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भारत सरकार

नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

NCBC Advice No. 26 Rajasthan/98

27. 08. 1998

Dear Shri Manavalan,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for rejection of the Request for Inclusion of Yati caste/community in the Central List of Backward Classes for Rajasthan, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 320 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 317 are still pending with the Government for Notification.

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27/8/98

[Signature]

Yours sincerely

[Signature]
(P.S. KRISHNAN)

Encl: As stated.

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 Yati caste in the Central list of Backward Classes for Rajasthan.

Per Shri P.S.Krishnan, Member-Secretary.

1. This case arises from the Request received by the National Commission for Backward Classes from Shri Mohan Lal Dixit, Yati, P.O. Ladnu(Rajasthan) for inclusion of the Yati caste 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 and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing at Jaipur on 30.5.97 inter alia to examine 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 caste was present.

I. 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

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own. Therefore no Central List of Backward Classes for Rajasthan could be prepared and notified 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. "Yati" 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. Shri Mohan Lal Dixit in his Request stated that the Yati caste is known by the following names in the country _____

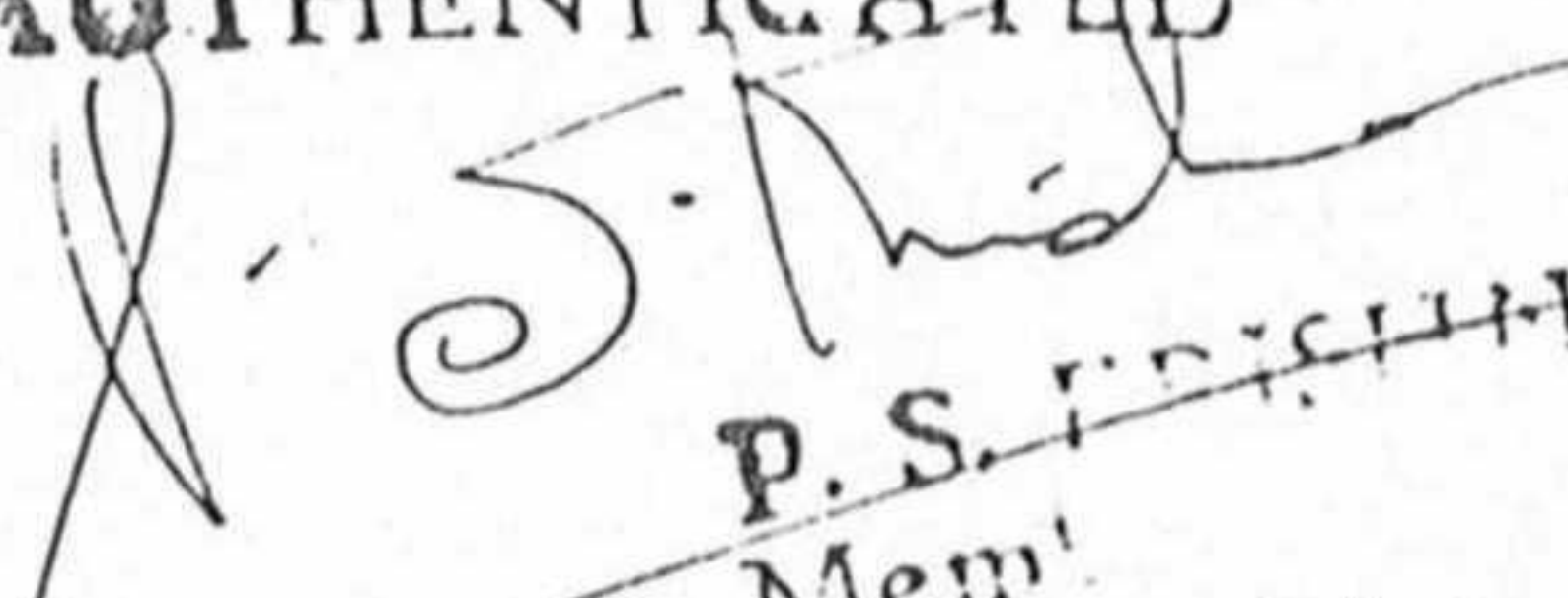
- (i). Yati (यति)
- (ii). Yatie (यती),
- (iii). Jati (जाति),
- (iv). Jatie (जाती),
- (v). Jatee (जती)

It was stated by him that Yati caste is a caste of 'Grihstha Jain Sadhus' whose population in the country is 7,000. This is a minority caste which is educationally and economically very backward but it has not been recognised as a caste of backward class yet.

