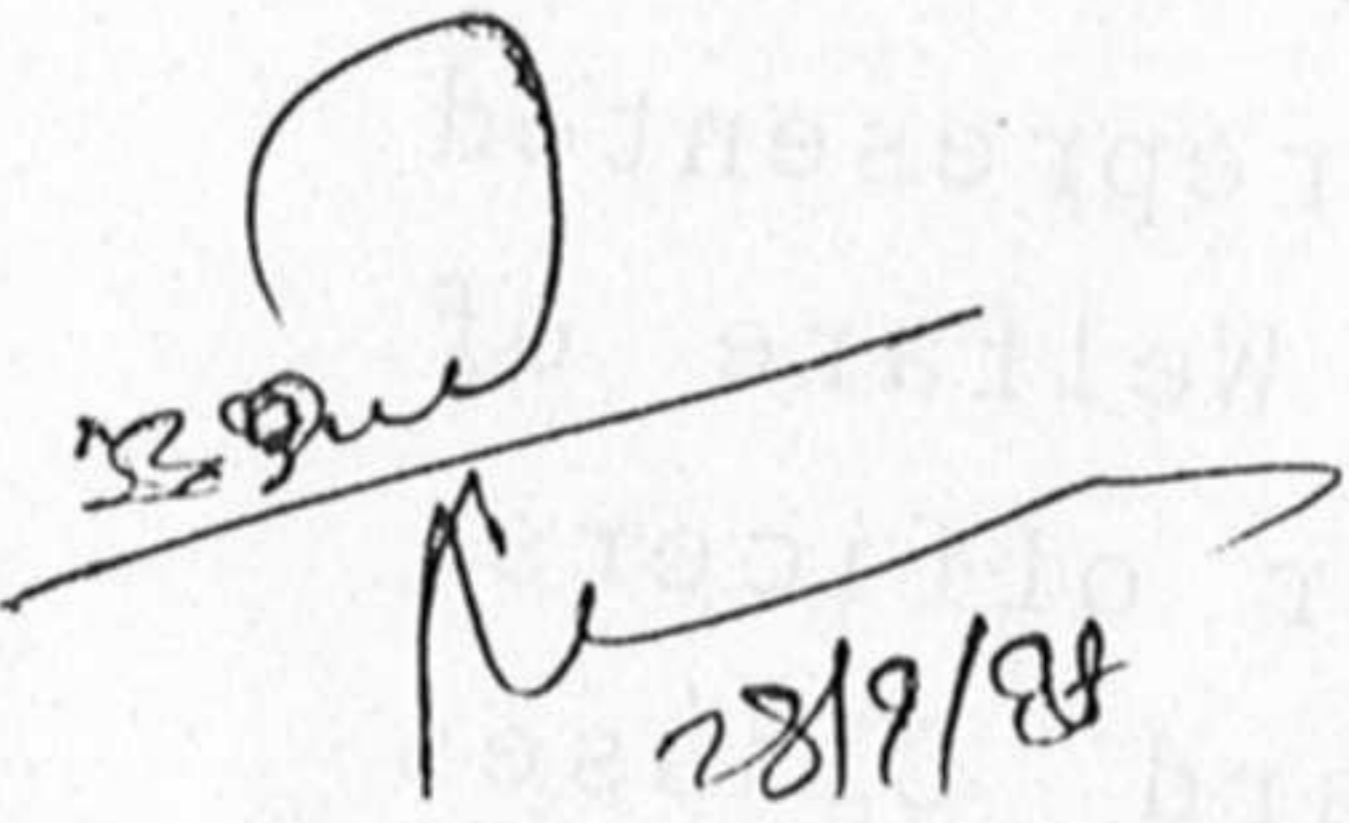
I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for Inclusion of "Sain" as a synonym of 'Nai' in the Central List of Backward Classes for Punjab, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

