



सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार

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

पी० एस० कृष्णन्
P. S. KRISHNAN
TEL : 6883190

Member-Secretary
National Commission for Backward Classes
Government of India
Trikoot-1, Bhikaji Cama Place, New Delhi-110066

NCBC Advice No. 24-25 Haryana/97/
September 9, 1997

Dear Shri Baksi,

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

Best wishes,

Yours sincerely,

P. S. Krishnan
(P.S. KRISHNAN)

Encl: As Stated

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

Haryana Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Jat Gramini" in the Central List of Backward Classes for Haryana

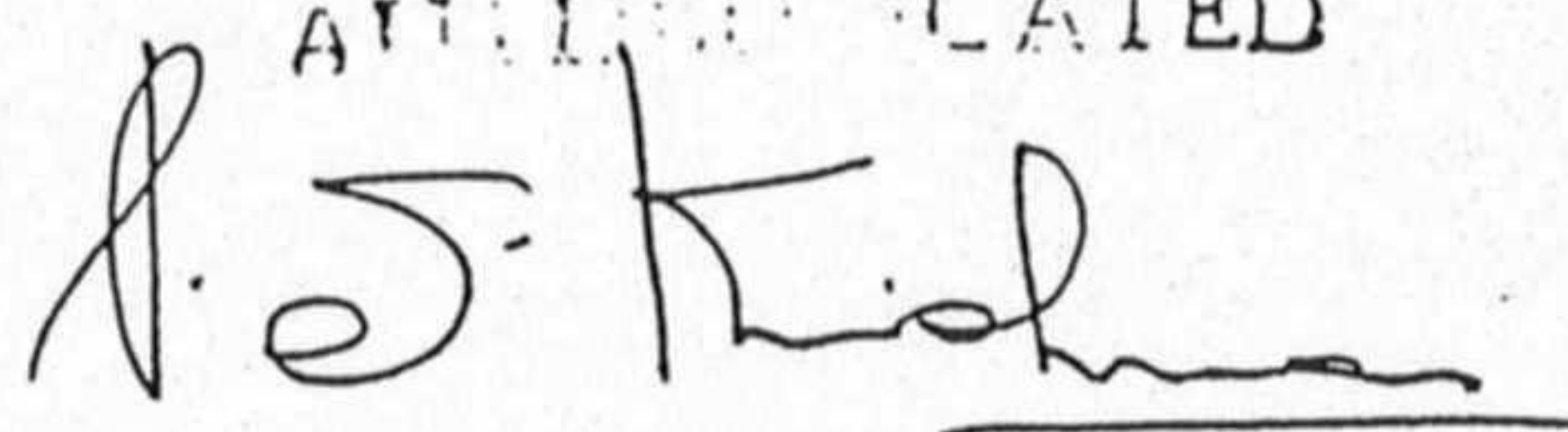
I. Request

This case arises from the Request received in this Commission from "Sri Rajanya Jat Gramini Sabha", Ambala for Inclusion of "Jat Gramini" in the Central List of Backward Classes for Haryana.

II. Public Hearing

2. The two-Member Haryana 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 9.4.1997. Again, on 14.7.97, a Public Hearing was held in respect of this community by a Bench consisting of Hon'ble Justice P.K.Shyamsundar, Chairperson, NCBC, Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC. At the Public Hearings the State Government was represented by Smt. Komal Anand, Secretary, Department of Scheduled Castes and Backward Classes Welfare, Shri Bushil Kumar, Director and Shri Mani Ram, Deputy Director in the Directorate of Social Welfare. The community was represented by S/Shri Raj Kumar, Brij Mohan Gramini, Gaurav Chaudhary and others.

ATTESTED


P. S. KRISHNAN

for the Member-Secretary

III. Facts

3. "Jat Gramini" is not included in the Central List of Backward Classes for Haryana as it was not included in both the State List of Backward Classes and the Mandal Commission's List of Backward Classes for Haryana at the time of the preparation of the first-phase Central List of Backward Classes in 1993 on the basis of the principle of commonality.

