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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
त्रिकुट-१, भीकाजी कामा प्लेस, नई दिल्ली-११००६६
Member-Secretary
National Commission for Backward Classes
Government of India
Trikoot-1, Bhikaji Cama Place, New Delhi-110066

NCBC Advice No. Rajasthan 1, 2 /97

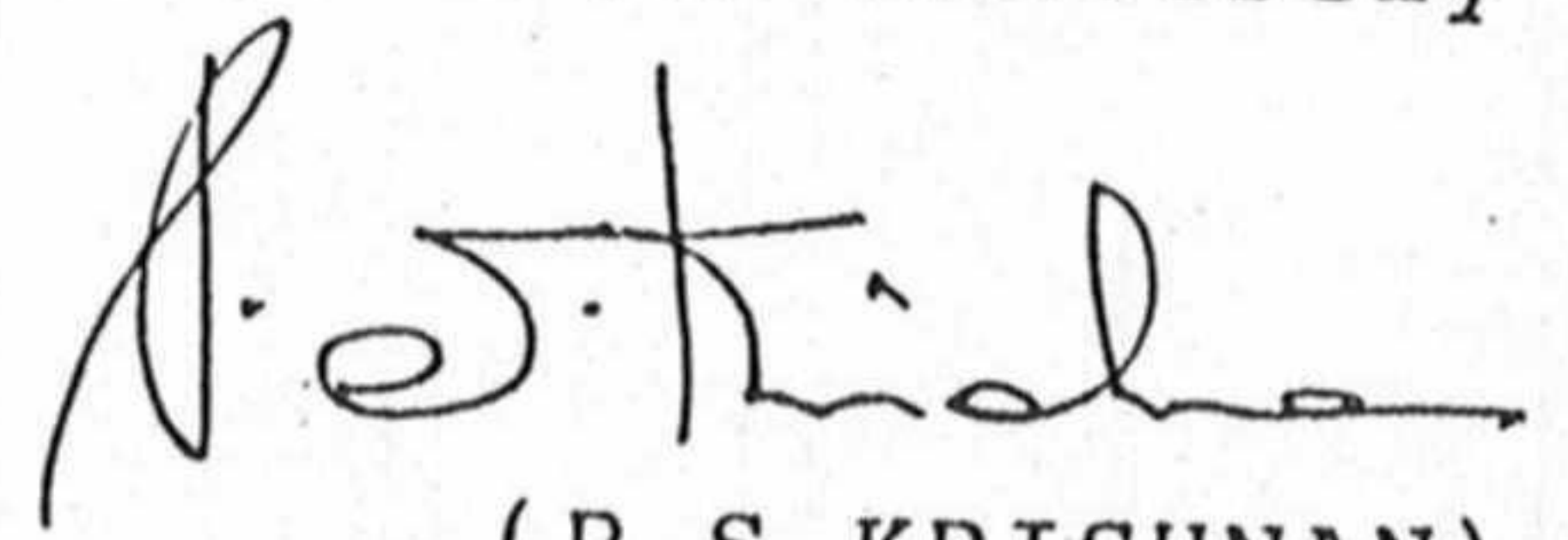
2.7.1997

Dear Shri Baksi,

I am sending herewith the unanimous Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act 1993 regarding inclusion of (1) "Kansara, Bharawa", and (2) "Wazir" in the Central List of Backward Classes for Rajasthan, for necessary action under Section 9(2) of the Act by the Central Government.

With Best Wishes,

Yours sincerely


(P.S. KRISHNAN)

Shri K.K. Baksi
Secretary
Ministry of Welfare
Shastri Bhavan
NEW DELHI 110 001

National commission for Backward Classes
Rajasthan Bench

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Kansara" and "Bharawa" in the Central List of Backward Classes for Rajasthan as synonyms of "Thathera"

I. Request

This case arises from the Requests received in this Commission from

- (1) Shri Narayan Lal Kansar,
Amet, Dist. Rajsamand(Rajasthan),
for the Inclusion of "Kansara" as a synonym of "Thathera" in the Central List of Backward Classes for Rajasthan, and
- (2) The President

Sri Navyuvak Mandal Bharawa Samaj
Mewar, Udaipur (Rajasthan)

for the Inclusion of "Bharawa" in the Central List of Backward Classes for Rajasthan. Shri Narayan Lal Kansar in his Request has stated that "Thathera" and "Kasara" are one and the same caste/community and since "Thathera" has already been included in the Central List of Backward Classes for Rajasthan, "Kansara" should also be included along with "Thathera". The Request in respect of "Bharawa" states that the "Bharawa" community was earlier making brass ornaments for the use of Bhil-Meena and other castes and that by gradual decline they have almost lost this occupation completely, thereby reducing them largely into labourers and consequently becoming more backward and therefore should be included in the Central List.