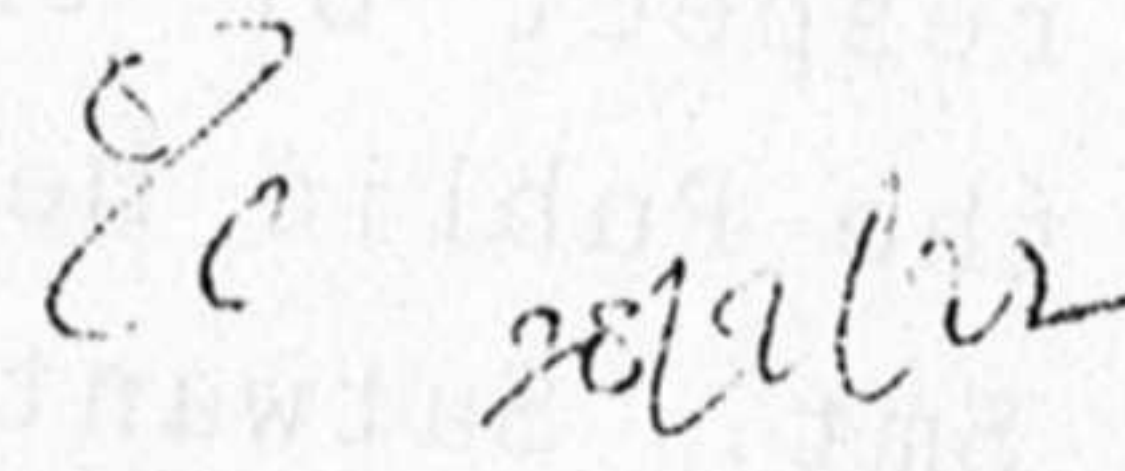
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated

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


28/9/98



NATIONAL COMMISSION FOR BACKWARD CLASSES

PUNJAB BENCH

FINDINGS

Per Shri P.S. Krishnan, Member-Secretary

Case: Request for Inclusion of 'Gosain' in the Central List of Backward Classes for Punjab.

I. Request

This case arises from the Request received in this Commission from Shri Om Prakash Gosain, H.No. 312, Sector-46, Chandigarh for the Inclusion of Gosain in the Central List of Backward Classes for Punjab.

II. Public Hearing

2. A 2-Member 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 20. 07. 1998. At the Public Hearing, the State Government was represented by Smt. Satwant Reddy, Secretary, Deptt. of Welfare of Scheduled Castes and Backward Classes and other officers. Shri Surinderjit Singh, Member, State Backward Classes Commission was also present and provided valuable inputs. The community was represented by S/Shri Balvinder Singh Puri, Krishn Puri, Ram Karan Goswami and others.

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III. Facts

3. 'Gosain' is not included in the first-phase Central List of Backward Classes for Punjab prepared in 1993 on the basis of the principle of commonality (ie., by including castes/sub-caste/communities common to both the Mandal Commission's List of BCs for Punjab and the State Government list of BCs that existed at that time) because it was not included in both the Mandal Commission's List of BCs for Punjab and the State Government's List of Backward Classes and, therefore, did not satisfy the criteria of commonality.

4. During the Public Hearing, the representatives of the Gosain community stated that the Gosain community is socially and educationally backward and therefore it should be included in the Central List of Backward Classes for Punjab. In support of their claim of social backwardness of the Gosain community, they while inviting the attention of the Bench to the recent inclusion by the State Government of "Sanyasi Sadhu/Sanyasi Bawa and Bazroos" in the State List on the recommendation of the State Commission stated that the Gosain and the Sanyasi Sadhu/Sanyasi Bawa are one and the same community called by different names, the number of such names, according to them, being 10. The State Government and State Commission representatives said that Gosain is not the same as Sanyasi Sadhu/Sanyasi Bawa and therefore the inclusion of the latter in the State List does not lend any support to the claim of Gosain community for inclusion in the list of Backward Classes. They informed the Bench that the Request for Inclusion of Gosain in the State List has been examined and recommended for rejection by the State Commission.

