



पी.एस. कृष्णन्
P.S. KRISHNAN
TEL. : 6183190

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. 29 Rajasthan/98

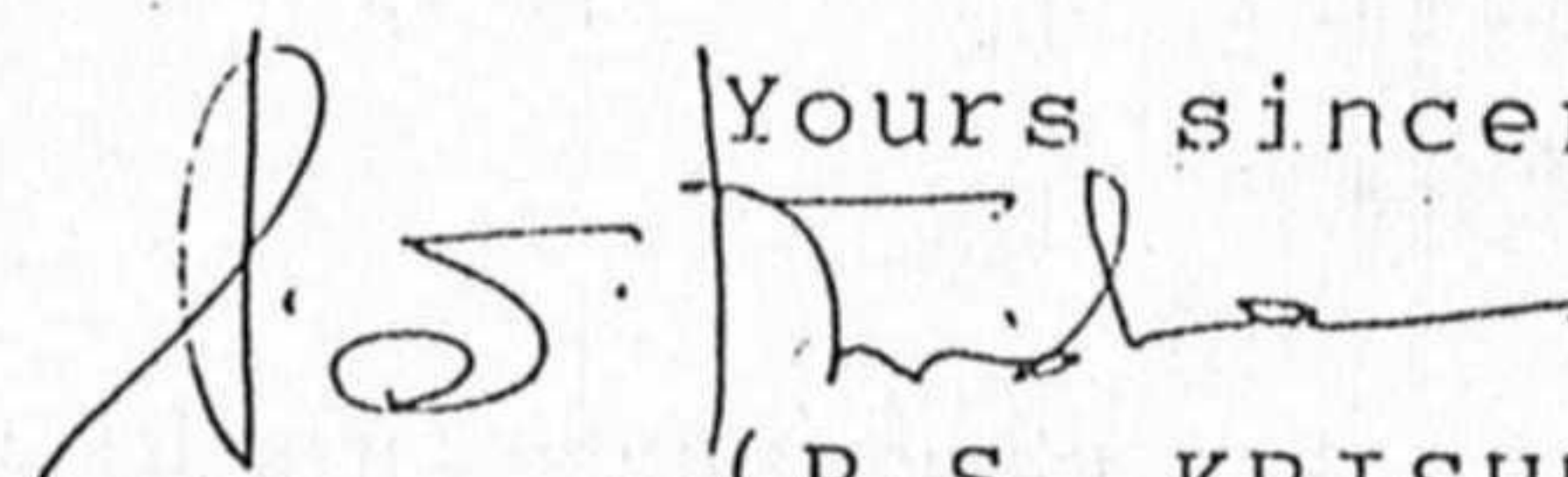
02. 09. 1998

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 rejection of the Request for Inclusion of 'Ander Kotiyan Ander Kot' 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 337 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 334 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

✓ NCBC. Adva 29/Raj/98

National Commission for backward Classes

Rajasthan Bench

Findings

Case :- Request for inclusion of "Ander Kotiyan Ander Kot" in the Central List of Backward Classes For Rajasthan.