The yati caste has got limited resources to live, and in the absence of economic resources they find it difficult to survive and could not get their children education.

5. Munshi Hardyal Singh in his book "The Castes of Marwar ----being" (Census of 1891) (Books treasure, Jodhpur, second edition, 1990, PP. 94-96 first edition 1894) has described about the Jatis in Marwar State under the class 'Professional Priests' in chapter III. He writes :- "The Jatis are the Jain priests and number 834 in Marwar. The word is said to be a corruption of Jit-indri meaning those who control their passions. They are the spiritual guru of the Jainis, but on occasion of marriage, the priestly functions are discharged by the Brahmans. Their chief profession is preaching, and they teach celibacy and reverence for animal life..... Most of the Jatis act as physicians under which capacity they are known by the name of Guran. They also practise hocus pocus, or sleight of hand and as such, are supposed to be skilful magicians..... The Jatis are well versed in Sanskrit and possess good many scriptures of their faith dealing with learned controversies against Hinduism..... The Jatis do not marry. They make disciples or chelas from every high caste; the first chela generally succeeding his guru....."

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P. S. PRICHAN
Member
National Commission
for Backward Classes

Among the Jatis who keep wives and live as gharbaris or house holders are called Mahatama, but they form a separate class and occupy a lower position. They also act as the gurus of Rajputs and Oswals and preserve their geneologies as the Bhats do for which they are paid. Brahmans take part in their marriage ceremonies, and they can make adoptions, but widows are not allowed to marry."

6. The Rajasthan State backward Classes Commission vide its letter no. F1/RBCC/97 dated 15.7.97 has given its views about the yati caste as follows :-

"Preaching Jain Religion, look after Jain temples, socially, educationally not backward."

7. During the Public Hearing those present from different sections of society also confirmed that yatis belong to the Jain religion, belong to a priestly class, are held in high esteem and treated with respect, are not regarded as socially backward and therefore it should not be included in the Central list of Backward Classes for Rajasthan.

IV. Findings

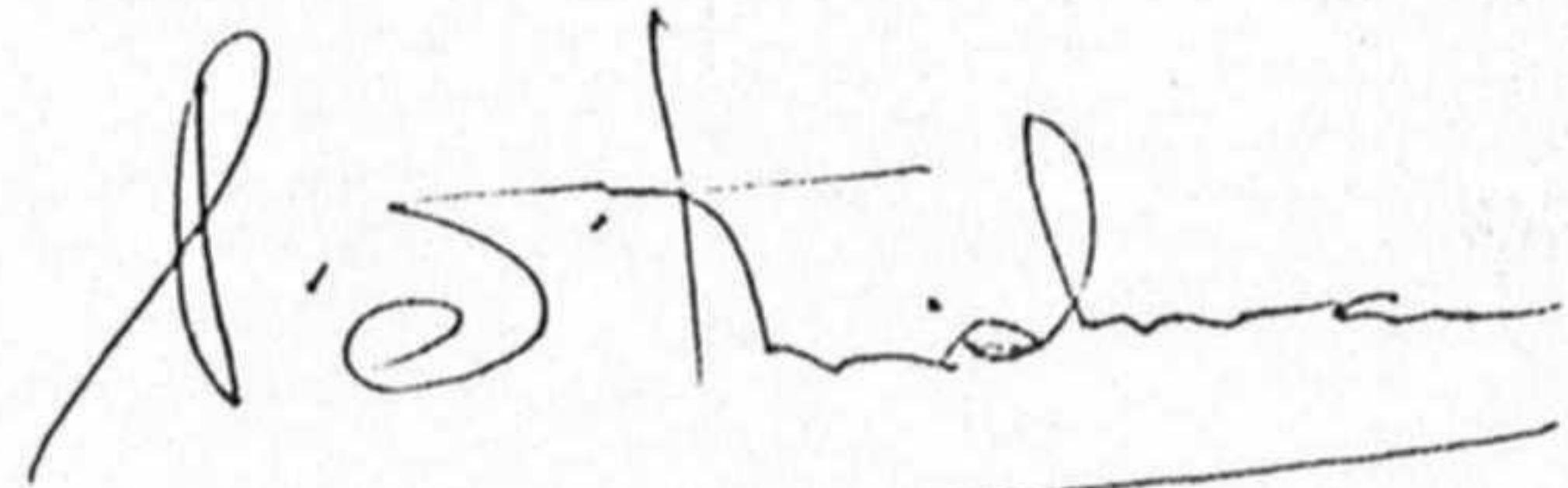
8. From the above evidence the Bench came to the Findings that the Yati caste is not socially backward. The position of its members as Jain Priests and spiritual gurus of the Jains, whose chief profession is preaching, their grounding in Sanskrit and scriptures and the fact that they take disciples or chelas from every high caste, all point to the respectable and high social status of the community. The custom of prohibition of remarriage of widows, though contrary to modern enlightened gender-equitous practices, is, in the topsy-turvy world of caste system, considered to be the hall mark of advanced or upper castes. There is a reference in the Request to the position of the caste as a minority caste. If what is intended is that it is a religious minority, that is not relevant here. What is relevant here is whether a particular caste or community or sub-caste is socially and educationally backward or not, irrespective of the religion(s) of its members. In fact even in the averment of the community, it has not even claimed to be socially backward, but only pleaded that it is educationally and economically backward. Ethnographic evidence and the State commission's views all coalesce to show that Yati is not a socially backward class and is in fact socially advanced. Therefore, the Request for the inclusion of the yati caste in the Central list of Backward Classes for Rajasthan should be Rejected.

