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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. 22-23 Rajasthan/98 14. 08. 1998

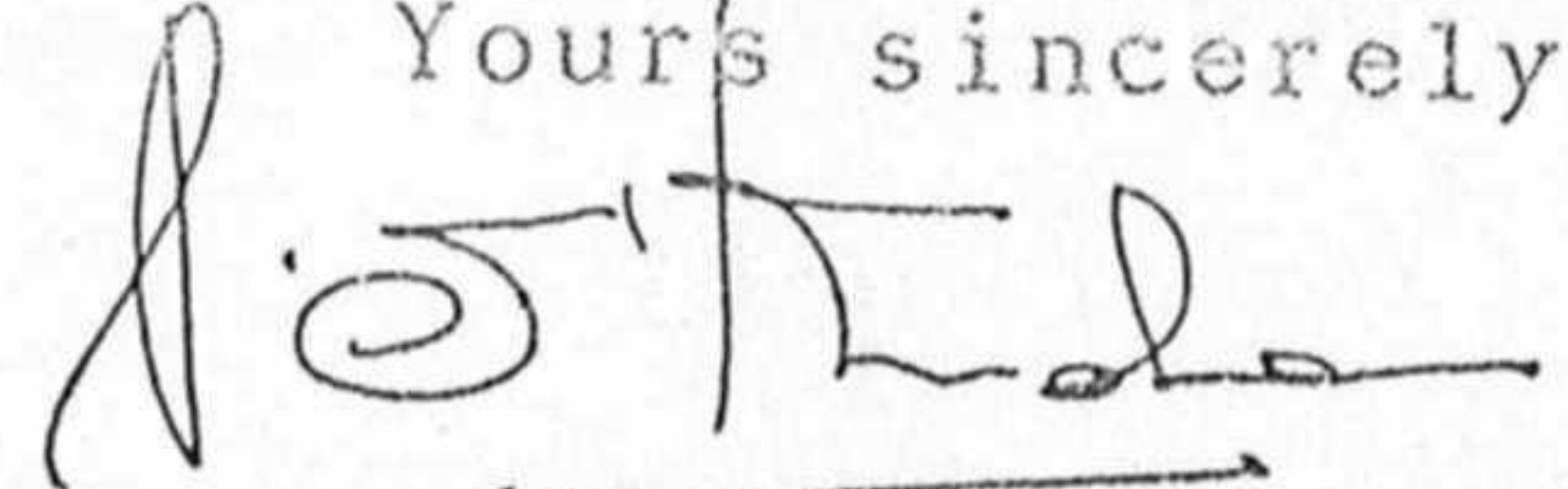
Dear Shri Manavalan,

I am sending herewith the Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for Rejection of the Requests for Inclusion of

- (1) "Panchal", "Panchal Brahman", "Vishwakarma", and "Sharma"
- (2) "Saifi" as a synonym of "Badhai" and "Lohar" in the Central List of Backward Classes for Rajasthan, for necessary action by the Central Government under Section 9(2) of the Act.

Best wishes,

Yours sincerely


(P.S. KRISHNAN)

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

National Commission for Backward Classes

Rajasthan Bench

Findings

Case: Request for Inclusion of "Panchal, Panchal Brahman, Viswakarma, and Sharma" in the Central list of Backward classes for Rajasthan

Pershri P.S. Krishnan, Member-Secretary,

I. Request

1. These cases arise from the Request received in this commission from Akhil Bhartiya Viswakarma Panchal Mahasabha, Rajasthan Pradesh, Jaipur for the inclusion of:-