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

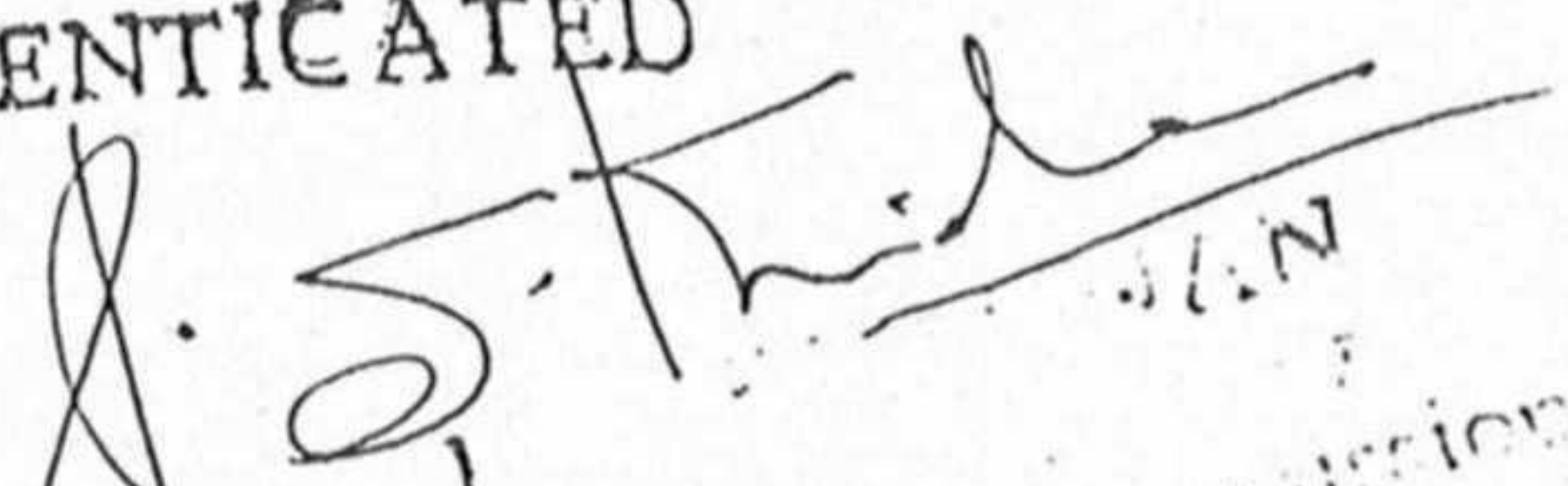
I Request

1. This case arises from the Request received by the National Commission for Backward Classes from the Society Panchayat Ander Kotiyan Hatai Chowk, Mohalla Ander Kot, Ajmer for inclusion of the Ander Kotiyan Ander Kot 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. The community was represented by Shri Abdul Hafeez Khan, and Mohd. Hussain.

AUTHENTICATED


1
Mem.
N.C.B.C.
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 a State List of Backward Classes which was notified by the State Government on 6.8.1994. "Ander Kotiyan, Ander Kot" 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 society has stated the following facts about their community:-
 - (i) The Ander Kot community is known by the following names----Kadimi, Bashindgan, Ander Kotiyan in Ajmer.
 - (ii) The population of the community is 1,000.