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5. Denzil Ibbetson (Punjab Castes, Low Price Publications, Delhi, first published 1916 based on the Census of the Panjab carried out in 1881 by Ibbetson himself) refers to the Gosains as one among many of 'The Hindu orders of ascetics' which, "in the absence of all pretence of community of blood and the purely voluntary nature of their association, are somewhat analogous to the trades-guild. These men abandon caste properly so called on entering the order to which they belong;..... and the word caste is not really applicable to these classes." Ibbetson further writes that "The Gosain is a Saiva order corresponding in many ways with the Bairagis among Vaishnavas. Like them the Gosains are often collected in monasteries, while many of them officiate as priests in the temple of Siva. They are also like the Bairagis one of the most respectable of the Hindu orders. They are very commonly but not at all necessarily celibate....." Under the head "The Sanyasi", Ibbetson mentions that "The word Sanyasi really means nothing more than the ascetic stage through which every Brahman should properly pass. But as commonly used..... it is indeed specially applied to the Tridandi Ramanujas, a Vaishnava sect; but it is also used to include all Saiva classes of ascetics except perhaps the Jogi. In the Punjab the word is commonly used to denote the followers of Shankar Acharj, and would include the Gosains....." Under the head "The Sadh", he observes that the word Sadh is "especially applied to a set of Hindu Unitarians who are chiefly found in the Upper Ganges-Jamna doab..... The sect was founded by one Birbhan some 200 years ago..... It is a sect rather than an order and the Jats of a large village in Karnal are Sadhs by sect, though Jats by caste....."

6. H.A. Rose (A Glossary of the Tribes and Castes of the Punjab and North-West Frontier Province, Asian Educational Services, New Delhi, 1990, first published

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1919) refers to 'Gosain' as a term "more vaguely used than 'Sanniasi Bairagi' and very difficult to define in the Punjab. Roughly speaking, it denotes an ascetic of any order, but it further connotes that he is of some standing and influence. Strictly speaking, however, the Gosains form a distinct order, which differs both from the Bairagis and the Sanniasis, though they are often entitled Gosains, and often the Brahmans alone are considered privileged to be so styled. In Kangra, the Gosains form a separate caste, as well as an order, and are known as Sanniasis or Dasnamis, because they are divided into ten schools. These were founded by the ten pupils of Shankar Acharj..... the Gosain may be regarded as a semi-secularised offshoot of the Sanniasi order. When the Muhammadan invasion began, says one account of the Sanniasis, many of them fled to the hills of Kangra and Simla where they formed colonies. In some places they intermarried with Brahmans and took to cultivation, gradually amassing such wealth that the hill people, including their Rajas and Ranas, were in their debt and they controlled all the trade between the hills and the plains. In their practice of usury they were rapacious to an incredible degree,... Once in debt to the Gosains there was no escape for a debtor, and they preached the doctrine that the removal of a debtor's name from their books was an ill-omen to both parties. To the power of capital they added the influence of their own sanctity..... On the other hand the Gosains of Kangra, who are principally found in Nadaun and Jawalamukhi, were an enterprising and sagacious community engaged in wholesale trade. They monopolised the trade in opium and speculated in charas, wool and cloth. Their transactions extended to the Deccan and indeed over all India, but generally speaking, they are now impoverished and their brick-built ware-houses at Jawalamukhi are mostly in ruins. Most of the Kangra Gosains are of the Giri sub-order and affix -gir to their names." Rose also writes that "In theory the Gosains are celibate, and recruit by adopting chelas from pure castes who may be

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willing to dedicate their sons to them, but in practice marriage is usual..... Natural sons do not succeed unless adopted as chelas."