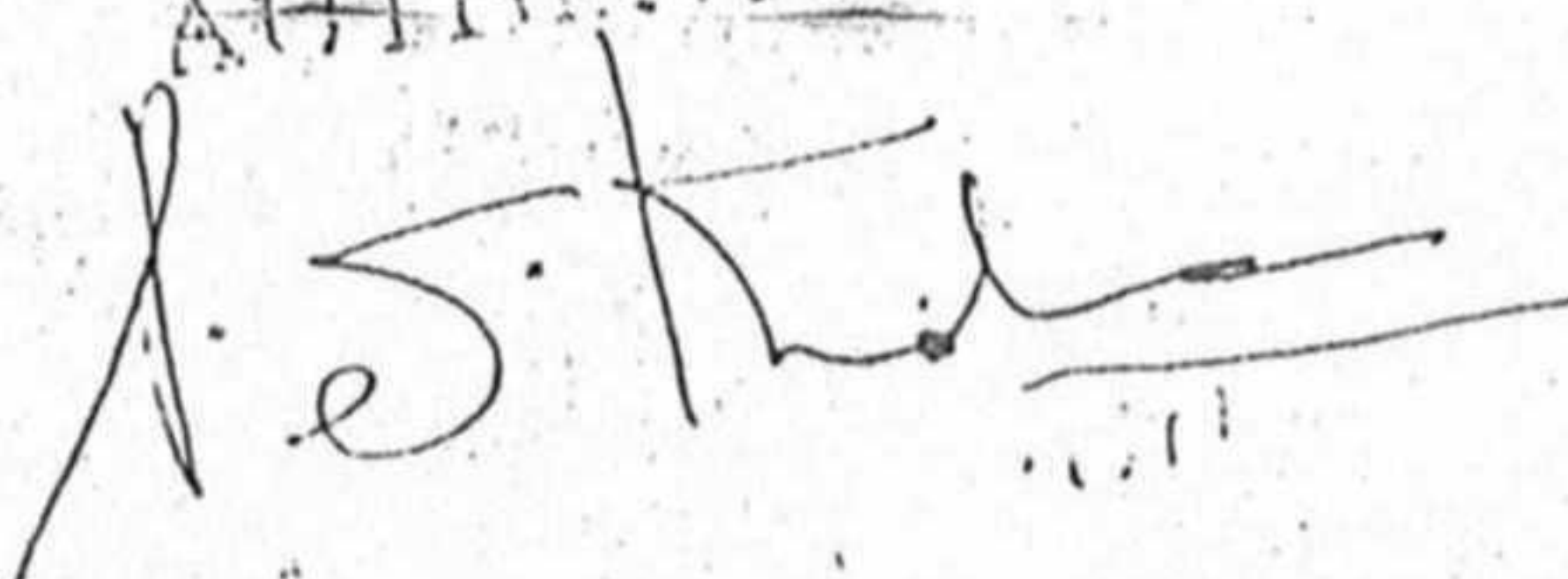
- (1) Panchal
- (ii) Panchal Brahman
- (iii) Vishwakarma
- (iv) Sharma

In the Central list of Backward Classes for Rajasthan.