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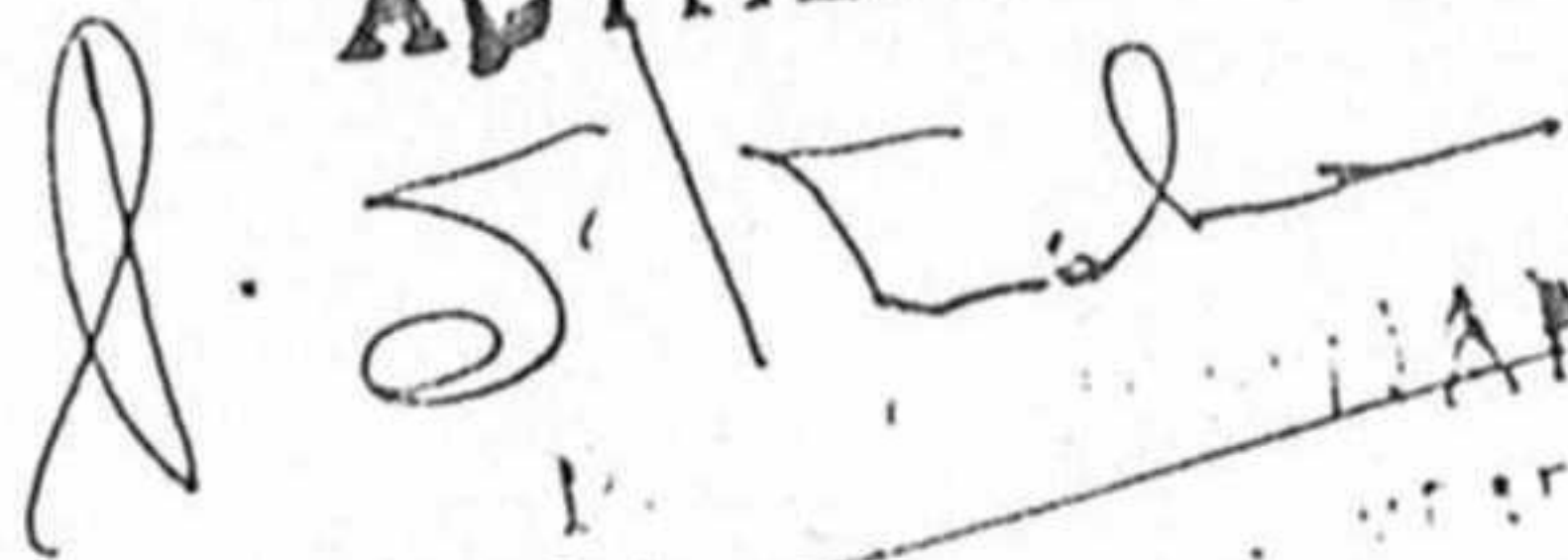
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As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.8.1998, subsequent to the public hearing, the Findings are signed only by one Member, who is also the co-ordinating Member of the Bench, but the Findings represent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



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MEMBER
National Commission
for Backward Classes

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 for necessary action under section 9(2) of the Act, :-

The Request for the inclusion of the Yati caste in the Central List of Backward Classes for Rajasthan should be rejected as it is socially Advanced and not a socially backward class.

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.1998, 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
21.08.98

P. S. Krishnan
21.8.98

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