7. The People of India series on Haryana (published on behalf of the Anthropological Survey of India by Manohar Publishers, New Delhi, 1994) writes under the head "Gusain" as follows:-

"Among the different Hindu orders or ascetics, Gusain (Or Gosain), Bairagi (or Vairagi), Sanyasi, Sadh, Jogi and Aghori (or Aghorpanthi) are numerous and exercise considerable influence on the society. The distinction between them is sometimes so blurred that many of these are used interchangeably. While the meaning attributed to these sectarian systems vary greatly, these are broadly grouped on the basis of the particular divine power they associate with. While Bairagis mainly follow the Vaishnava sect, Gosai and Jogi are the devotees of Lord Shiva.

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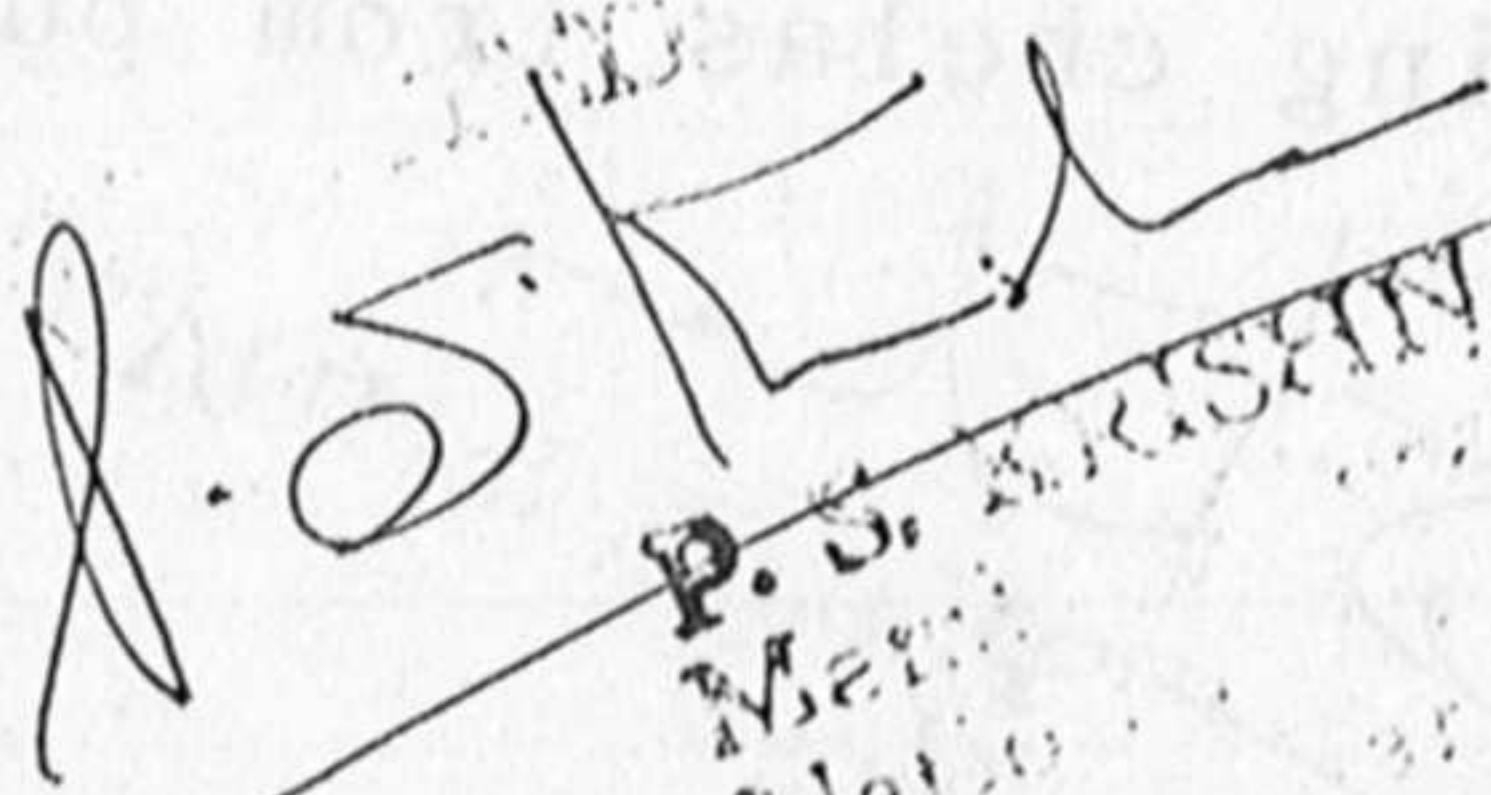
While the (Gusain) community claims to belong to Brahmans in the four-varna hierarchy, many accept decline in their status owing to non-vegetarianism, drug abuse and many other similar changes..... At one stage, the community's superior status is well illustrated by the following saying:-