4. In its Request the Sabha has stated that "Jat Gramini" is a Socially and Educationally backward community of about 3,000 families. The members of the community are engaged in the occupations of "Rajmistri" and "Darji". The NCBC's Questionnaire filled up by the Sabha gives "labour, carpenter, mason and tailor" as the occupations on which the members of the community mainly depend for their livelihood. The children of the community, as a general practice, for their family's livelihood or for supplementing their family's low income, work as helpers in cycle repair/auto repair shops. Only 5% of the members of the community are literate. More than 80 percent of the families of the community live in Kachha houses. The Questionnaire also states that their representation in the State and Central Government services is almost nil. There are no MLAs from the community. Their representation in the elective bodies at the district level panchayati raj institutions are also nil.

5. During the Public Hearing the representatives of the community said that theirs is a distinct community and does not have any connection with the "Jat" caste/community. In the olden days they were known as "Gramini" only. But later on during 1940-45 "Jat" was added to the name of their caste apparently for improving the status of community in the society and hence the present name "Jat Gramini". At that time, the members of the community were not allowed to use the bathing

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P. S. KRISHNAN

Member
Commission
for Backward Classes

137
6. places used by the upper caste.

6. During the Public Hearing the representatives of the community agreed with the concern expressed by the Bench and also shared by all those present who were from different sections of Society that inclusion of the word "Jat" along with "Gramini" in the list of Backward Classes would give scope for misuse of the entry by members of unintended castes/communities for getting false caste-certificates. The Bench therefore suggested the inclusion of "Gramini" instead of "Jat Gramini" and this was agreed to by the representatives of the community. Those present during the Public Hearing as well as the State Government representatives not only did not object to the proposed inclusion of "Gramini" in the Central List of Backward Classes for Haryana, but also supported it.

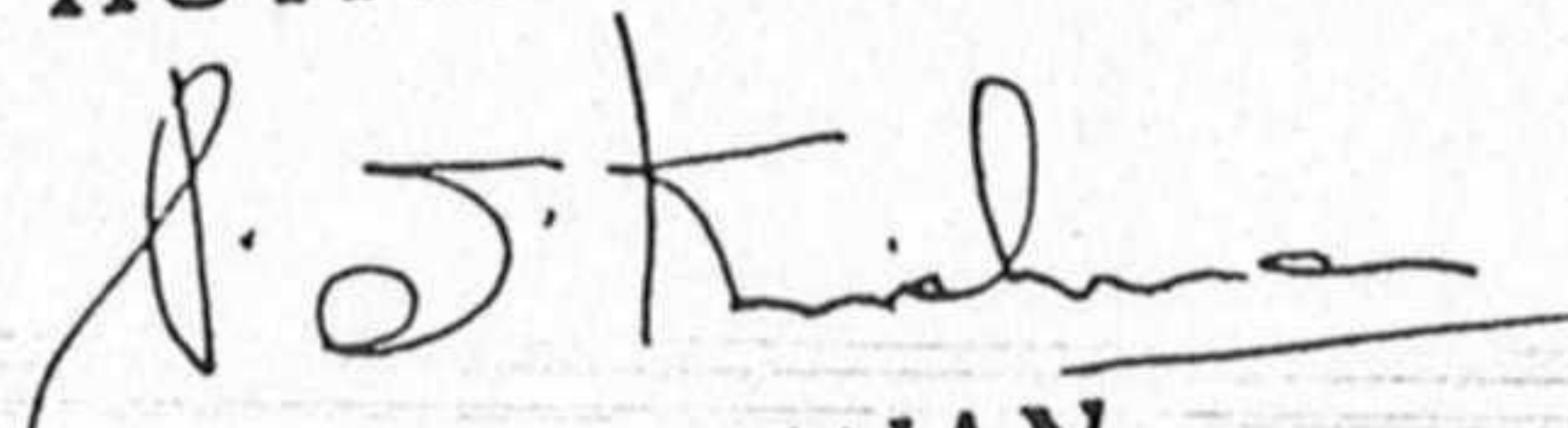
IV. Findings

7. From the above evidence, it is the Finding of the Bench that "Gramini" is a Socially and Educationally Backward Classes and it should therefore be included in the Central List of Backward Classes for Haryana at entry No. 74, as follows:-