II. Public hearing

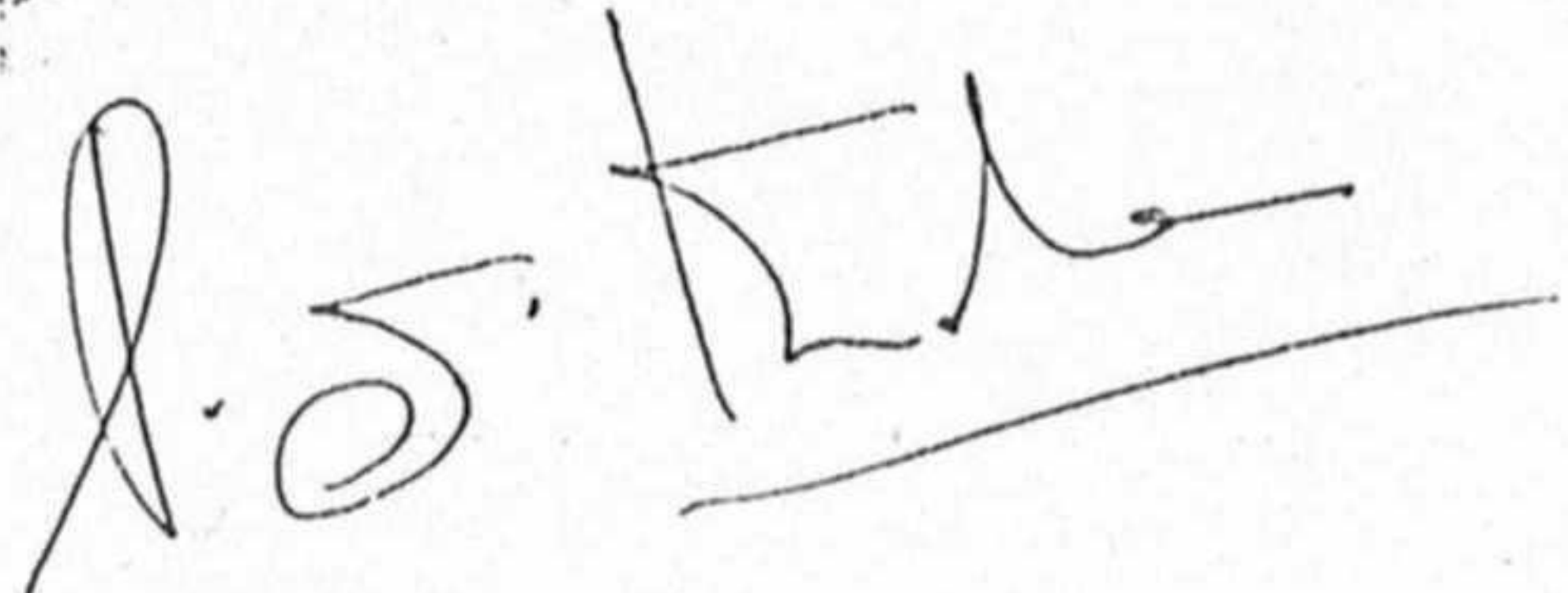
2. The two-Member Rajasthan Bench of the Commission consisting of Shri P.S. Krishnan, Hon'ble Member-Secretary, NCBC

ATTESTED



of the Request, and to others present that:-

- (i) Panchal is already included in the Central list of Backward classes for Rajasthan at entry no 33 as a synonym of Lohar, So the Request has already been fulfilled.
- (ii) As regards Panchal Brahman the Bench clarified that Panchal is already in the Central list and the suffix of "Brahman" to Panchal would not add anymore benefit to the existing benefits nor by not adding "Brahman" as suffix to the existing entry would any benefits be reduced, which they are already getting as "Lohar and Panchal".
- (iii) "Sharma" is not the name of a caste or community, but a surname. It is neither correct nor is it the practice of the National Commission for Backward Classes to include surnames.
- (iv) Inclusion or addition of names characteristic of or associated customarily with Socially Advanced castes will provide a window for some unscrupulous individuals to obtain false certificates in the name of the Backward Classes. This not only enables such individuals to get unconscionable benefits instead of competing on equal terms with other members of Socially Advanced castes/communities, but also inflicts damage on the genuine Backward Classes and defeats the purpose of the Constitutional & National Policy regarding Backward Classes. The NCBC cannot & does not encourage the inclusion of such names/synonyms.


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

The representative of the caste agreed, in response to a query by the Bench, that Vishwakarma and Panchal Brahman are not names prevalent and understood in Rajasthan as synonyms of Lohar and therefore did not press for the inclusion of these synonyms or of Sharma. Those present who were from different castes/communities also appreciated and welcomed the position explained by the Bench.

IV Findings

5. The Bench came to the conclusion that there is no need to add Panchal as it already stands included ab initio in the Central List of Backward Classes for Rajasthan. The Bench also concluded that it is neither correct nor desirable to include the other three synonyms in the circumstances explained in para 4 (ii), (iii) and (iv). Accordingly it is the Finding of the Bench that the Request for the Inclusion of these three synonyms be rejected.

For Bench:
12.8.98

P. S. Thakur
7.8.98

P. S. Thakur
for
1998

V Advice

6. 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 for action under section 9(2) of the Act:-

There is no need to add "Panchal" as a synonym of Lohar as it already stands included ab initio in the Central List of Backward Classes for Rajasthan.

The Request for Inclusion of "Panchal Brahmin", "Vishwakarma" and "Sharma" in the Central List of Backward Classes be rejected.