"Jagat Guru Brahman

Brahman Guru Sanyasi (means Deshnami Gosai)"

The claim of the community for Brahmanical status is evident in naming of many of the regional organizations of the community in which such organizations were named 'Gosami Brahman Mahasabha'."

8. From the above accounts it becomes apparent that while the term Sanyasi in a way encompasses a number of

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Hindu ascetic orders or sects including the Gosains, the Gosains and the Sadhs are separate sects or orders and therefore the contention of the representatives of the Gosain community that Gosain is the same as the Sanyasi Sadhu/Sanyasi Bawa community recently included in the State List of Punjab is not correct as also confirmed by the State Government/State Commission representatives, though both the Gosains and the Sanyasi Sadhu fall in the same category of Hindu ascetic sects or orders. Following Ibbetson's observations, both of them cannot be considered properly as castes as they are constituted of members from different castes including, and most probably predominantly from, the Brahmins and other advanced castes. As seen from Ibbetson, the Sadh in Karnal includes members from the Jat caste/community which is not Socially Backward. Similarly, as Rose observes, the Gosains "recruit by adopting Chelas from pure castes". Since the Request under consideration relates only to Gosains, the Bench felt no need to discuss Sadhs any further in the present Findings.

9. The NCBC was also in receipt of Requests for Inclusion of 'Gosain' in the Central List of Backward Classes for Haryana and the Union Territory of Chandigarh. In respect of these Requests, the Commission has already tendered its Advice to the Central Government for rejection of the Requests based on the Bench Findings. In respect of Haryana, it was noted in the Bench Findings that the Haryana State Backward Classes(Gurnam Singh) Commission had not included the 'Gosain' in its recommended list of Backward Classes. That Commission apparently treated the Gosain community as part of the Brahmin community as is evident from Table 37 in that Commission's Report wherein it is noted that the percentage of representation in Class

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I and Class II services, estimated percentage of representation in educational institutions, and estimated population in the State of the Gosains are "included in Brahmin". This indicates that the Gosains are perceived as belonging broadly to the Brahmin community though they may be in a lower social order compared to the Brahmin proper. The Bench has also noted that the Gosain or Goswami community has already been included in the Central List of Backward Classes for some States, viz., Delhi, Gujarat, Madhya Pradesh, Maharashtra, Rajasthan, and Uttar Pradesh. But it is important to note that the inclusion of Gosain or Goswami in these States was only the result of a collation of names common to the respective State Lists and the Mandal Commission's Lists for BCs for those States and there was no indepth analysis of objective socio-educational data to establish their social and educational backwardness at that time. Therefore, these inclusions cannot be a ground for the community's inclusion in the list of BCs for any other State unless the claim of the community for such inclusion is supported by objective data/evidence to establish the community's social and educational backwardness.