 - (iii) Persons of the community are engaged in services like Railways and as teachers. There is not a single person working in Police, local, State & Central departments. There is not a single officer in Banks, Courts, U.I.T., P.W.D. Municipal Council, Forest deptt, Social welfare deptt, Army. People of this community are mainly dependent on their livelihood by doing work of "Grass & wood cutting in hilly areas (Ander Kot)". They have been doing this work for last 700 years.

AUTHENTICATED

R. S. Thakur
In-charge
for Backward Classes

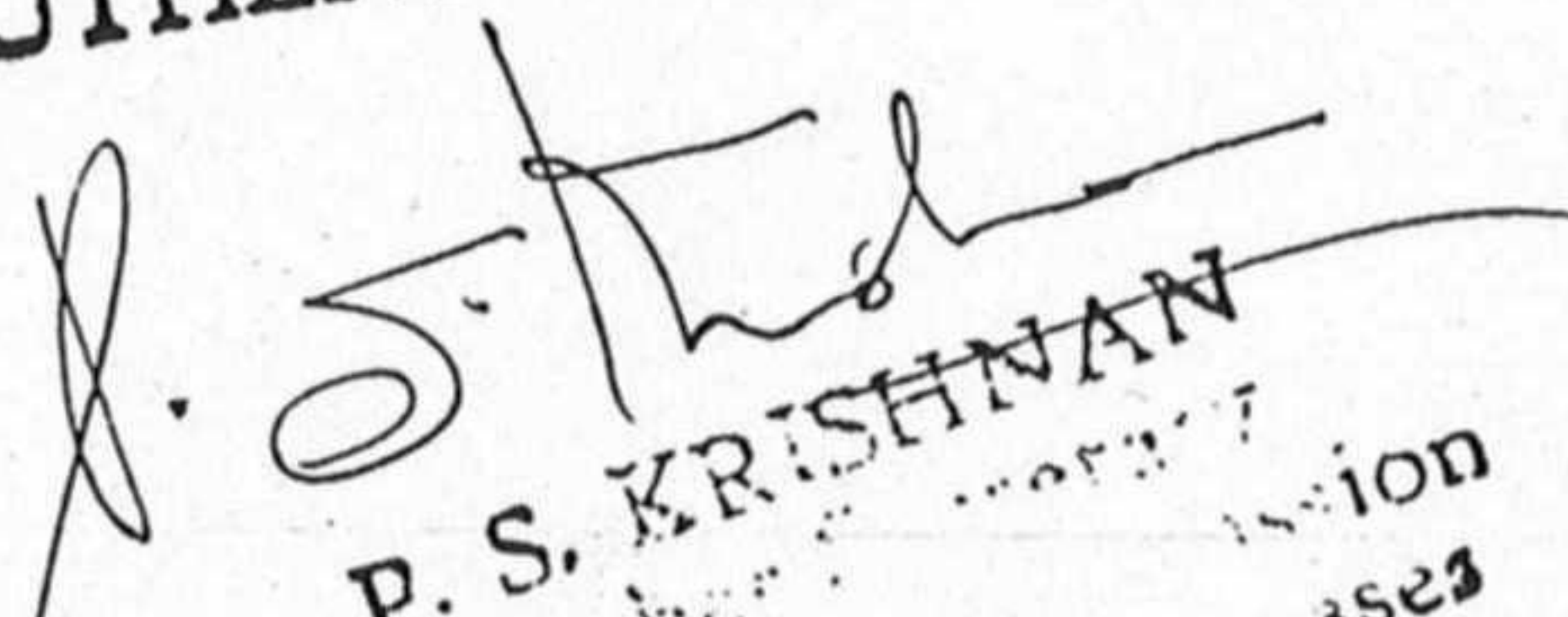
5. During the Public hearing the representatives of the community who made the Request also stated that their community is found in Ajmer district and its population is 1,000. They are mainly engaged in grass-cutting work. They were asked to fill-in the NCBC Questionnaire which has not been done by them till date.