Kshayal
13.8.98

Lelepalhi
12.8.98

A. S. Krishna
7.8.98

Madan Mohan
14.8.98

P. K. Singh
14.8.98

A. S. Krishna

National Commission for Backward Classes

Rajasthan Bench

Findings

Case:- Request for Inclusion of "Saifi" as a Synonym of Luhar, Barahai in the existing Central list of Backward Classes for Rajasthan.

Per Shri P.S. Krishnan, Member-Secretary

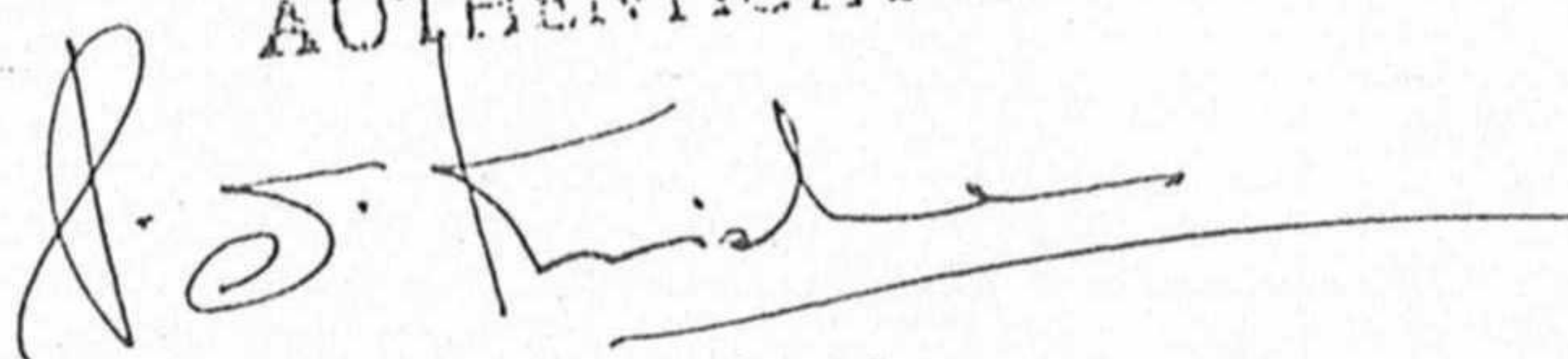
I Request

1. This case arises from the Request received by the National Commission for Backward Classes from the All India Saifi Federation, New Delhi for inclusion of Saifi in the Central list of Backward Classes for Rajasthan, as a synonym of Luhar, Barahai.

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 31.5.97 & 10.6.98 inter alia to examine

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

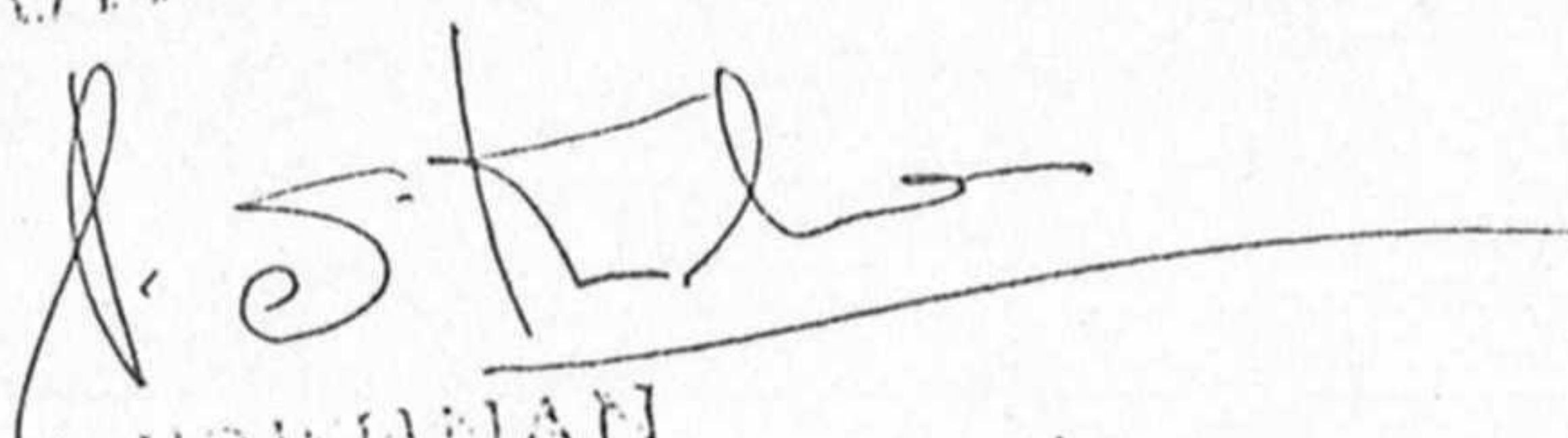
this Request. At the Public Hearing the State Government was represented by Shri S.K. Dalel, Joint Director and Shri Ramesh Chandra Sharma, Deputy Director in the Directorate of Social Welfare. Shri G.D. Garg, Joint-Director represented the Rajasthan State Backward Classes Commission. No representative of the Federation or the caste was present.