IV. Findings

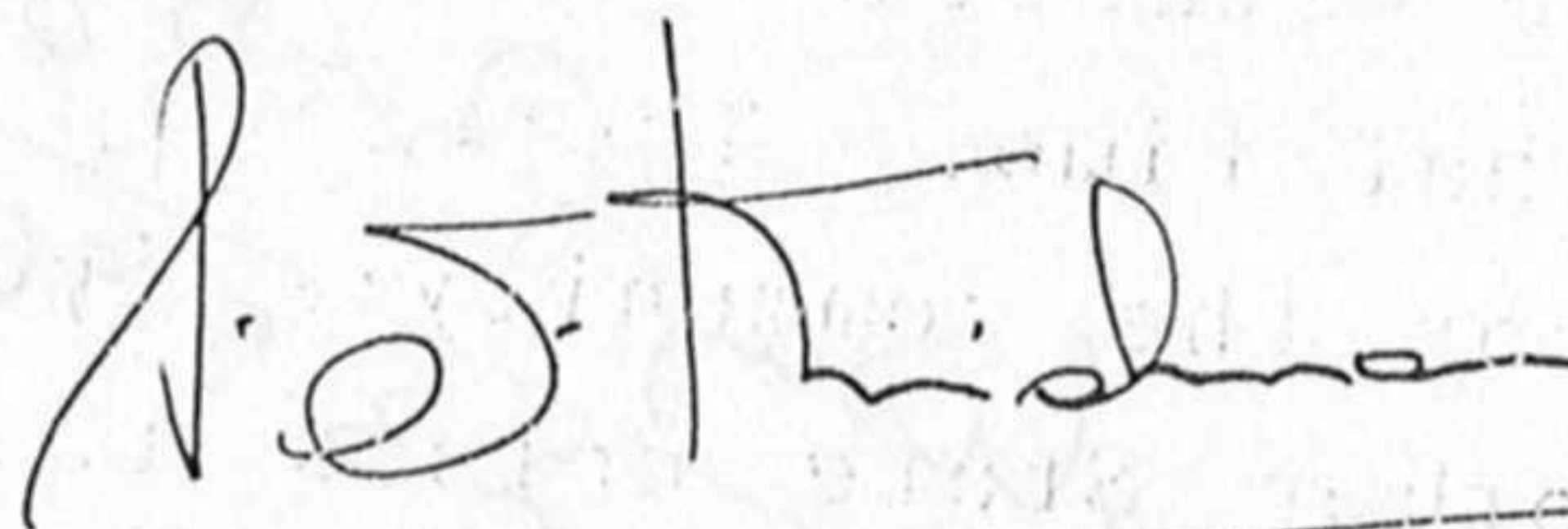
10. From the above material and evidence, the Bench has arrived at the Findings that 'Gosain' is strictly speaking not a caste or a caste-like community with inter-generational continuity but is a Hindu ascetic order whose members were recruited from different castes. Since the castes from which the recruitments were made were "pure castes", the Gosains cannot in any way be considered to be a Socially Backward Class. On the contrary, it is a religious sect which commanded considerable social respect. It is seen from the account of Rose that, apart from social status and religious sanctity they also had enjoyed

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considerable material wealth as they were engaged in cultivation and trade. Besides, they also claimed ritual status equal to that of Brahmins and even had marital connections with Brahmins. In view of these facts, the Bench has concluded that the Gosain community does not deserve inclusion in the List of Backward Classes and therefore the Request for Inclusion of Gosain in the Central List of Backward Classes for Punjab should be rejected.

11. As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away On 16.8.1998 subsequent to the Public Hearing, the Findings are signed only by one Member, who is also the co-ordinating Member of the Bench, but the Findings represent the conclusion jointly arrived at by both the Members.