"74. Gramini"

8. It is observed that in a number of cases, certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community/sub-caste became backward is centuries old. Its backwardness did not emerge suddenly on the date of the Notification. The relevance of the date of the Findings or the Advice or the Government's Notification is only that the backwardness of the caste/community/sub-caste, which was already a social reality, and its synonyms, which have come into vogue from different points of time, were, after enquiry, officially noted and

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139

140
recognised on that particular date. But the benefit of this recognition should be available from the date from which reservation for Backward Classes in the Central Services came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the notification takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community/sub-caste using these synonyms, are eligible for reservation from that date.

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P. S. Krishnan
4.9.97

V. Advice of the Commission

9. The Commission considered and agreed in full with the above Findings of the Haryana 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:-

"Gramini" be included in the Central List of Backward Classes for Haryana at entry no. 74, as follows:-

"74. Gramini"

10. In view of the difficulties faced by the members of Backward Classes in getting Backward Class certificates for the period prior to the Notification, a proviso should be included

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P. S. KRISHNAN
Member
National Commission
for Backward Classes

in the Notification to be issued that "the Notification will take effect from 8.9.1993", the date from which reservation for Backward Classes in the Central Services came into effect.

Lawyer

P. S. Krishnan
4.9.97

12/10/97
12.10.97

P. S. Krishnan
4/9/97

JUSTICE P. K. SHYAMSUNDAR
Chairperson
National Commission For
Backward Classes
Government of India
New Delhi.

L. V. S. Srinivas
09.97

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

Haryana Bench

Findings

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Jaiswar" in the Central List of Backward Classes for Haryana

I. Request

This case arises from the Request received in this Commission from Shri Sant Ram Jaiswar, President, Jaiswar Biradiri, Haryana Pradesh, H-8, Mahesh Nagar, Ambala Cantt. for the inclusion of "Jaiswar" in the Central List of Backward Classes for Haryana.