III Facts

3. At the time when the Expert Committee on Backward Classes prepared the first-phase Central List of Backward Classes on the basis of the principle of commonality, i.e., by listing castes common to both the Mandal List for each State and the respective State Lists and when, on the basis of the Expert Committee's Report, the Government of India notified the first-phase Central List in 1993, Rajasthan was one of the States which did not have a state List of its own. Therefore no Central List of Backward Classes for Rajasthan was prepared at that stage. It was only after the Supreme Court's Judgement in the Mandal case that the State Government of Rajasthan undertook the preparation of a State List of Backward Classes which was notified by the State Government on 6.8.1994. "Saifi" is not included in this State List and in the Mandal List and for this reason it is also not included in the Central List of Backward Classes for Rajasthan prepared "on the basis of the principle of commonality by" the Government of India and notified by it on the 19th October, 1994.

4. The relevant entries of Lohar, "Badhai" (not "Barahai" as spelt in the Request) in different lists of Backward Classes for Rajasthan are as follows:-

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P. S. KISHANANI
Member, Backward Classes Commission
11/11/94
11/11/94

Mandal List

"11 Barai, Atwasa, Badhai, Baiwal, Dagesar, Dingar, Jangid Brahman, Jhangra-Brahman, Kavigar, Khati, Khokar, Mayal, Suthar, Tarkhan, Vishwakarma."

"89 Lohar, Jaradi, Khuadi, Khutwal, Lohargiri, Malvi, Panchal, Pancholi, Thurawar, Zaradi."

State List

"6 Badai, Jangid, Khati, Suthar, Tarkhan."

"34 Lohar, Panchal."