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II. Public Hearing

2.

The two-Member Rajasthan Bench of the Commission,

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

consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing at Jaipur on 30.5.1997 to examine this Request. Two other Hon'ble Members of NCBC Shri Sahu Akshaya Bhai and Prof. U.P. Singh also joined the Bench during the Public Hearing. At the Public Hearing the State Government was represented by Shri S.K. Dalel, Joint Director and Shri Ramesh Chandra Sharma, Deputy Director in the Directorate of Social Welfare. Shri G.D. Garg, Joint-Director represented the Rajasthan State Backward Classes Commission.

III. Facts

3. The relevant entries in different lists of Backward Classes for Rajasthan are as follows:-

(i) State List that existed at the time of the notification of the Central List for Rajasthan by the Govt. of India

"51. Thathera, Kansara"

(ii) Mandal List

"135. Thathera"

(iii) Central List

"52. Thathera"

4. Since "Kansara" was included only in the State List and not in the Mandal List, it has also not been included in the Central List of Backward Classes for Rajasthan which was prepared by the Central Govt. on the basis of the principle of commonality and notified by the Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994.

5. "Bharawa" has also not been included in the Central List of Backward Classes for Rajasthan as it was not included in

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P.S. KRISHNAN
Member Secretary
NCBC

both the Mandal and State Lists.

6. "Bharawa" has since been included in the State List of Backward Classes for Rajasthan by the Govt. of Rajasthan (Social Welfare Deptt.)'s Notification No. F.11(125)(2) R&P/SWD/12099 dated 15.3.97. The amended entry in the State List reads as follows:-

"51. Thathera, Kansara (Bharawa)"

7. Munshi Hardayal Singh in his book based on the Census Report of 1891 ("The Castes of Marwar", Book Treasure, Jodhpur, 1990, first Edn. 1894) writes about Kaseras and Bharawas as follows:-

"The Kaseras work in brass, copper and other metals with the exception of iron and tin... Properly speaking, the Kaseras are workers in Kasa. Those working in brass are called Thatheras, whereas those employed in smelting metals or casting moulds for vessels are known as Bharawas. They do not however, form distinct castes in Marwar, but all belong to the same class, and intermarry with each other, although 157 males and 141 females have returned themselves separately as Bharawas...."

8. During the Public Hearing, those present who were from different sections of society as well as the State Government representatives not only did not object to the proposed inclusion of "Kansara" and "Bharawa" in the Central List of Backward Classes for Rajasthan but also supported it.

IV. Findings

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9. From the above evidence, it is the Finding of the Bench

that "Kansara" and "Bharawa" are synonyms of "Thathera" and they constitute a Socially and Educationally Backward Class. They come under the Fast-Track category of cases as they are covered by guideline 2(f) of the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of under-Inclusion in the Central List of Other Backward Classes" and paras 6 and 7 of the Procedural Clarification on the same Guidelines. Synonyms are covered by para 9 of the Procedural Clarifications on Guidelines. Therefore, "Kansara" and "Bharawa" should be included in the Central List of Backward Classes for Rajasthan as synonyms of "Thathera" at entry No.52, so that the amended entry No. 52 reads as follows:-

"52. Thathera, Kansara, Bharawa"

"52. ठाठेरा, कन्सारा, भारवा"

11. 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 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 of the Government's Notification is only that the backwardness of the caste/community, 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 the reservation for Backward Classes came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the Notifications takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community, using these synonyms, are eligible for reservation from that date.

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[Signature]

30.6.1997

V. Advice of the Commission

12. The Commission considered and agreed in full with the above Findings of the Rajasthan Bench and decided to tender the following Advice to the Central Government in terms of Section 9(1) of the NCBC Act, 1993:-

"Kansara" and "Bharawa" be included in the Central List of Backward Classes for Rajasthan as synonyms of "Thathera" at entry No. 52 so that the amended entry No. 52 reads as follows:-

"52. Thathera, Kansara, Bharawa"

" 52. ठठरा, कन्सार, भरावा "

13. 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 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.