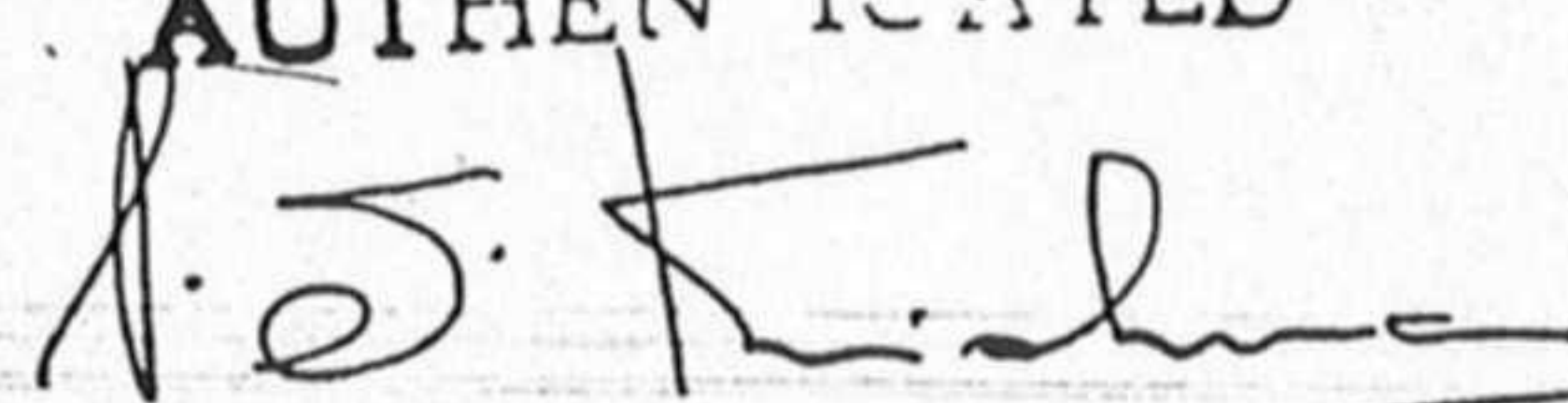
II. Public Hearing

2. The two-Member Haryana Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held Public Hearings in respect of this Request at Chandigarh on 9.4.1997 and 11.7.97. At the Public Hearings the State Government was represented by Smt. Komal Anand, Secretary, Department of Scheduled Castes and Backward Classes Welfare, Shri Sushil Kumar, Director and Shri Mani Ram, Deputy Director in the Directorate of Social Welfare. The community was represented by S/Shri Pannalal, Rajkumar, Sohanlal and others.

III. Facts

3. "Jaiswar" is not included in the Central List of Backward Classes for Haryana as it was not included in both the Mandal and State List of Backward Classes for Haryana at the time of

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Member-Secretary
National Commission
for Backward Classes

143

the preparation of the first-phase Central List in 1993 on the basis of the principle of commonality.

4. The NCBC's Questionnaire filled up by Shri Sant Ram gives "Labourer/House cook" as the occupation on which the members of the community mainly depend for their livelihood. A majority of the women of the community are, as a general practice, employed in other houses for cleaning utensils and preparing food. The Questionnaire specifically mentions that this profession is generally being regarded as low and undignified. Their children, as a general practice, work in private shops as servants or work as labourers. The total population of the community in the State is given as 30,000. Though the community is spread all over the State, their large concentrations are in Ambala, Chandigarh, Yamuna Nagar, Karnal and Faridabad. None of the community members owns any agricultural land. A negligible percentage of population own land for houses, but a large majority of the families of the community live in Kutcha houses. Some of the members of the community are working as peons and clerks in the State Govt. or Central Govt. services, but none is a doctor or lawyer or teacher or any other professional. Only 5% of the community members are literate. The Questionnaire also states that there was not a single MLA from this community for the last 20 years. Representatives of the community to the district level panchayati raj institutions for the last 10 years is also given as nil.

5. During the Public Hearing the representatives of the community said that, in the days of British rule, the community members used to work as horse-grooms and prepare horse saddle for Englishmen. At present the members of the community perform all sorts of manual labour. A few of the members are in petty jobs and petty business. Those present during the Public Hearing, who were from different sections of

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P. S. KRISHNAN
Member, Commission
for Backward Classes

Society as well as the State Government representatives not only did not object to the proposed inclusion of "Jaiswar" in the Central List of Backward Classes for Haryana, but also supported it.

6. Denzil Ibbetson ["Panjab Castes" (based on the Census of the Panjab Provinces, 1881 carried out by Ibbetson himself), Low Price Publications, Delhi, 1993, first pub. 1916] describes this community under the head "The Jaiswara" as follows:- "Many of the north-western castes include a tribe of this name; more especially the menial and outcast classes, though there are also Jaiswara Rajputs and Banyas. The name is supposed to be derived from Jais, a large manufacturing town in Oudh. But the Jaiswaras of the Panjab cantonments probably belong to the Chamar tribe of that name. They are generally found in attendance upon horses, and a considerable proportion of our grooms and grass-cutters are Jaiswars. They also frequently take service as bearers." A similar description of the community is also given by H.A. Rose ["A Glossary of the Tribes and Castes of the Punjab and North West Frontier Province, Vol. III, Asian Educational Services, New Delhi, Madras, 1990, first published 1911].

IV. Findings

7. From the above evidence, it is the Finding of the Bench that "Jaiswar" is a Socially and Educationally Backward Class and it therefore should be included in the Central List of Backward Classes for Haryana at entry No.72, as follows:-

"72. Jaiswar"

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[Signature]

P. S. GUPTA

for the Commission
Classes

145

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

Kavitha

P. S. Krishnan

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V. Advice of the Commission

9. The Commission considered and agreed in full with the above Findings of the Haryana 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:-

"Jaiswar" be included in the Central List of Backward Classes for Haryana at entry no. 72, as follows:-

"72. Jaiswar"

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P. S. Krishnan
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Member
National Commission
for Backward Classes

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