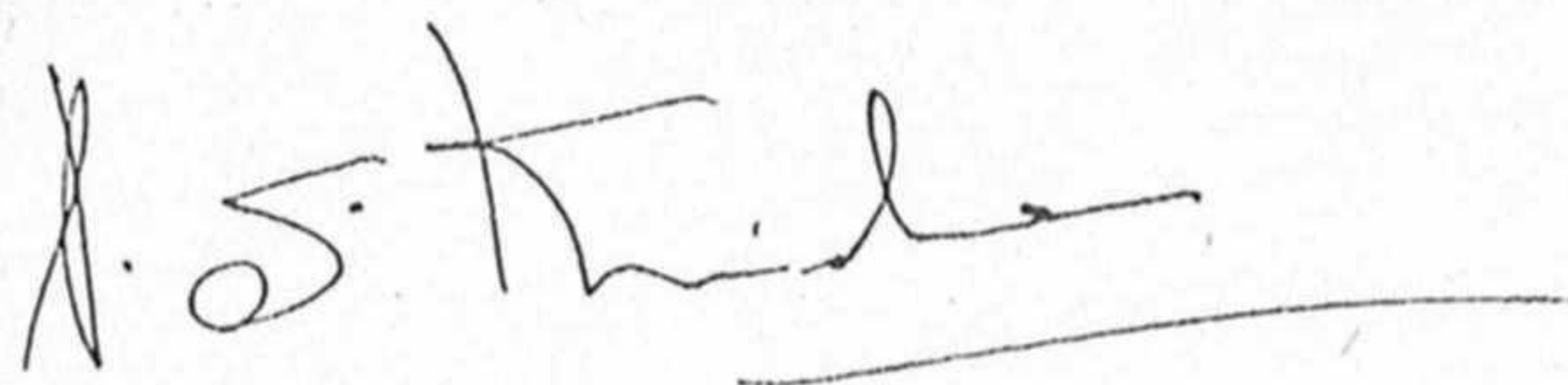
Central List

"3 Badhai, Jangid, Khati, Suthar, Tarkhan."

"33 Lohar, Panchal".

5. The NCBC Questionnaire filled-in by the Federation gives the following facts:-

- (i) The caste/community is generally regarded as socially Backward.
- (ii) The occupations on which the members of the caste/community mainly depend for livelihood are "wood work and Iron Work" which are being done by Barahai and Luhar respectively. These occupations are nonagricultural in nature which involve manual labour rendered for wage. Only 2% of the



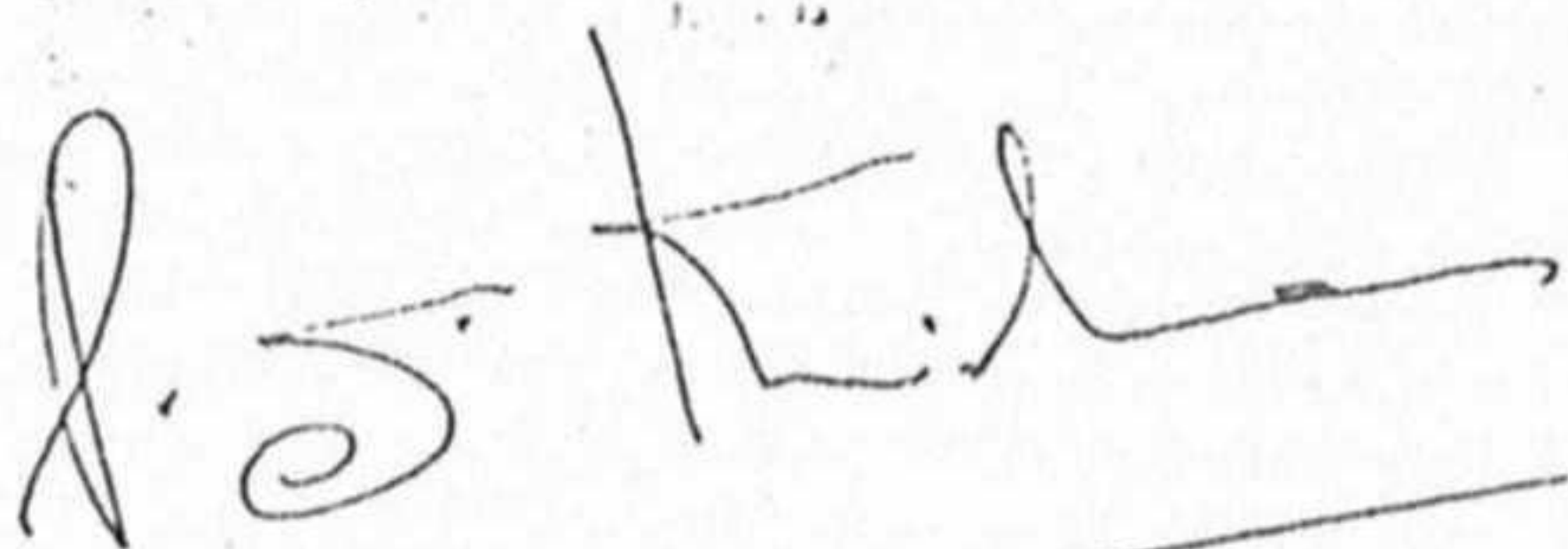
population of the caste/community has acquired resource base in the form of infrastructure like land, buildings, workshops, machines & equipment, etc. According to the Federation 100% population of the caste/community, etc (male, female, children taken together) are landless manual labourers. Besides the Federation has also given data about number of persons working in the following occupations-----.