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National commission for Backward Classes
Rajasthan Bench

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Wazir" in the Central List of Backward Classes for Rajasthan as synonym of "Daroga, Ravana-Rajput, Hazuri"

I. Request

This case arises from the Request of the Akhil Bharatiya Ravana Rajput Trust, Ramdeora, District Jaisalmer, Rajasthan for the Inclusion of "Wazir" in the Central List of Backward Classes for Rajasthan as a synonym of "Daroga, Ravna-Rajput, Hazuri". In its Request the Trust has stated that four names of their caste/community, viz. "Daroga", "Ravana-Rajput", "Hazuri" and "Wazir" have been included in the State List of Backward Classes for Rajasthan, but in the Central List of Backward Classes for Rajasthan only three of these names have been included and "Wazir" has been omitted, and that this omission has resulted in non-availability of reservation benefits for those members of their community who, in many districts of Rajasthan, are called by the name "Wazir".

II. Public Hearing

2. The two-Member Rajasthan 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 at Jaipur on 30.5.1997 to examine this Request. Two other Hon'ble Members of NCBC Shri Sahu Akshaya Bhai and Prof. U.P. Singh also joined the Bench during the Public Hearing. At the Public Hearing the State Government was represented by Shri S.K. Dalel, Joint Director and Shri Ramesh Chandra Sharma,

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Deputy Director in the Directorate of Social Welfare. Shri G.D. Garg, Joint-Director represented the Rajasthan State Backward Classes Commission.

III. Facts

3. The relevant entries in different lists of Backward Classes for Rajasthan are as follows:-

(i) State List

"11. Daroga, Ravana-Rajput, Hazuri, Wazir"

(ii) Mandal List

"36. Daroga"

"58. Hazuri"

"119. Ravana-Rajput"

(iii) Central List

"11. Daroga,
Ravana-Rajput,
Hazuri"

4. Since "Wazir" has been included only in the State List and not in the Mandal List, it has also not been included in the Central List of Backward Classes for Rajasthan which was prepared by the Central Govt. on the basis of the principle of commonality and notified by the Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994.

5. Munshi Hardayal Singh in his book based on the Census Report of 1891 ("The Castes of Marwar", Book Treasure, Jodhpur, 1990, first Edn. 1894) mentions about this caste/community under the occupational head "Personal Service" and under the caste head "The Gola". Munshi writes: The Golas literally

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Commissioner
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signifying slaves are the illegitimate offsprings of Rajputs upon whom they attend as hereditary servants... they are commonly known by the name of Chakars, and are also styled Daroga, Khawas, Pasban, or Chela. In the Western part of Marwar, they are generally designated as Wazirs, and in Meywar they are known as Dass."

6. During the Public Hearing, those present who were from different sections of the Society and the State Govt. representatives not only did not object to the proposed inclusion of "Wazir" in the Central List of Backward Classes for Rajasthan, but also supported it. The Bench was apprised by them that the members of the "Wazir" caste/community were earlier engaged in the various personal services, mainly as body guards, in royal courts etc. and a majority of their members are presently engaged in manual labour for wage and in other "lowly" services.

IV. Findings

7. From the above evidence, it is the Finding of the Bench that "Wazir" is a Socially and Educationally Backward Class and is a synonym of "Daroga, Ravana-Rajput, Hazuri", which is already included in the Central List of Backward Classes for Rajasthan at entry no. 11. It is covered by para 9 of the Procedural Clarification on the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of under-Inclusion in the Central List of Other Backward Classes". Therefore, "Wazir" should be included in the Central List of Backward Classes for Rajasthan as a synonym of "Daroga, Ravana-Rajput, Hazuri" at entry No. 11, so that the amended entry No. 11 read as follows:-

"11. Daroga, Ravana-Rajput, Hazuri, Wazir"

"११ दुरोगा, रावणा-राजपूत, हजुरी, वजीर"

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 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 of the Government's Notification is only that the backwardness of the caste/community, 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 the reservation for Backward Classes came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the Notifications takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community, using these synonyms, are eligible for reservation from that date.

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A. S. Kishan

30.6.1997

V. Advice of the Commission

9. The Commission considered and agreed in full with the above Findings of the Rajasthan Bench and decided to tender the following Advice to the Central Government in terms of Section 9(1) of the NCBC Act, 1993:-

"Wazir" be included in the Central List of Backward Classes for Rajasthan as a synonym of "Daroga, Ravana-Rajput, Hazuri" at entry No. 11 so that the amended entry No. 11 reads as follows:-

"11. Daroga, Ravana-Rajput, Hazuri, Wazir"

" 11. दारोगा, रावणा-राजपूत, हजुरी, वजीर "

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