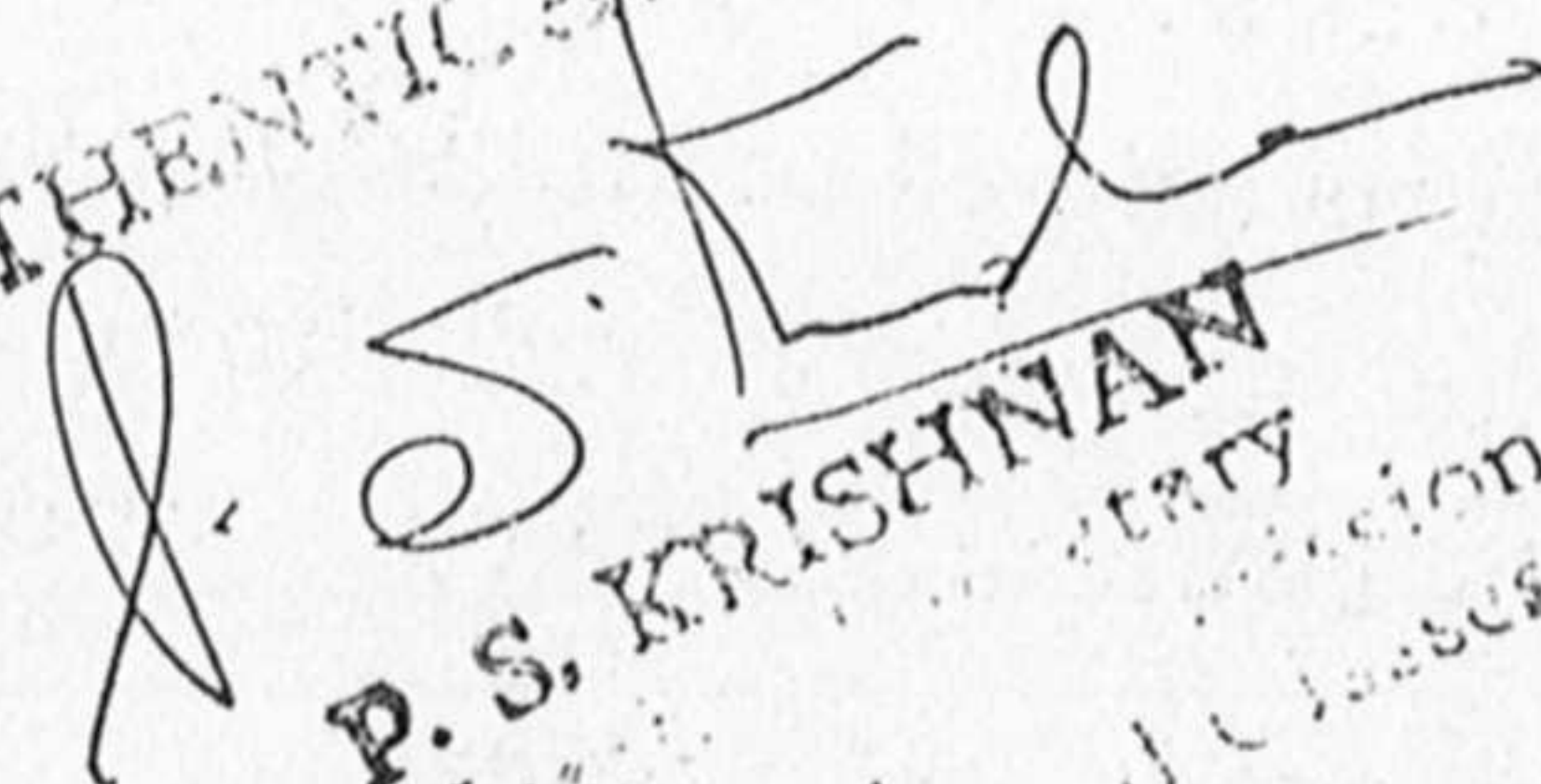
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V. Advice of the Commission

12. 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, for necessary action by the Central Government under Section 9(2) of the Act:-

The Request for Inclusion of Gosain in the Central

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Member, National Commission
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List of Backward Classes for Punjab be rejected as it is not a Socially Backward Class.

13. On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.98, 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, 1993.

R. Shayan
23.09.98

P. S. Krishna
9.9.98

Maday Subh
23.5.98

P. S. Krishna
9.9.98

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