- State level undertakings	Approx.No
	250
- Teachers	100
- Doctors(BIMS)	75
- Lawyers	18

(iii) According to the Federation 12194 persons of the caste/community are literate in the state, which works out a literacy rate of 3% for the caste/community. Of the literates 0.75% are matriculates and 0.20% are graduates. As regards female literacy, the Federation has given 0.40% of the total literates and 0.05% matriculates to be literate females and has not given any figure of female graduates.

(iv) Approximately 60% of the families of the caste/community live in kachha houses and 40% of them in pucca houses.

6. The Rajasthan State Backward Classes Commission vide its letter no. Fl(1) RBCC/97/17457 dated 14th July, 1997 has stated their views about the Saifi caste as follows "Saifi is stated to be a Synonym of Badhai and Lohar but this is not a Synonym in Rajasthan, nor is anyone known by this name in the State. This is not a prevalent name. Saifi is not indicative of an



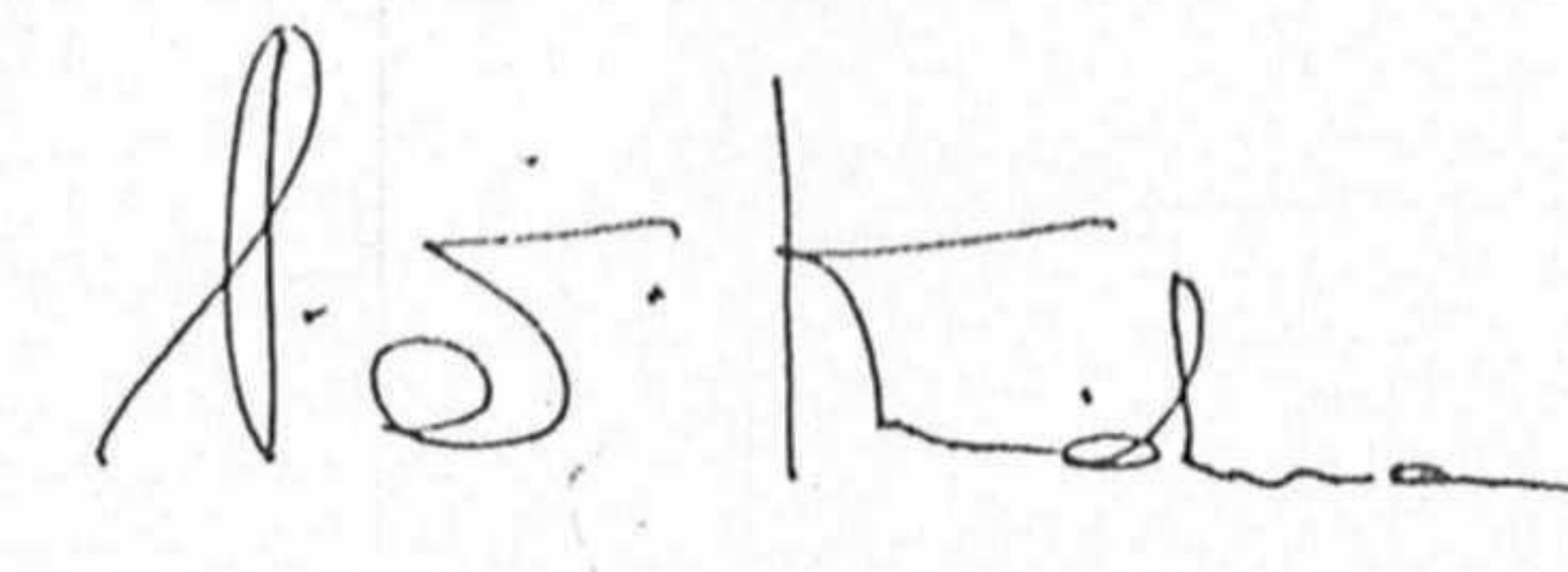
occupational class. Saifi is stated to be a Surname."

