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

DO NCBC Advice No. 27 Rajasthan/98

02. 09. 1998

Dear Shri Manavalan,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the National Commission for Backward Classes Act, 1993 for Inclusion of 'Jachak, Jaga' as synonyms of 'Badwa, Bhat, Rao' in the Central List of Backward Classes for Rajasthan, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

2. With this, Advices on 335 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 332 are still pending with the Government for Notification.

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated.

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

National Commission for Backward ClassesRajasthan BenchFindings

Case: Request for inclusion of Jachak, Jaga as Synonyms of Badawa, Bhat, Rao in the existing Central list of Backward Classes for Rajasthan.

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

I Requests

This case arises from the Requests received in this Commission from the Rajasthan State Backward Classes Commission vide their letter No. F 1 ()/RSBCC/ 95/8942 dated 28.4.95 for inclusion of Jachak, Jaga as synonyms of Badwa, Bhat, Rao and Bhat Jachak Samaj Vikas Sansthan District Ajmer for inclusion of Jachak 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 Paudhi, Hon'ble Member, NCBC held a Public Hearing at Jaipur on 9.6.1998 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 representatives of the Sansthan or the caste was present.

AUTHENTICATED

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

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 State List of Backward Classes which was notified by the State Government on 6.8.1994. This State list included these synonyms but it was not included in the Mandal List and for this reason it was 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 in respect of the Jachak, Jaga as synonyms of Badwa, Bhat, Rao in the different lists of backward classes are as follows:-

(1) State List

"2 Badwa, Jachak, Bhat, Jaga, Rao."

(2) Mandal List

"5 Badwa"

"21 Bhat Charan."

"117 Rao"

(3) Central List

"2 Badwa, Bhat, Rao."

AUTHENTICATED
P. S. HARTMAN
Member, Executive Commission
International Brotherhood of Teachers
Classes

5. During the Public Hearing those present who were from different sections of the society not only did not object to the inclusion of Jachak, Jaga as Synonyms of Badwa, Bhat, Rao in the Central list Backward Classes but also confirmed that they are such synonyms and supported their inclusion.

iv Findings

6. From the above evidence, it is the Finding of the Bench that Jachak, Jaga are synonyms of Badwa, Bhat, Rao which are included in the Central List of Backward Classes for Rajasthan. Synonyms of an existing entry in the Central List are covered by para 9 of the Procedural Clarification on Guidelines of the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of Under-Inclusion in the Central List of Backward Classes". Therefore, these synonyms should be included at entry No. 2 as indicated below in the Central List of Backward Classes for Rajasthan, so that the amended entry after the inclusion of these synonyms reads as follows:-

"2 Badwa, Bhat, Rao, Jachak, Jaga."

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.

P. S. Krishnan

28.8.98

AUTHENTICATED

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

V Advice of the Commission

7. 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:-

"Jachak, Jaga" should be included as synonyms of "Badwa, Bhat, Rao" in the existing Central list of Backward Classes of Rajasthan at entry no.2 so that the amended entry reads as follows:-

"2 Badwa, Bhat, Rao, Jachak, Jaga."

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
01.09.98

P. S. Krishnan

28.8.98

Navtej Puadhi
31.8.98

P. S. Krishnan
2.9.98

AUTHENTICATED

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