Those who were present from other sections of the society both Hindus as well as Muslims were unaware of the existence of the community in Rajasthan State, & in Ajmer district in particular.

6. The Rajasthan State backward Classes Commission vide their letter no. F1/RBCC/97 dated 15 July 1997 has sent their views to the NCBC that:-

"Ander Kotiyans are those who reside in particular areas. They are known as musalman. There is no separate occupational class. Persons of all religion/castes/occupations living in particular areas are known as Ander Kotiyan."

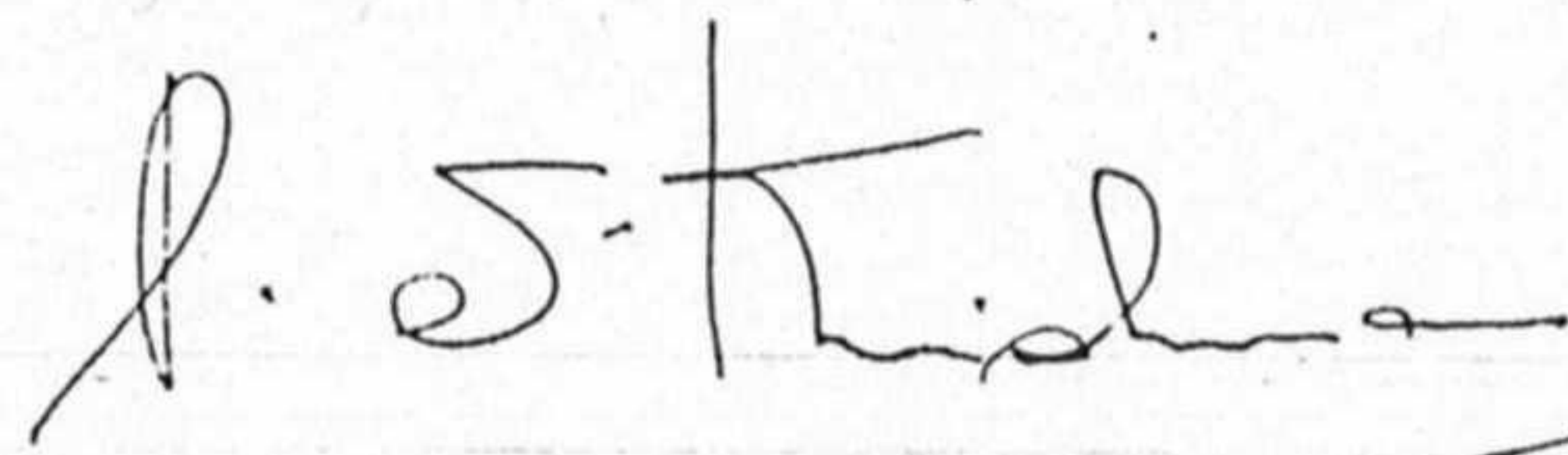
AUTHENTICATED

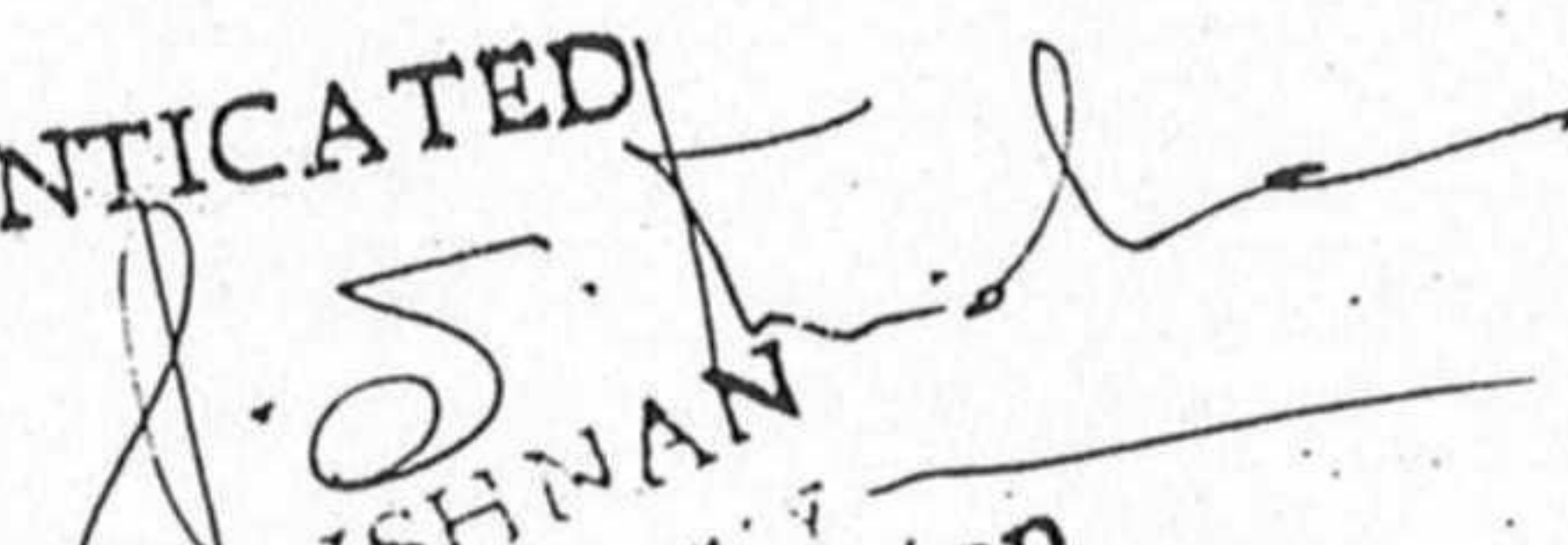

P. S. KRISHNAN
Member
for Backward Classes

V Findings

7. The representatives of the community were asked to fill-in NCBC Questionnaire & furnish more evidence about the existence of "Ander Kotiyan" as community, especially in view of the State Commission's view that Ander Kotiyan is not a separate occupational class and refers to all living in particular areas. Till this date they could not do so. In the absence of any such evidence from them after waiting for more than a year, on the basis of the evidence available, the Bench had no alternative but to hold in agreement with the views of the State Backward Classes Commission, that there is ^{no} separate class or caste or community known as Ander Kotiyan among the Muslims of Rajasthan. Therefore, the Request of the society for the inclusion of Ander Kotiyan, Ander Kot in the Central list of Backward Classes for Rajasthan should be rejected.

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.


31.8.98

AUTHENTICATED

P. S. KRISHNAN
Member, Bench
National Commission
for Backward Classes

V Advice of the Commission

8. 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 Govt. 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 Ander Kotiyan Ander Kot in the Central list of Backward Classes for Rajasthan be Rejected as there is no evidence that it exists as a separate class or caste or community in Rajasthan.

On account of the unfortunate demise of one of the Members Shri Navetj 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.

Kshayan
01.09.98

P. S. Krishnan
31.8.98

Maday Pruthi
2.9.98

P. C. Meenakshi
2.9.98

AUTHENTICATED

P. S. KRISHNAN
Member & Secretary
North India Commission
for Backward Classes