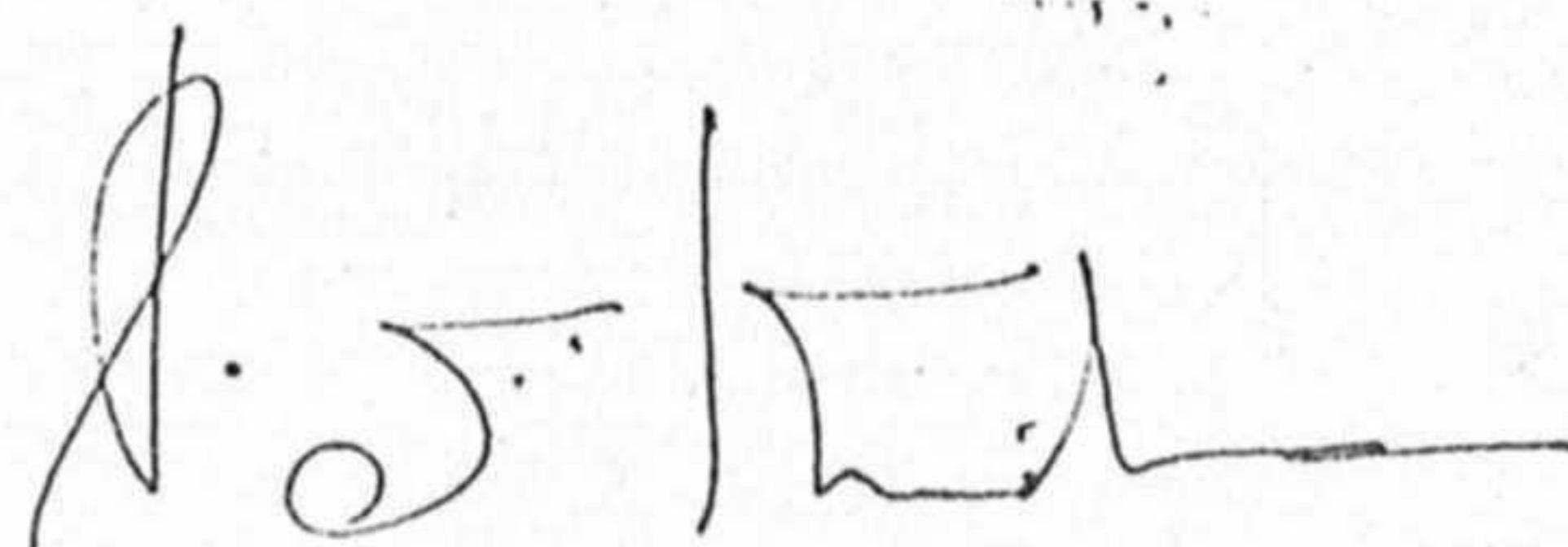
7. During the Public hearing those who were present from Muslim community as well as from the Hindu Community stated that Saifi is not prevalent in Rajasthan State as the name of any caste or community and that this name is unknown in the State.

IV Findings

8. From the above evidence, it is the finding of the Bench that Saifi as a synonym of Badhai and Lohar castes/community is not prevalent in the state of Rajasthan. Therefore, the Request for inclusion of Saifi as a synonym of Badhai and Lohar castes/communities in the Central list of Backward classes be Rejected.


12-8-28


11-8-28



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V Advice

9. The Commission considered and agreed in full with the above findings of Rajasthan Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993 for action under Section 9(2) of the Act:-

The Request for the inclusion of "Saifi" as a synonym of "Badhai" and "Lohar" castes/communities in the Central list of Backward classes for Rajasthan be Rejected as it is not prevalent in the State of Rajasthan.

Rshanya
13.08.98

Sanjay
12.8.98

S. J. Kishore
11.8.98

Sanjay
14.8.98

P. C. Singh
14.8.98

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S. J. Kishore
P. C. Singh
14.8.98